SEEKING ACCOUNTABILITY AND PREVENTING REOCCURRENCE: ADDRESSING CONFLICT-RELATED SEXUAL SLAVERY THROUGH THE WOMEN, PEACE, AND SECURITY AGENDA
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Special thanks goes to global policymakers who provided valuable insights to this research through key informant interviews.

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# Glossary of Abbreviations

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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AFRIC</td>
<td>Armed Forces Revolutionary Council</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>BDPFA</td>
<td>Beijing Declaration and Platform for Action</td>
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<tr>
<td>CEWIGO</td>
<td>Centre for Women in Governance</td>
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<tr>
<td>CEDAW</td>
<td>Committee on the Elimination of Discrimination against Women</td>
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<td>CESCRC</td>
<td>Committee on Economic, Social and Cultural Right</td>
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<td>CAT</td>
<td>Committee Against Torture</td>
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<td>CERD</td>
<td>Committee on the Elimination of Racial Discrimination</td>
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<tr>
<td>CAVR</td>
<td>Commission of Reception, Truth, Reconciliation in East Timor, or Comissão de Acolhimento, Verdade e Reconciliação de Timor Leste</td>
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<tr>
<td>CT</td>
<td>Counter Terrorism</td>
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<td>CIGE</td>
<td>Commission of Investigation and Gathering Evidence</td>
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<tr>
<td>CVE</td>
<td>Countering Violent Extremism</td>
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<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>FARC</td>
<td>Revolutionary Armed Forces of Colombia, or Fuerzas Armadas Revolucionarias de Colombia</td>
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<tr>
<td>FARDC</td>
<td>Armed Forces of the Democratic Republic of the Congo, or Forces Armées de la République Démocratique du Congo</td>
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<td>FYF</td>
<td>Free Yazidi Foundation</td>
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<td>GNWP</td>
<td>Global Network of Women Peacebuilders</td>
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<tr>
<td>HRC</td>
<td>Human Rights Committee</td>
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<td>ICJ</td>
<td>International Court of Justice</td>
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<td>ICC</td>
<td>International Criminal Court</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>ICTY</td>
<td>International Criminal Tribunal for the former Yugoslavia</td>
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<td>ISIS</td>
<td>Islamic State of Iraq and Syria</td>
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<td>ILO</td>
<td>International Labor Organization</td>
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<td>KII</td>
<td>Key Informative Interviews</td>
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<tr>
<td>LRA</td>
<td>Lord Resistance Army</td>
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<tr>
<td>LAP</td>
<td>Local Action Plan</td>
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<tr>
<td>LGBTI</td>
<td>Lesbian, Gay, Bisexual, Transgender, and Intersex</td>
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<tr>
<td>NAP</td>
<td>National Action Plan</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>PRDP</td>
<td>Peace, Recovery and Development Plan</td>
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<td>PVE</td>
<td>Preventing Violent Extremism</td>
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<td>PTSD</td>
<td>Post-traumatic Stress Disorder</td>
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<tr>
<td>PCVE</td>
<td>Prevent and Counter Violent Extremism</td>
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<tr>
<td>PVE</td>
<td>Preventing Violent Extremism</td>
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<tr>
<td>SGBV</td>
<td>Sexual Gender-based Violence</td>
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<tr>
<td>SRSG on SVC</td>
<td>Special Representative of the Secretary General on Sexual Violence in Conflict</td>
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<tr>
<td>TKC</td>
<td>Traditional Kinetic Conflict</td>
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<td>TWRF</td>
<td>Taipei Women’s Rescue Foundation</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<tr>
<td>UNSCR</td>
<td>United Nations Security Council Resolution</td>
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<td>WPS</td>
<td>Women, Peace and Security</td>
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<tr>
<td>WHO</td>
<td>World Health Organization</td>
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<td>YSN</td>
<td>Yazidi Survivor Network</td>
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Conflict-related sexual slavery is a widespread, systematic, institutionalized, and deliberate human rights abuse committed by militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike. Causing tremendous and long-lasting harm to women, girls, and entire communities, sexual slavery is used as a weapon of war, a wartime strategy, or a tactic of terrorism to recruit and retain fighters, fund operations, instill fear, destroy communities, and promote ideology.

The context in which conflict-related sexual slavery is occurring has evolved since World War Two. The rise of violent extremist groups and criminal networks has contributed to the widespread use of the bodies of women and girls as a form of currency in the political economy of war. Forced displacement, refugee crises, and humanitarian emergencies as a result of armed conflict have further exacerbated insecurity for women and girls, increasing their vulnerability to sexual slavery.

Survivors of sexual slavery are not a homogenous group—each individual experience is unique and affected by geography, socioeconomic status, race, ethnicity, nationality, and religion, among other intersecting factors. Yet survivors across conflict contexts often face high levels of stigmatization and marginalization from their communities and families. In spite of this, many survivors have broken the barrier of silence and actively advocate for accountability and reparations from perpetrators, dispelling the narrative that survivors of conflict-related sexual slavery are passive victims without agency. In the absence of effective action taken by global and national policymakers to address conflict-related sexual slavery, survivors—with the support of women’s civil society—call for accountability, justice, relief and recovery services, protection, and prevention of reoccurrence.

Although international human rights, humanitarian, and criminal laws and policies on preventing violent extremism and countering terrorism recognize and condemn conflict-related sexual slavery, significant gaps persist when it comes to consistent, coherent, and specific efforts at prevention, protection, accountability, and relief and recovery for survivors. The failure to address conflict-related sexual slavery through gender-responsive peace processes, post-conflict resolution, and transitional justice mechanisms contributes to a reoccurrence of the crime, along with continued impunity for perpetrators and inadequate redress for survivors.

The Women, Peace, and Security resolutions adopted by the United Nations Security Council provide a critical framework to improve the global response to conflict-related sexual slavery. However, it is essential to strengthen specific policies, provisions, and programming on conflict-related sexual slavery for the implementation of the Women, Peace, and Security resolutions, including National Action Plans. Localization of United Nations Security Council Resolution (UNSCR) 1325 is an important instrument to ensure that the needs of survivors of sexual slavery are met and to prevent the reoccurrence of the crime, through context-specific, survivor-centered conflict resolution initiatives developed in partnership with women’s civil society.

The coinciding 25th anniversary of the Beijing Declaration and Platform for Action, 20th anniversary of UNSCR 1325, and the 20th anniversary of the Women’s International War Crimes Tribunal for the Trial of Japan’s Military Sexual Slavery in 2020 present a critical opportunity to highlight the need to step up the response to sexual slavery, particularly justice and reparations for survivors as well as prevention efforts. It is a unique moment for survivors, women’s rights organizations, and civil society groups worldwide to demand that the United Nations, Member States, regional organizations, the International Criminal Court, and the International Court of Justice take concerted action to end sexual slavery in collaboration with civil society, the media, academia, faith-based institutions and other key stakeholders.

The Global Network of Women Peacebuilders (GNWP), with support from the Korean International Cooperation Agency (KOICA), coordinated a global research to analyze historical and contemporary incidences of sexual slavery, from World War Two to the present geopolitical context. The overall goal of the research is to promote synergies in the implementation of the Women, Peace, and Security (WPS) Agenda, international humanitarian and human rights laws, and policies to prevent and counter violent extremism to improve the prevention of, protection from, accountability mechanisms for, and relief and recovery for survivors of sexual slavery. To ensure that this research reflects the voices of survivors of sexual slavery and women’s civil society on the ground in conflict-affected communities, the research team produced three case studies: one on sexual slavery during World War Two in Asia and the Pacific, and two on more recent incidences of sexual slavery in Uganda and Iraq respectively. Key informant interviews and focus group discussions with survivors of conflict-related sexual slavery, women’s rights activists, local and national government officials, human rights lawyers, and grassroots peacebuilders in Korea, Uganda, and Iraq, along with global policymakers were conducted.

This advocacy brief summarizes the key findings and recommendations of the global research and case studies. The full-length global research and case studies will also be made available. GNWP hopes that this research will inform and strengthen the global response to conflict-related sexual slavery and survivor-centered implementation of the WPS Agenda. Critically, this research will serve as a key advocacy tool for victims and survivors of sexual slavery and their families, and civil society activists.
Conflict-related sexual violence is not synonymous with rape. Sexual slavery is a distinct, systematic form of sexual violence directly or indirectly linked to a conflict with its own drivers and impact, which must be addressed in its gravity and prosecuted as such. Women and girls who experience sexual slavery are subjected to various types of sexual violence, including rape, trafficking, forced marriage, sexual torture, forced sterilization, and forced pregnancy. At times, they are also obligated to cook, clean, and fight.

**Key Findings**

**KEY FINDING 1:**
Conflict-related sexual violence is not synonymous with rape. Sexual slavery is a distinct, systematic form of sexual violence directly or indirectly linked to a conflict with its own drivers and impact, which must be addressed in its gravity and prosecuted as such. Women and girls who experience sexual slavery are subjected to various types of sexual violence, including rape, trafficking, forced marriage, sexual torture, forced sterilization, and forced pregnancy. At times, they are also obligated to cook, clean, and fight.

**KEY FINDING 2:**
International humanitarian, criminal, and human rights law all recognize, condemn and prohibit conflict-related sexual slavery as a crime of war, a crime against humanity, genocide, slavery, or torture. However, they lack a consistent, coherent, specific normative framework for the prevention of, protection from, redress for survivors of, and prosecution of conflict-related sexual slavery. As a result, there have been a very limited number of successful prosecutions of conflict-related sexual slavery. Rigorous and consistent prosecution of sexual violence crimes in conflict is central to deterrence and prevention of reoccurrence.

**KEY FINDING 3:**
Even though the Women, Peace, and Security (WPS) Agenda provides a crucial global policy framework with which to tackle conflict-related sexual slavery, the WPS resolutions do not refer to conflict-related sexual slavery as a distinct form of violence, nor do they specifically address its incidence or impact. Consequently, National Action Plans (NAPs) on WPS, the primary instrument for governments to localize and implement the WPS resolutions, fail to adequately address reparations, compensation, and restitution for victims of conflict-related sexual slavery.

**KEY FINDING 4:**
To improve the global response to conflict-related sexual slavery, it is urgent to strengthen specific provisions and language on conflict-related sexual slavery within the WPS Agenda and corresponding programs, policies, reports, NAPs, Regional Action Plans (RAPs), and Local Action Plans (LAPs). The Localization of UNSCR 1325 can lead to specific provisions and programs on conflict-related sexual slavery that actually meet the needs of survivors or prevent the reoccurrence of the crime, even if NAPs themselves do not contain explicit language.

**KEY FINDING 5:**
Despite progress in global policy frameworks on addressing the gendered impact of terrorism, including sexual slavery, national legislation on countering terrorism (CT) and preventing violent extremism (PVE) often fails to recognize and respond to deliberate acts of sexual violence as a weapon of terrorism. As a result, victims of sexual slavery by terrorist groups are stigmatized, marginalized, and denied access to the redress and relief and recovery services they require. To improve the global response to the gendered nature of violent extremism conducive to terrorism and its impact, National Action Plans (NAPs) on PVE and WPS must be harmonized.

**KEY FINDING 6:**
Transitional justice mechanisms, when gender-sensitive, provide an opportunity to transform inadequate laws and harmful social norms, by ensuring that the gravity of sexual violence is officially recognized and addressed. The failure to address sexual violence in conflict—including sexual slavery—through gender-responsive peace processes, post-conflict resolution, and transitional justice mechanisms contributes to a recurrence of these crimes, along with continued impunity and inadequate redress for survivors. States must transform judicial systems to remove gender biases and address the countless, often interconnected, barriers survivors of sexual violence in conflict face in accessing justice.
KEY FINDING 7:
Throughout history, militaries under government supervision, state-sponsored militia groups, non-state armed
groups, violent extremist groups, and criminal networks alike have used sexual slavery as a weapon of warfare or
tactic of terrorism during armed conflict. For example, during World War Two, the Japanese Army employed sexual
slavery as a wartime strategy in Asia and the Pacific to meet their strategic objectives. Since then, different warring
parties across the world have continued to use sexual slavery to recruit and retain fighters, raise funds for their
activities, spread fear, control populations, and as a form of genocide.

KEY FINDING 8:
The evolution of conflict since World War Two—particularly the rise of violent extremist groups and the number of
forcibly displaced people as a result of armed conflict—has contributed to greater insecurity for women and girls.
New tactics of warfare, the absence of clear battlefields, the deliberate targeting of education and health care
facilities, the use of child soldiers, and the increasing number and diversification of parties to conflict are all trends
that make women and girls more vulnerable to conflict-related sexual slavery.

KEY FINDING 9:
Survivors of conflict-related sexual slavery are not a homogenous group, but suffer differentiated harms based on
intersecting inequalities, which can compound over time in the absence of a tailored response. Despite the
stigmatization and marginalization they face in their own communities and families, many survivors break the barrier
of silence and actively advocate for accountability and reparations. Women's civil society organizations have been
instrumental in supporting survivors, and in insisting that concrete steps be taken to address conflict-related sexual
slavery.

KEY FINDING 10:
The global response to conflict-related sexual slavery must prioritize the needs and respect the rights of survivors, in
order to challenge the perception that sexual slavery in armed conflict is a cultural phenomenon, an inevitable
consequence of war, or a lesser crime. Ensuring that survivors and women's civil society organizations meaningfully
participate in the development and implementation of policies, programs, initiatives and action plans on WPS, CT
and PVE at the regional, national and local levels is not only essential, it is urgent.
Recommendations

The following recommendations to the United Nations, Member States, regional organizations, civil society organizations, the International Criminal Court, the International Court of Justice and traditional and religious leaders at national and local levels were developed by survivors of conflict-related sexual slavery, women’s rights activists, and civil society from Uganda, Iraq, and South Korea who took part in this research.

On the full and effective implementation of the Women, Peace, and Security Agenda:

To the UN:

- strengthen provisions and language on sexual slavery, as a distinct form of conflict-related sexual violence, with specific corresponding drivers and impact and measures, within global programs, policies, reports, and related implementation mechanisms corresponding to the WPS Agenda
- improve monitoring and reporting mechanisms, such as the UN Secretary-General’s Reports to the Security Council on Conflict-Related Sexual Violence, on the incidence of sexual slavery by gathering disaggregated data on the different forms of conflict-related sexual violence
- improve sustained coordination and collaboration between UN Women, the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict, the UN Office of Drugs and Crime, and the UN Counter-Terrorism Directorate to better address the links between trafficking in persons, sexual slavery, and sexual violence committed by extremist groups in conflict and post-conflict settings
- hold Member States accountable for the implementation of the WPS resolutions, as a critical tool to strengthen the global response to conflict-related sexual slavery

To the UN, Regional Organizations, and Member States:

- systematize the inclusion of provisions on conflict-related sexual slavery within Regional Action Plans (RAPs), National Action Plans (NAPs), and Local Action Plans (LAPs) on WPS to improve delivery of justice, redress, compensation, and restitution to survivors, and prevent reoccurrence of the crime
- ensure that survivors of conflict-related sexual slavery and women’s civil society groups meaningfully participate at all levels in the design and implementation of Regional Action Plans (RAPs), National Action Plans (NAPs), and Local Action Plans (LAPs) on WPS
- provide reliable, sustainable, timely, long-term, and flexible funding to women’s civil society groups and survivor networks responding to the drivers and impacts of conflict-related sexual slavery

To the UN and Member States:

- recognize conflict-related sexual slavery as a widespread, systematic, institutionalized, and deliberate human rights abuse and wartime strategy or weapon of warfare used by militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike
- promote synergies in the implementation of the WPS resolutions, international human rights and humanitarian laws, and policies and programs to prevent violent extremism and counter terrorism
- integrate key provisions and principles of the WPS resolutions into counter-terrorism measures to ensure women’s meaningful participation, leadership, and empowerment in the design and implementation of policies on preventing violent extremism (PVE), countering terrorism (CT), and countering violent extremism (CVE)
- institutionalize Localization as an implementation strategy for the WPS resolutions to bring change in conflict-affected communities

To Member States:

- prioritize full and effective implementation of the WPS resolutions and NAPs on UNSCR 1325 with corresponding budgets and monitoring and evaluation frameworks
- submit reports on the progress in the implementation of the WPS resolutions, including efforts to prevent, protect, and provide relief and recovery from conflict-related sexual slavery, and General Recommendation 30 (2013) on women in conflict prevention and post-conflict situations in its reports to the CEDAW Committee
- harmonize NAPs on WPS and Preventing Violent Extremism (PVE) to improve the global response to the gendered nature of violent extremism conducive to terrorism and its impacts, including sexual violence, sexual slavery, and human trafficking, amongst other human rights violations
include issues related to sexual violence in conflict in all decision-making on peace and security, including ceasefire talks, peace negotiations, peace agreement implementation, post conflict resolution processes, transitional justice mechanisms, and preventing violent extremism and countering terrorism, in order to prevent the reoccurrence of such crimes and further outbreaks of violence.

Disarm, demobilize, and reintegrate combatants, including child soldiers, by ensuring their access to age-appropriate education and trauma counselling.

Transform and address harmful gender stereotypes of masculinity and femininity through awareness raising programs in partnership with traditional and religious leaders to counter the exploitation of these norms by extremist groups.

Establish mechanisms for dialogue between women’s civil society and security forces to build trust between the two groups, hire women police officers and military personnel, and closely monitor the activities of security sector forces to ensure compliance with international humanitarian and human rights law.

On the prevention of the incidence or reoccurrence of, and protection from conflict-related sexual slavery:

To the UN:
• Gather and analyze evidence of the ways in which sexual violence is used as a weapon of warfare, wartime strategy, and tactic of terrorism by state and non-state actors, so that appropriate prevention and protection mechanisms, including early warning systems to monitor risk of sexual enslavement, can be developed.
• The UN High Commissioner for Refugees, UN Women, and the Office for the Coordination of Humanitarian Affairs in particular should develop programs to increase displaced women and girls’ resilience to trafficking, and access to employment, education, and relief and recovery services.

To the UN and Regional Organizations:
• Strengthen international protection mechanisms for refugees and internally displaced persons and safe channels for migration to reduce vulnerabilities to trafficking and sexual slavery amongst displaced women and girls.
• Provide technical assistance to Member States for the full and effective implementation of the WPS resolutions and international human rights law to prevent armed conflict and sexual slavery.

To the UN and Member States:
• Raise awareness of the gendered impacts of conflict, including the incidence of sexual slavery, genocide, and violent extremism, to facilitate a national healing process and due recognition to survivors of sexual violence and slavery.
• Systematize training of security sector forces on the prevention of, and protection from human and sex trafficking, sexual and gender-based violence, and sexual slavery.

To Member States:
• Include issues related to sexual violence in conflict in all decision-making on peace and security, including ceasefire talks, peace negotiations, peace agreement implementation, post conflict resolution processes, transitional justice mechanisms, and preventing violent extremism and countering terrorism, in order to prevent the reoccurrence of such crimes and further outbreaks of violence.
• Disarm, demobilize, and reintegrate combatants, including child soldiers, by ensuring their access to age-appropriate education and trauma counselling.
• Transform and address harmful gender stereotypes of masculinity and femininity through awareness raising programs in partnership with traditional and religious leaders to counter the exploitation of these norms by extremist groups.
• Establish mechanisms for dialogue between women’s civil society and security forces to build trust between the two groups, hire women police officers and military personnel, and closely monitor the activities of security sector forces to ensure compliance with international humanitarian and human rights law.

strengthen the integration of WPS priorities, women’s rights, gender equality, and sustainable peace into programs on international development and humanitarian action.

require that all programs funded by bilateral aid on peace, security, and humanitarian action for fragile and conflict-affected states have robust, holistic, and comprehensive mandates to address WPS priorities in line with obligations under NAPs on UNSCR 1325.

increase bilateral funding for implementation of the WPS agenda, women’s rights, and gender equality within programs on international development and humanitarian action for fragile and conflict-affected states.
On the participation of survivors and women’s civil society in global and national peace and security processes:

To the UN:
- encourage and support grassroots survivor-led networks working to address the drivers and impacts of conflict-related sexual slavery in their communities, through the provision of technical assistance, reliable funding, and regular global and regional coordination mechanisms

To the UN and Member States:
- recognize and invest in the efforts of women’s civil society to strengthen accountability mechanisms and improve relief and recovery services for survivors of conflict-related sexual slavery
- promote women’s meaningful political, social, and economic participation in decision-making at all levels on conflict prevention, ceasefire negotiations, peace processes, peace agreement implementation, conflict resolution, transitional justice mechanisms, preventing violent extremism and countering terrorism, and security sector reform
- ensure that peace processes, post conflict resolution, or negotiations hosted or funded by international aid ensure and facilitate women’s full, equal, and meaningful participation in decision-making roles in line with UNSCR 2242
- consult with, and include survivors of sexual slavery in the design and implementation of post-conflict resolution processes, particularly related to relief and recovery services and transitional justice mechanisms

To Civil Society Organizations:
- hire and work directly with survivors on programs addressing the drivers and impacts of conflict-related sexual slavery

On accountability and justice for crimes of conflict-related sexual slavery:

To the UN:
- hold Member States accountable to their obligations under international law to investigate, prosecute, and provide judicial redress for crimes of war, genocide, slavery, against humanity, and torture, including conflict-related sexual slavery
- develop a clear understanding of the differing health, social, and criminal justice needs of survivors of conflict-related sexual slavery, in order to effectively address the gravity and nuances of the crime

To the UN, International Criminal Court, and International Court of Justice:
- develop consistent, coherent, and specific normative frameworks or guidelines for the prosecution of conflict-related sexual slavery, and provide technical guidance and expertise to Member States for national prosecutions

To the International Criminal Court, International Court of Justice, International Tribunals, and Special Courts:
- prioritize survivor-centered, context-specific approaches that are designed and implemented in coordination with women’s civil society organizations
- uphold and follow the legal analysis of the final judgement of the Women’s International War Crimes Tribunal (2001) which held perpetrators accountable for sexual slavery committed during World War Two in Asia and the Pacific as a crime against humanity and required the provision of adequate redress and reparations to survivors
To Member States:
- recognize survivors of sexual slavery as victims of armed conflict or terrorism, and provide appropriate recognition and redress, thereby reducing societal stigma
- transform judicial systems to remove gender biases, including by: enacting special legislation integrating international humanitarian and human rights law into national and municipal legal systems; training justice and security professionals on prosecutions on sexual slavery; addressing the specific needs of survivors of sexual violence and their family members; reforming discriminatory laws against women and girls; and adopting laws criminalizing all forms violence against women, including sexual slavery, marital rape, domestic violence, and forced marriage
- increase the accessibility of reporting mechanisms for crimes of sexual slavery (especially for displaced women and girls) and provide adequate protection for survivors, such as witness protection programs
- implement the CEDAW Committee’s General Recommendation 33 (2015) on women’s access to justice to effectively address all barriers to justice that survivors of conflict-related sexual slavery face
- implement the Guidance Note of the Secretary General on Reparations for Conflict-Related Sexual Violence to provide survivor-centered, timely, and accessible reparations

On the provision of adequate redress, relief, and recovery services for survivors of conflict-related sexual slavery:

To the International Criminal Court, International Tribunals, Special Courts, and Member States:
- do no limit the type of sexual and gender-based violence eligible for reparations, redress, recognition, and relief and recovery services to rape, thereby ensuring that survivors of conflict-related sexual slavery receive adequate recognition, redress, and relief and recovery services

To the UN, Member States, and Civil Society Organizations:
- coordinate and strengthen collaboration to avoid duplication and re-traumatization of survivors in efforts to record experiences of conflict-related sexual slavery
- develop and implement training to provide ethical trauma counselling, free of prejudice against ethnic and religious minorities

To the UN and Member States:
- recognize and develop relief and recovery programs which reflect that survivors of conflict-related sexual violence are not a homogenous group, and suffer from differentiated harms based on intersecting inequalities
- provide comprehensive redress, rehabilitation, and reintegration programs for all survivors of conflict-related sexual slavery, including former combatants, such as: housing for survivors and their families; age-appropriate, gender-sensitive education; employment opportunities and economic empowerment programs; sexual and reproductive health services; medical care (for sexually transmitted diseases and/or HIV/AIDS); land ownership, and psychosocial counselling including in remote and conflict-affected communities and refugee camps
- allocate a significant percentage of national budgets for post-conflict resolution to provide comprehensive relief and recovery, rehabilitation, and reintegration programs for survivors of sexual slavery

To traditional and religious leaders at national and local levels:
- raise awareness of the need to prevent sexual violence in conflict in order to eliminate the marginalization and stigmatization survivors experience, as well as to facilitate their reintegration (and that of their children)
Overview of the Research

This research analyzes historical and contemporary incidences of sexual slavery, from World War Two until the present geopolitical context. The overall goal of the research is to promote synergies in the implementation of the Women, Peace, and Security Agenda (WPS), international humanitarian and human rights laws, and policies to prevent and counter violent extremism to improve the prevention of, protection from, accountability mechanisms for, and relief and recovery for survivors of sexual slavery. The research highlights advocacy campaigns by survivors and civil society in demanding justice, including reparations for victims and their families. It also underscores efforts in the prevention and elimination of sexual slavery. The research features actionable recommendations for the United Nations, International Court of Justice, International Criminal Court, Member States, regional organizations, and other key stakeholders on state accountability for crimes of sexual slavery and for a survivor-centered approach to the WPS agenda. Ultimately, the research report will be presented to Member States, Security Council, and UN entities following the 20th anniversary of UNSCR 1325 and on the sidelines of the 16 Days of Activism Against Gender-Based Violence. Beyond these important occasions, the research will serve as a key advocacy tool for victims and survivors of sexual slavery and their families, and civil society activists.

The specific objectives of the research are as follows:

1. To establish linkages between armed conflict, humanitarian emergencies, and the increased incidence of sexual slavery, as a result of the breakdown of political, economic, and social structures, high levels of violence, and the disintegration of the rule of law;
2. To analyze the evolution of conflict-related sexual slavery from World War Two to a contemporary geopolitical context;
3. To promote synergies between the WPS agenda and international laws on sexual slavery to improve the prevention of, protection from, and relief and recovery from conflict-related sexual slavery;
4. To highlight the achievements of women’s initiatives in condemning and preventing conflict-related sexual slavery; and
5. To create an evidence-rich, context-specific advocacy tool for women’s civil society to hold governments, UN agencies, regional intergovernmental organizations, and other multilateral institutions accountable for the full and effective implementation of the WPS resolutions and international laws on sexual slavery.

To ensure that this research reflects the voices of survivors of sexual slavery and women’s civil society on the ground in conflict-affected communities, the research team produced three case studies: one on sexual slavery during World War Two in Asia and the Pacific, and two on more recent incidences of sexual slavery in Uganda and Iraq respectively. The case studies illustrate the varied contexts in which sexual slavery occurs and inform the analysis and recommendations contained in this research publication.

[1] The three case studies are available as stand-alone publications on the GNWP website.
I. Defining Conflict-Related Sexual Slavery

Armed conflict refers to “factual conditions of an armed confrontation between two or more identifiable parties over a sustained period of time at a level of intensity that exceeds ordinary law and order operations.”[3] International humanitarian law distinguishes two types of armed conflict: international armed conflict between opposing two or more states and non-international armed conflicts between governmental forces and non-governmental armed groups, or between such groups only. [4]

Within this context, conflict-related sexual violence is defined as:

incidents or patterns of rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, trafficking in persons when committed in situations of conflict for the purpose of sexual violence/exploitation and any other form of sexual violence of comparable gravity perpetrated against women, men, girls, or boys that is directly or indirectly linked to a conflict. [5]

UNSCR 1820 further elaborates on the context of conflict in which sexual violence is “used or commissioned as a tactic of war in order to deliberately target civilians, or as part of a widespread or systematic attack against civilian populations.”[6]

The mandate of the Office of the Special Representative of the UN Secretary-General on Sexual Violence in Conflict has made note of the evolution of the definition of conflict-related sexual violence. [7] As highlighted in the statutes and case laws of the International Tribunals for the Former Yugoslavia and Rwanda, the Special Court for Sierra Leone, and the Elements of Crimes of the International Criminal Court, the disaggregation of sexual violence offences into specific categories permits a more focused approach to reporting, accountability, relief and recovery measures, prevention, and protection.[8]

Under international law, there is no clear definition of conflict-related sexual slavery, as a distinct form of sexual violence with specific impact, drivers, and execution.

Conflict-related sexual slavery is often recognized in international humanitarian, criminal, and human rights law under umbrella terms such as sexual violence, enslavement, exploitation, forced marriage, and trafficking, which constitute war crimes, crimes against humanity, acts of torture, or acts of genocide depending on the context in both international and non-international armed conflicts as per Article 7 and 8 of the Rome Statute of the International Criminal Court.[9]

Although the Slavery Convention does not explicitly define sexual slavery, its definition of slavery—“the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, including sexual access through rape or other forms of sexual violence”—encompasses relevant characteristics.[10] Thus, sexual slavery can be classified and prosecuted as a form of enslavement, prohibited as a jus cogens norm, along with crimes of war, genocide, torture, and against humanity. In a report submitted in 1998 to the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Special Rapporteur on the Situation of Systematic Rape, Sexual Slavery, and Slavery-like Practices during Armed Conflict explicitly outlined sexual slavery as the “treatment of a person as chattel, which often includes sexual access and forced sexual activity.”[11] Similarly, under Article 8(2) of the Rome Statute, sexual slavery is defined as the exercise of “any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty,” combined with the causing of such a person or persons to “engage in one or more acts of a sexual nature.”[12] Importantly, the 1998 report of the Special Rapporteur on the Situation of Systematic Rape, Sexual Slavery, and Slavery-like Practices during Armed Conflict further expands the definition of sexual slavery to encompass situations where women and girls are forced into marriage, domestic servitude, prostitution, or other forced labor that ultimately involves forced sexual activity, including rape by their captors.[13]

II. Links between armed conflict, humanitarian emergencies, and the incidence of sexual slavery

Sexual slavery as it overlaps with trafficking, exploitation, and enslavement, occurs as a distinct form of sexual violence in conflict-affected settings and due to conflict-exacerbated risks. Factors increasing vulnerability to trafficking in persons in armed conflict include state collapse, deteriorating rule of law and impunity, forced displacement, humanitarian need and socioeconomic stress, social fragmentation and family breakdown, lack of legal protections mechanisms and more. Sexual slavery is a distinct form of conflict-related sexual violence that is used as a weapon of warfare in armed conflict by state and non-state groups. Armed groups specifically use sexual slavery as a wartime strategy to control populations, to "mollify" their troops, to raise funds for their activities, and as a form of genocide. There are many distinctive aspects of this crime that the international community has yet to address.

Academic Sarnata Reynolds invokes ancient Hebrew and Greek societies to illustrate that "the use of rape and sexual slavery during war to terrorize and divide people is well-documented and has deep historical roots."[17] Unfortunately, these human rights violations have continued well into the 21st Century. The UN Secretary-General's 2019 report on Conflict-Related Sexual Violence documents the prevalence of sexual slavery in the Central African Republic, the Democratic Republic of Congo, Iraq, Libya, Myanmar, South Sudan, Yemen, and Northeast Nigeria.[18] 

One of the Palermo Protocols adopted by the UN in 2000, outlines the relationship between slavery and trafficking, particularly of women and children.[14] Under Article Three of this Palermo Protocol, trafficking in persons for the purpose of exploitation includes sexual slavery implicitly as a form of "forced labor or services, slavery or practices similar to slavery, and servitude or the removal of organs."[15] Recently, the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) in its concept note for the General Recommendation on Trafficking on Women and Girls in the Context of Global Migration specifically identifies sexual slavery as an emerging form of exploitation for which women and girls are being trafficked, particularly in the context of violent extremism conducive to terrorism.[16] 

It is important to note that although these international laws provide definitions, they do not consistently acknowledge or adequately address the link between armed conflict, slavery, and sexual violence.

Therefore, for the purpose of this research, conflict-related sexual slavery will be defined as: the act of attaching the right of ownership over one or more people with the intent of coercing or otherwise forcing them to engage in sexual activities that is directly or indirectly linked to a conflict. The scope of conflict-related sexual slavery includes systematic or repeated rape, forced labor, forced marriage, trafficking in persons, and forced prostitution. The research defines historical sexual slavery as it occurred in the context of World War Two committed by the Japanese Army against women in Korea, Taiwan, China, the Philippines, Indonesia, and other parts of Asia and the Pacific. Contemporary incidences of conflict-related sexual slavery will be analyzed in the context of armed conflict, humanitarian emergencies, and transnational hybrid criminal-terrorist or extremist organizations post World War Two.

As noted above, the Rome Statute of the International Criminal Court is one of the most important international instruments that specifically includes sexual and gender-based crimes—including rape, sexual slavery, enforced prostitution, forced marriage, sexual exploitation, and other forms of sexual violence—as underlying acts of both crimes against humanity and war crimes committed in international and non-international armed conflicts. Article 8 of the Rome Statute, which prohibits “acts of rape, sexual slavery, enforced prostitution, forced marriage, sexual exploitation, enforced sterilization, and other forms of sexual violence,” recognizes that sexual and gender-based crimes are often committed “in the context of, and in association with, an international or non-national armed conflict.” The 1998 Special Rapporteur report of the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities similarly highlighted that “the use of sexual slavery and sexual violence as tactics and weapons of war is an all too common yet often overlooked atrocity that demands consistent and committed action on the part of the global community.”

Specific to sexual slavery, ten studies described the “perpetration of sexual slavery outside of informal marriages, formal marriages and/or combatant conscription.” Data gathered indicated that “between 2–32 percent of individuals in conflict were victims of sexual slavery.” However, it should be noted that sexual slavery also occurs within the confines of marriage. Forced marriage between fighters and victims is often used as strategy to “legalize” sexual slavery in conflict because in many countries, marital rape is still not illegal. As Professor Anne Marie Goetz from the Center for Global Affairs at New York University points out, “if rape within marriage is not a crime, then it is legally ambiguous on whether or not a woman or girl can be enslaved to a man.”

Heightened incidence of sexual violence in conflict

There is a growing body of evidence indicating that the incidence of sexual exploitation and sex trafficking in conflict-affected settings is extremely high. In 2016, academic scholars conducted a systematic search spanning ten databases and extensive literature review to gather evidence of sex trafficking and sexual exploitation in conflict-affected settings across Africa, Asia and the Middle East. International definitions of “sexual exploitation” and “sex trafficking” set the indicator parameters. The findings indicate that women and girls, and men and boys, in situations of humanitarian crisis are subjected to extreme forms of sexual exploitation. Findings further indicate that, although men and boys may be victims of sexual abuses, “women and girls are the most likely victims of targeted sexual violations in crises.”

It is important to note that under international law, sexual violence is not synonymous with rape. During a key informant interview, Special Representative of the UN Secretary-General on Sexual Violence in Conflict, Pramila Patten, highlighted that:

Women and girls who are held in sexual slavery are subjected to a range of forms of sexual violence including, rape, trafficking, forced marriage, sexual torture, forced sterilization, and forced pregnancy. They are also forced to cook, clean, and sometimes fight.

As stated in the Secretary General’s 2010 report: sexual slavery or enforced prostitution may differ in terms of its logic from the execution of a specific policy of a forced pregnancy during a campaign of ethnic cleansing designed to achieve a military or political end, or rape concurrent with looting to terrorize the population or as a result of overly lax command and control structures.

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[20] Ibid, pg 20
[22] Key informant interview conducted by the Global Network of Women Peacebuilders with Special Representative Patten on September 25th, 2020
[26] Ibid
[27] Key informant interview conducted by the Global Network of Women Peacebuilders with Professor Anne Marie Goetz, Center for Global Affairs, New York University, on October 12th, 2020
Factors that increase risks of sexual violence during conflict

According to the UN Office on Drugs and Crime (UNODC), factors increasing vulnerability to trafficking in persons in armed conflict include state collapse, deteriorating rule of law and impunity, forced displacement, humanitarian need and socioeconomic stress, social fragmentation and family breakdown.[29] It is well-established that armed conflict leads to a breakdown of "normalcy," but as researchers Dyan Mazurana and Khristopher Carlson emphasize, armed conflict also breaks down social structures, community protection networks and legal protection mechanisms.[30] This fosters an environment where sexual violations and exploitation increase. [31]

The UN acknowledges that in armed conflict and post-conflict situations, the vulnerability of displaced persons to human trafficking for the purposes of exploitation, including sexual violence, increases.[32] When there is widespread displacement and a focus on meeting immediate needs, taboos and societal structures are tougher to monitor and enforce, and hence the "occurrences of rape, sexual slavery, trafficking and forced marriages also increase with more and younger girls subject to these violations."[33]

Armed conflict creates more civilian casualties, internal displacement, and forced migration. The presence of troops often brings with it market demand for prostitution, which transnational criminal groups often associate with terror organizations fill through human trafficking.[34] Pre-existing criminal smuggling and trafficking networks for illicit goods and services often also serve as human smuggling/trafficking corridors.

Armed groups utilize political instability, porous borders, corruption, lack of governance, and conflict to their advantage to pursue crimes of sexual slavery. There are reports showing that "in Al-Qaim, Iraq, the Islamic State of Iraq and Syria (ISIS) used its pre-existing control over a border area and contiguous transboundary area to move women across the border for the purposes of sexual slavery."[35]
Sexual slavery as a tactic of terrorism

With the rise of violent extremist groups in recent years, the systematic use of sexual violence against women and children has become a central tactic of terrorism. Special Representative of the UN Secretary-General on Sexual Violence in Conflict, Pramila Patten, has highlighted this shift in how sexual slavery is being used by violent extremist groups in contemporary conflicts:

Abduction for the purpose of sexual slavery has always been prevalent during armed conflict. However, there is an important shift in this practice which should be noted. Combatants during World War Two who abducted women and girls would force them to engage in gender-specific forms of domestic labor, which were equally common in peace-time interactions between women and men. Patriarchal norms of social dominance deeply ingrained in men’s minds instigated male demand for female forced labor for household chores during armed conflict. In contemporary conflicts, we continue to see these patterns. However, there is a critical difference. Women, girls, men, and boys are abducted for combat—in addition to sexual slavery. Extremist groups like Al Qaeda, ISIS, Al Shabab and Boko Haram have transformed the function of sexual slavery as an integral part of their operations and ideology.[36]

Sexual slavery as a wartime strategy to recruit, retain and “mollify” fighters

Researchers Elisabeth Jean Wood argues that groups such as ISIS have used “propaganda on sexual slavery, usually facilitated by human trafficking, to act as an incentive for recruiting both local youths and foreign fighters.”[38] They utilized and promoted their crimes against humanity in an effort to recruit young boys and men with the promise of wives and sex slaves. In the research it is noted that “women’s bodies are strategically used not only to lure fighters but also to retain fighters.”[39] When referring to sexual slavery as part of the operations of an armed group, UNODC states that in some conflicts, the prospect of receiving “sex slaves” as a reward for joining the group is part of the armed groups’ strategy to recruit new fighters. [40]

There would also be a financial incentive to keep sex slaves. For example, ISIS promised that the “Caliphate” would pay for each one acquired, as well as pay for any baby born in within the territory.

Authors Cóman Kenny and Nikita Malik reiterate these claims and further stress that “in practice, human trafficking, sexual and gender-based violence, and terrorism have become so intertwined and the boundaries between them so blurred that these crimes are each effectively both the means and the result of certain groups’ criminal policies.”[37] They enumerate reasons and justifications that non-state armed actors have used to perpetuate and promote sexual slavery. A review of theirs and other sources allows us to categorize the reasons into certain sub-categories. Among others, sexual slavery has been conducted for distinct recruitment, propaganda, economic, political and strategic purposes.

These economic incentives encouraged sexual violence and slavery.

During ISIS’s time controlling parts of Iraq and Syria, acts of sexual slavery were used as a tool to disseminate and reinforce ISIS ideologies. Two propaganda departments were formed: one to focus on the sale of slaves, and the other to justify it within the tenets of Islam. In 2014, the Diwan al-Iftaa wa al-Buhuth (Research and Fatwa Department of ISIS) produced and distributed: a pamphlet providing ideological justifications for human trafficking that included the freeing of enslaved women from “shirk” (disbelief) and precipitating conversions to Islam; the punishment of kuffar (disbelievers); the need to reinforce ISIS ideologies. During ISIS’s time controlling parts of Iraq and Syria, acts of sexual slavery were used as a tool to disseminate and reinforce ISIS ideologies. Two propaganda departments were formed: one to focus on the sale of slaves, and the other to justify it within the tenets of Islam. In 2014, the Diwan al-Iftaa wa al-Buhuth (Research and Fatwa Department of ISIS) produced and distributed: a pamphlet providing ideological justifications for human trafficking that included the freeing of enslaved women from “shirk” (disbelief) and precipitating conversions to Islam; the punishment of kuffar (disbelievers); the need to illustrate the supremacy of IS[IS] captors; the requirement to increase the offsprings of mujahideen (fighters); and, the use of slaves as a reward for mujahideen.[41]
In “Conflict-related sexual violence and the policy implications of recent research,” Elisabeth Jean Wood highlights that conflict-related sexual violence is a complex phenomenon, with various strategic considerations and purposes. She identifies a number of strategic reasons for sexual violence in conflict, including: “sexual torture against detainees to obtain information; as institutionalized forms of sexual slavery and forced marriage; and as a form of terror or punishment, to control resources or territory, or to ‘cleanse’ an area of a targeted population.”[42] In her research, she also states that when an organization “institutionalizes sexual violence,” the organization has then “purposely adopted that form of sexual violence in pursuit of organization objectives, and it is therefore a strategy.”[43] She cites the examples of sexual slavery in the Lord’s Resistance Army in Uganda and ISIS as institutionalised and carefully monitored by the respective organizations: “In the case of ISIS, sexual violence is used strategically. To further its agenda, as borne out in its fatwas, codes, pamphlets and magazines.”[44] Meanwhile, Reynolds states that pre-existing contempt for women is one factor that contributes to and exacerbates sexual violence against women in conflict: “Combatants recognize that they can easily dehumanize women in wartime, thus encouraging mass rape and sexual slavery, because the necessary animosity against women previously existed.”[45]

The commodification of women, who are seen as lesser beings and treated inhumanely, may seem obvious, but there are well-documented justifications. The UN has also identified “group mollification” as one distinct reason for sexual slavery, stating that feeding into the notion that women are property, sexual slaves are viewed as tools to satisfy troops after a victory or loss, to keep morale.[46] Wood supplements this theory with information stating that commanders may tolerate sexual slaves “as a form of compensation” to combatants if the costs of ending the practice are too high.[47] The UNODC report states that “[i]n some cases, women and children are treated as ‘wages of war’ and gifted as a form of in-kind payment to fighters who are free to resell or exploit them as they wish.”[48]

**Short-lived “protection” afforded to enslaved women**

As “property” or “wives” of fighters, some enslaved women are at times afforded some form of protection from more brutal forms of sexual violence such as gang-rape. For example, an investigation on armed conflict in Côte d’Ivoire in 2002-2003 by Human Rights Watch noted: “Some survivors described being considered the ‘property’ of one combatant, which appeared to ensure some degree of protection from such crimes as gang rape.”[49]

This twisted form of “preference” was also reported in Sierra Leone’s “bush marriages” or “AK-47 marriages,” where girls were forced to become the sexual property of soldiers or commanders. The institutionalization of sexual enslavement via marriage provided some protection over more brutal violations:

The girls [that] were serving as wives were treated better, and according to the rank and status of their husbands...At the beginning, I was raped daily...I was every man’s wife. But later, one of them, an officer, had a special interest in me. He then protected me against others and never allowed others to use me. He continued to [rape me] alone and less frequently.[50]

However, this purported protection does not last post-conflict. After armed clashes in Côte d’Ivoire ended and troops were displaced, many former slaves were reported killed by their “husbands” or further used as targets for opposing troops. The Human Rights Watch report states that:

These killings happened in two contexts. First, for reasons which remain unclear, the Liberians and Sierra Leonians started to kill their own sex slaves. Second, the MPCI (Mouvement Patriotique de Côte d’Ivoire) forces involved in expelling the Liberian and Sierra Leonian fighters killed many of the Liberian/Sierra Leonian rebels’ Ivorian “girlfriends” in reprisal killings. Former sex slaves told Human Rights Watch that these reprisal killings made it even more dangerous for them to escape their “husbands” and stay behind in Côte d’Ivoire.[51]
Fear, shame, stigma and underreporting of sexual slavery

The mere threat of abduction and sexual slavery is also a tactic to inflict fear into a local population and force displacement. The shame and stigma attached to survivors of these crimes against humanity is also important to note as a strategic calculation: “The humiliation of those trafficked is at the core of using sexual and gender-based violence as a tactic of terrorism.”[52] Women and girls who survive sexual slavery during conflict are, more than men, victims of stigma and discrimination outside conflicts, when returning to their communities.[53]

Armed groups are likely aware that their heinous crimes will go underreported due to fear of reprisal and/or the stigma attached with being a survivor, allowing them to act with further impunity.

Sexual slavery terrorizes entire communities

Sexual enslavement has been used as specific tactic of terror and degradation for the entire local population—not just women. The vulnerability of women in these situations was highlighted in the Timor-Leste National Action Plan, which stated that during the conflict “more women than men were targeted with rape and sexual slavery as part of a strategy that sought to humiliate and break down the morale of the Timorese (male) resistance.”[55]

The groundbreaking Final Report of the Commission for Reception, Truth and Reconciliation in East Timor (CAVR) showcases that due to the scope of the violations, it is clear that sexual slavery was purposely utilized for the intention of dehumanizing, degrading and weakening their will to fight for independence:

The methods used to force East Timorese women into situations of sexual slavery often involved torture by members of the security forces, threats of torture and killing of victims, their family members, or the targeting of pro-independence supporters.

Sexual slavery as genocide

Finally, and importantly, the Independent Commission of Inquiry for Syria (the Independent Commission) has declared that acts of sexual slavery contributed to the attempted genocide against the Yazidi community. Referring to genocide specifically perpetrated through sexual slavery of Yazidi women, the Thirty-second session of the UN Human Rights Council stated in 2016: “In this way, ISIS intentionally seeks to destroy Yazidi children’s concept of themselves as Yazidi, erasing their attachment to the Yazidi religion.”[57]
In 2015, the UN Security Council acknowledged that acts of sexual and gender-based violence were being used as instruments to increase terrorist groups’ power through “the destruction of communities.” The five thousand Yazidi women who have been sold into slavery by ISIS are a prime example, given that Yazidi culture does not typically accept intermarriage and sexual relations with people from other faiths. [58] Similarly, the “convert or die” strategy was used by ISIS to enforce the disavowal of the religion. Author Olivia Caeymax explains:

Through this lens, trafficking members of a group and terrorizing the group by subjecting members to sexual and gender-based violence isolates and separates individuals from their communities and arguably falls within the definition of a genocidal act under Article 6(b) of the Rome Statute (“causing serious bodily or mental harm to members of the group”), when committed with the specific intent to destroy. [59]

To further illustrate this point, an upcoming paper states that there is no evidence that Sunni Muslims (against whom ISIS also committed atrocities and sexual violence) were used for sexual slavery. [60] Despite these justifications, sexual slavery is such a distinct form of sexual violence in armed conflict, and there remains to be a clear identifying factor why it occurs in certain contexts and not others.

Limited data on the impact of sexual slavery on victims, survivors and their communities

Existing literature on the impact of conflict-related sexual slavery on women, girls, and communities tends to conflate sexual slavery with other forms of conflict-related sexual violence; it is therefore difficult to find topic specific literature. As stated in “Long-Term Effects of Wartime Sexual Violence on Women and Families: The Case of Northern Uganda” by Mahlet Atakilt Woldetsadik, “[a]lthough there is some research on the health, social, and economic consequences of rape in war settings, the impacts of other types of sexual violence including sexual slavery via forced marriages, and forced pregnancy—as was experienced by survivors in northern Uganda—is not well understood.” [61]

The UN itself admits to gaps in its power due to the lack of evidence and poor reporting on sexual slavery in conflict, stating:

Today the International Criminal Court (ICC) has jurisdiction to try cases of sexual slavery, but no one has been convicted of sexual crimes by the court as of yet. The International Criminal Court recently prosecuted Congolese warlord Katanga on charges of rape and sexual slavery, but he was acquitted due to lack of evidence. Poor reporting contributes to inhibiting the court’s ability to prosecute such crimes. In 2009 the UN established a Special Representative to the Secretary General on Sexual Violence in Conflict in recognition of the detrimental impact of sexual violence on peace and security. But gaps remain in the United Nations’ ability to respond to the nuances of sexual slavery because this office focuses on sexual violence in conflict zones only. [62]

This indicates how important survivor testimonials are to fill in existing gaps, along with stronger reporting and judicial mechanisms.

What existing literature does show can be broken up into the impact on women and girls during enslavement and the impact on women and girls after enslavement or in post-conflict settings. Most of the information is from sources that either simply mention sexual slavery as a part of conflict-related sexual violence or refers to women and girls being trafficked. The subject-specific data is either unavailable or non-existent. Other than a few such research pursuits, little is known on the specific and disaggregated impact of sexual enslavement post-conflict. Existing research merely clumps in sexual slavery with the overall impact of conflict-related sexual violence. However, it is clear that sexual slavery, as a distinct form of conflict-related sexual violence, requires specific prevention, protection, accountability, and relief and recovery services to address the gravity of the crime. Understanding the ways in which sexual slavery is used as a weapon of warfare or tactic of terrorism by state and non-state actors is crucial to strengthen prevention and protection efforts so that they can adequately address the drivers and impact of the crime.

[59] Ibid
III. The Evolution of Conflict-Related Sexual Slavery: Incidences of Sexual Slavery from World War Two to the Contemporary Geopolitical Context

Conflict-related sexual slavery is a widespread, systematic, institutionalized, and deliberate human rights abuse and weapon of warfare used by militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike. Perhaps the most well-known incidence of the crime is the case of the "comfort women," which refers to the up to 200,000[63] Korean, Taiwanese, Chinese, Filipino, and Dutch women, among others in Asia and the Pacific, who were subjected to sexual slavery by the Japanese Imperial Army within their annexed or occupied territories during World War Two.

However, conflict-related sexual slavery is not limited to this particular incidence, nor did it end with the second world war. Widespread conflict-related sexual slavery continues to be institutionalized as a weapon of warfare and wartime strategy, with reported incidences in Myanmar, Colombia, Iraq, Nigeria, Uganda, Syria, Timor-Leste, Guatemala, Central African Republic, Bosnia and Herzegovina, Democratic Republic of Congo, Sierra Leone, Afghanistan, Sudan, South Sudan, Mali, Libya, Somalia, amongst many other countries.

The evolving nature of conflict has contributed to the widespread use of the bodies of women and girls as a form of currency in the political economy of war.

A. Conflict-Related Sexual Slavery in the Context of World War Two: The Japanese Army’s “Comfort Women”

A decade before and during World War Two, from 1931 until 1945, much of the Asian and Pacific region became a battlefield for the Japanese Imperial Army. The system of sexual slavery during World War Two was established and operated to meet the needs and whims of the powerful Japanese military, who controlled the state apparatus in the service of imperialistic expansion.

The Japanese army and naval forces set up the first military comfort houses as early as in 1932.[64] In these comfort houses or stations, “comfort women”—a euphemism for sex slaves used by the Japanese army—were forced to provide sexual services for soldiers. Historical records show that the Japanese army planned and implemented this system with the involvement of Japanese state institutions, such as the police and consulates.[65]

New tactics of warfare, the absence of clear battlefields, human and sex trafficking, the deliberate targeting of education and health care facilities, the use of child soldiers, and the increasing number and diversification of parties to conflict are all trends which have deteriorated the human security of women and girls. In particular, the rise of violent extremist groups and hybrid criminal-terrorism networks has resulted in the systematic use of sexual violence, including slavery and trafficking, against women and girls as a tactic of terrorism for recruitment and retention of fighters, military strategy, financing, and ideology. Refugee crises, and humanitarian emergencies as a result of armed conflict have further increased the vulnerability of many displaced women and girls to sexual slavery.

The sections that follow examine the context, rationale, method, and lasting impact of the conflict-related sexual slavery perpetrated by the Japanese government during World War Two, as well as by state and non-state actors in more recent armed conflicts. Although this section focuses on particular incidences, as this research reveals, the planned and systematic recruitment of women into sexual slavery as a weapon of war or wartime strategy is not unique to one country, one war, or one era.

When the Japanese army took control of new territories, the executive headquarters of the Japanese occupied territories would order the establishment comfort houses for the army, while the Navy ministry ordered the deployment of comfort women for the navy.[66] With its rapid expansion, the army consolidated sexual slavery as a strictly regulated system.[67] The Japanese army opened comfort stations across the Asia and Pacific regions along their war trajectories, including in China, Taiwan, Myanmar (Burma), Thailand, Indonesia, Malaysia, the Philippines, Hong Kong, Singapore, Papua New Guinea, Okinawa and even in small islands within Japan and Korea.[68]
Individual comfort houses were either run directly by the military or managed by private individuals. Regardless of management, comfort houses were all under the strict regulations and supervision of the Japanese army, as described by North and South Korean as well as Filipino survivors.[69] Private comfort house operators were required to submit records to the army that captured who visited comfort houses each day.

Who were the “comfort women”?

The girls and women recruited for sexual slavery were mainly from the colonized and occupied countries and territories. These included Korea, China, Philippines, Taiwan, Indonesia (including the present Timor-Leste), Myanmar (Burma), as well as Dutch girls and women who were living in the then Dutch East Indies (now Indonesia). In most cases, the Japanese army preferred unmarried young women and girls, because it was assumed that they did not have sexual experiences in the strict patriarchal societies where they lived, and therefore were likely to be free from sexually transmitted diseases. For the Japanese army, the prevention of venereal disease among the troops was a critical hygiene issue; soldiers needed to be healthy to fight.[71] The girls and women mobilized were principally from poor family backgrounds. Low socioeconomic conditions made women and girls more vulnerable to recruitment and trafficking. In this regard, it has been argued that the system of sexual slavery operated at the intersection of colonialism, gender, age, and class in the colonies.[72]

In addition to the Japanese army and civilian collaborators, local authorities, police and traffickers in the colonized countries and occupied territories played an active role in recruiting women and girls for sexual slavery. Many sexual slavery victims were offered fake jobs to work as cleaners, nurses, waitresses, factory workers, secretary, and so on. Some were conscripted with physical coercion or even abducted. Some victims were sold by their families to the traffickers or brokers. In such recruitment processes, the Japanese army, local authorities, and private employment agencies were complicit; they worked together to mobilize women and girls, while most of the victims were completely unaware of where and how they would work.[73]

The Japanese army determined rates as well as service hours, which differed for soldiers and officers according to their rank. The army also closely regulated hygiene, with regular venereal disease check-ups of sex slaves and soldiers by army doctors.[70]

Thus, the majority of women “came from economically disadvantaged families and were particularly vulnerable to force and deceit.”[74] Once enslaved, girls and women were forcibly displaced across national borders and territories, far from their homes, following the routes of troops. In fact, women were considered part of military supplies or “chattels.”[75]

Contrastingly to women and girls in the colonized countries and occupied territories, the Japanese women recruited as “comfort women” had to be prostitutes and over 21 years of age, free from sexually transmitted diseases.[76] According to Japanese historian Yoshiaki Yoshimi, this was because Japan signed the “International Arrangement and Conventions for the Suppression of Traffic in Women and Children,” which prohibited trading women and minors for prostitution. Thus, the recruitment of “comfort women” from mainland Japan was heavily regulated, although there were documented cases of Japanese sex slaves who were underage and not prostitutes. On the other hand, colonies were excluded from the international conventions, which meant there were no restrictions in recruiting girls and women from Korea, Taiwan or occupied territories.[77] This highlights that even though Japan had the means, capability and will to regulate their actions when deemed necessary, in the colonies and occupied territories, they chose not to.

Rationale for the sexual slavery system

The trifold rationale for the establishment of the sexual slavery system demonstrates that the exploitation of women and girls was an integral part of Japanese colonial expansion and wartime strategy. It is important to note that "wartime strategy" refers to a comprehensive approach to meet the strategic objectives of the Japanese Army. While, as this research will detail in following sections, conflict-related sexual slavery is often used in contemporary contexts as a weapon of warfare or tactic of terrorism to control or disempower an enemy or promote ideology, the Japanese Army employed this strategy to improve their chances of winning World War Two in Asia and the Pacific.

First, it was thought that a system of sexual slavery would prevent rapes against local women, as had happened in the "Rape of Nanjing," which jeopardized Japan's international reputation.[78] After invading Manchuria in 1931 and subsequently marching into China in 1937 to occupy Nanjing, the Japanese Army committed massacre and mass rape against civilian residents in Nanjing between December 1937 and January 1938.[79] Reflecting on the impact of the "Rape of Nanjing," a former Japanese soldier who was asked to set up comfort stations following the massacre shared that the "damage and destruction of Chinese homes, property, and means of production were so great that villagers were forced to migrate to large cities such as Shanghai to earn a living. The conduct of the Japanese soldiers was of concern not only to the international community but to the Army itself."[80] The prevention of rape against local women and girls would help to avoid resentment or hostility from the local population under Japanese occupation, as well as from the international community at large.[81] Thus, mobilizing women and girls in distant colonies for sexual slavery was a convenient strategy for the Japanese Army to avoid any direct confrontation with local residents of occupied territories and further damage to Japan's international reputation.

Second, regulated sexual slavery would prevent sexually transmitted diseases in the military. Healthy soldiers free from venereal diseases meant that the army's fighting power would not be weakened.[82]

To protect soldiers from sexual transmitted diseases, virgin girls and young women, who were regularly tested for venereal diseases, were provided in comfort stations. Japanese military doctors examined the bodies of "comfort women" in order to protect the soldiers, not the women in sexual slavery.[83] However, the majority of survivors' testimonies show that the prevention of sexually transmitted diseases failed. Survivors were plagued with venereal diseases for the rest of their lives.

Third, the system of sexual slavery was expected to boost morale for troops by appeasing the sexual desires of soldiers.[84] The Japanese military thought that "sexual comfort" was needed to keep soldiers at the battlefront, when they had no vacation time and might become disgruntled and rebel.[85] "The Japanese Imperial Army feared most that the simmering discontentment of soldiers could explode into a riot and revolt. That is why it provided women," Academic Yoshiaki Yoshimi explained.[86] The belief that the discomfort of soldiers could be pacified by gratifying their sexual desires is strongly related to restrictive gender stereotypes about masculinity.

In this regard, the purpose of sexual slavery was firmly embedded in the patriarchal myth that sexual activity is an expression of masculinity and the bodies of women are objects of male sexual desire.[87]

As a part of its wartime strategy, the Japanese army set up comfort stations in occupied territories wherever their soldiers were. The majority of comfort stations were directly supervised by the Japanese army, although there were some regulated by civilians.[88] Most of the comfort stations operated under strict regulations, including specific times the comfort stations were open to soldiers, schedules, medical check-ups, prices, and methods of payments. Employing a "ticket system," the station manager sold tickets to soldiers for each sexual activity who then transferred them to victims.[89] Occasionally, the women could trade the tickets for cash. However, more often than not, victims could not make this exchange.[90] Such systematized operation of the comfort stations provides evidence of the financial and regulatory aspects of the wartime sexual slavery system, which would not have been possible without the involvement of the government.

[87] Ibid.
Lasting legacy and impact

The lasting legacy and impact of this system has been documented via survivor testimonies, some of which only came to public light after the 1990s. The detailed experiences of sexual slavery were unearthed through the painful and vivid testimonies of many survivors, as well as from historical records. In the military “comfort stations,” the victims of sexual slavery were gang-raped, tortured, and assaulted. In fact, a UN expert described the “comfort stations” as “rape centers” in her report on Japanese sexual slavery.[91] Such sexual exploitation was often accompanied by brutal physical violence, murder, and suicide. In addition, a significant number of victims were drowned, shot dead, buried or burnt to death once they were regarded as worthless due to pregnancy or illness. There were also cases of “comfort women” who were forced to wash the soldiers’ clothes or to give blood for transfusion to wounded soldiers.[92]

Breaking the silence

In 1991, more than forty years after the end of the War, Kim Hak-soon, a South Korean survivor of wartime sexual slavery by the Japanese military, came forward publicly for the first time. She broke the silence to speak about the atrocities she experienced as a sex slave of the Japanese military. Her testimony was followed by those of many other so-called “comfort women.”[93] Their testimonies revealed that countless women were enslaved and forced to sexually serve the Japanese soldiers, often moving along with the military. The magnitude of the violence committed against women in the wartime sexual slavery in Asia and the Pacific came to light. The harms inflicted upon them was unprecedented. Also unprecedented was the way the sexual slavery system was organized and operated by the Japanese military.

After the War, the Allied Forces established the International Military Tribunal for the Far East (1946-1948) and addressed Japan’s war crimes. However, despite their knowledge of the Japanese military’s widespread use of sexual slavery, the Allied Forces paid no attention to the horrendous crimes committed against Asian women during the war.

In 1996, the Governments of the Democratic People’s Republic of Korea and Japan invited the UN Special Rapporteur on Violence Against Women to produce a report of a mission on the issue of military sexual slavery in wartime pertaining to the “comfort women” during World War Two.

When World War Two ended in 1945, many survivors of sexual slavery became prisoners of war along with the very troops that had exploited them. When they were not imprisoned, survivors found themselves far from their own country, having been displaced, dispersed and isolated in comfort stations across Asia and the Pacific. Furthermore, the negative stigma towards “comfort women” in their home countries made survivors hesitant to attempt to return to their home villages or even to their countries. Those who were fortunate enough to make the many months long trip home could not tell their family what they had been through. Shame and stigma made them even more invisible and silenced their voices.

At the onset, the Special Rapporteur clarified that she considered the “case of women forced to render sexual services in wartime by and/or for the use of armed forces a practice of military sexual slavery.”[94]

A 2018 paper entitled ‘Psychiatric Sequelae of Former ‘Comfort Women,’ survivors of the Japanese Military Sexual Slavery during World War Two” highlighted that survivors of the crime who were still alive exhibited “high current and lifetime prevalence of post-traumatic disorder, major depressive disorder, somatic symptom disorder, social anxiety disorder, panic disorder, and alcohol use disorder.”[95] The trauma and shame associated with being a comfort woman were not momentary, but carried over their whole lives. The unprecedented institutionalized nature of these crimes set Japan apart at that time; however, the unending trauma for survivors as well as impunity for those involved is a commonality shared in many future incidences of the crime, as this report will highlight.

[93] Ibid
After World War Two, movements for independence rose and decolonization began in formerly colonized states. The sexual slavery system had been established by the Japanese military and evolved in this new context. After World War Two, the government of the United States (U.S.) set up military bases in South Korea, Taiwan, the Philippines, Germany and Okinawa in Japan. In South Korea, the Japanese military system of “comfort stations” led to the establishment of “America town or clubs” near the U.S. military bases and evolved into an institutionalized prostitution industry under Korea’s military regime, beginning in the 1960s. According to Seungsook Moon, the South Korean elites adopted the concept of “comfort station” from the Japanese military and applied it to the operation of prostitution for U.S military soldiers to two main reasons. First, South Korean leaders wanted to protect other, more “decent” Korean women from possible sexual assaults by the U.S. military. Second, they wanted to reward U.S. soldiers for their service to protect Korean land.[96] In addition, the operation of prostitution for the military soldiers was a significant source of national income for the economic development of South Korea. Importantly, the prostitution industry was only possible through the complicit relationship between the U.S. military and local South Korean elites, at the expense of the bodies of poor women in the context of the decolonization process.[97]

Data indicates that the number of conflicts between states and war deaths has been declining since 1946. In the early post-war era, “around half a million people died through direct violence in wars; in contrast, in 2016 the number of all battle-related deaths in conflicts involving at least one state was 87,432.”[98] One outlier is the genocide in Rwanda in 1994, which stands out for its very high death-toll. The number of state-based armed conflicts has steadily declined from 53 to 49 in 2017.[99]

While conflict between states has declined dramatically since World War Two, recurring civil wars emerged as a trend. Major civil conflicts of more than 1,000 battle deaths a year increased during the postcolonial period and Cold War era, peaking in the late 1980s and early 1990s.[100] Even though the number of active civil wars has been steadily falling since 1991–92, 90 percent of conflicts that started in the 21st century are in countries that have already experienced a civil war.[101] Every civil war that has begun since 2003 was the resumption of a previous civil war.[102]

Similarly, in the Philippines and Japan, in particular in Okinawa, the U.S. military set up military bases, around which prostitution flourished.

The evolution of military sexual slavery during World War Two into an institutionalized prostitution industry during the Cold War reveals that the end of war did not bring about the end of sexual slavery or sexual violence. Rather, the legacy of sexual slavery in Asia and the Pacific resulted in diverse forms of conflict-related sexual violence, shaped by the changing political and economic context of the region.

Since World War Two, the nature of conflict itself has evolved. Traditional conflicts between states have largely been replaced by conflicts involving armed clashes between non-state armed groups and governments, or between different armed groups. Although conflict-related deaths have decreased overall, insecurity for women and girls endures—and in some cases, has worsened.

This is consistent with recent evidence of the reoccurrence of violence due to a failure to effectively address the drivers of conflict through sustainable and inclusive peacebuilding, peace processes, and post conflict resolution.

Since World War Two, the nature of conflict has evolved from conflicts predominantly among states, to conflicts that involve a wide range of state and non-state actors:

In recent years, “state-based” conflict deaths still form the majority of [conflict-related] deaths, alongside battle deaths in “non-state” conflicts (where two or more organizations are fighting but no state is involved), and also violent deaths in “one-sided violence” (where there is only one organized aggressor, such as in genocidal violence).[103]
From the fall of the Soviet Union in the early 1990s onwards, the dominant model of conflict no longer was between two opposing masses of troops, planes, and tanks. Armed conflict evolved to become more asymmetric[104] and complex in nature—usually involving armed clashes between non-state armed groups and governments or between different armed groups, along with third parties who supply weapons, expertise, or training. Before 2000, an average of two or three external parties participated in a conflict.[105] Since then, the number of parties to armed conflict have increased at a rapid rate. For example, in 2009, 46 external parties, including the North American Treaty Organization, were involved in the conflict between the Taliban and Afghan government. Similarly, as of 2019, the conflict in Syria has ten parties.[106] The number of conflicts involving non-state actors is rapidly growing, jumping from 62 in 2016 to 82 in 2017.[107] In addition, researchers from the Department of Peace and Conflict Research at Uppsala University have highlighted that the number of conflicts have also risen, “counting 23 wars and 162 minor conflicts with fewer than 100 deaths per year” in the last ten years alone.[108] Minor conflicts range from insurgencies, non-state violence, ethnic cleansing, colonial and interstate conflicts, and internationalized intra-state conflicts. Unresolved regional tensions, a breakdown in the rule of law, absent or weak state institutions, illicit economic gain, and the scarcity of resources exacerbated by climate changes are dominant drivers of contemporary conflict.

Conversely, conflict has simultaneously become more “internationalized.” Internationalized internal conflict refers to situations in which one or more State intervenes in a pre-existing armed conflict affecting all or part of the territory of another State.[109] According to Borda, parties to conflict look to internationalize their conflict for two reasons: material resources to fight the war (or military support) and international legitimacy (i.e. political support for their cause or international approval for the party’s right to govern).[110] Conflicts in the current geopolitical context have increasingly involved foreign interventions by external parties, proxy wars, political or technical support from coalitions of states, and the transnational trade of weapons.[111] For example, the ongoing armed conflict in Syria is seen as internationalized due to the involvement of regional powers such as Turkey, Saudi Arabia, and Iran, and global powers like Russia and the United States.[112] On the other hand, academics classify the involvement of Saudi Arabia, and Iraq in the conflict in Yemen as an internationalized proxy war between regional rivals.[113] As an external party, the United States is the country most involved in internationalized intrastate conflicts, with troops present in Mali, Iraq, Afghanistan, Libya, and Somalia. In some cases, private security companies and international or regional organizations intervene, such as the United Nations in the Democratic Republic of Congo, the North Atlantic Treaty Organization in Afghanistan and Libya, and the African Union in Somalia, thereby posing difficult questions on the applicability of international humanitarian law.[114]

Although they are often designed with the intention of ending violence and insecurity, foreign interventions and the resulting internationalized conflicts are on average more violent, difficult to solve, and protracted due to the absence of effective international conflict resolution. Internationalized conflicts also cause the spillover of violence and insecurity into neighboring countries. For instance, the conflict in Syria spilled into Iraq, accelerated by porous borders and weak governance.

As recognized in UNSCR 2286 (2016), new tactics of both state and non-state actors in recent and current conflicts, increasingly and purposefully target civilians and the destruction of civilian facilities and property like hospitals, homes, and schools.[115] In 2019, Amnesty International noted that: “[t]wenty years after the UN Security Council pledged to do its utmost to protect civilians in armed conflict, and 70 years since the Geneva Conventions sought to shield civilians and others from the types of atrocities committed during World War Two, the picture is incredibly grim.”[116]
Amnesty International names multiple conflicts where international humanitarian law has been openly flouted and civilians have been blatantly targeted, including in armed conflicts where permanent members of the United Nations Security Council are parties. Fact-finding reports from South Sudan claim that the government-led offensive in April-July 2018 had “civilians, including women, children, older persons and persons with disabilities were deliberately killed by gunfire, burnt alive in their homes, hung from trees and rafters and run over with armored vehicles.”[117] Such deliberate attacks on civilians and civilian facilities amount to war crimes according to international humanitarian law.[118] Thus, modern conflict creates an environment of increased impunity for violations of human rights, including sexual slavery.

Additionally, the use of child soldiers and the resulting attack on the rights of children has emerged as a trend in the evolution of modern conflict from Sri Lanka to Syria to the Ukraine from the 1990s onwards. The UN Secretary-General identified six grave violations against children during armed conflict, based on existing legal frameworks, encompassing international humanitarian law, international human rights law and international criminal law. The first and foremost is the recruitment of children as young as eight or nine years old by armed groups for forced labor, sexual slavery, and combat.[119] Since 2016, child soldiers have been in at least 18 conflicts around the world.[120] The Secretary General also identifies attacks on schools and hospitals as a grave violation of the rights of children, stating that “girls are also recruited and used by armed forces and groups. They have vulnerabilities unique to their gender and place in society and suffer specific consequences including, but not limited to, rape and sexual violence, pregnancy and pregnancy-related complications, stigma and rejection by families and communities.”[121]

The past few decades have also seen extraordinary advances in technology for war. Developments in communications, cyber techniques, bio-warfare, robotics, laser and nanotechnology, and nuclear weapons and increased global military expenditure contribute to ever-advancing tactics to cause irreparable damage to communities.

Approximately 100 states are said to operate unmanned aerial vehicles (UAV) for intelligence, surveillance, and reconnaissance; and allegedly 30 states have or are developing armed UAVs and lethal autonomous weapons (LAWs), which could identify and engage a specific target without human guidance.[122] While some modern technologies are improving protection for soldiers (like sniper detection devices that can be fitted on vehicles or exoskeletons to increase strength and mobility), other weapon systems are becoming increasingly accurate through satellite positioning in facilitating surgical strikes on military targets.[123] Critically, there is growing tacit acceptance of the increased civilian casualties as a result of remote bombing. This is evidenced by the 400 civilians who were killed in Al-Almiryya bomb shelter in Iraq in 1991 by laser-guided missiles and the bridled party of 47 slaughtered in Haska Meyna in Afghanistan in 2008.[124]

It is important to note that social media, one of the most widely-used technologies of the 21st century, is also being employed as a weapon of warfare. Vincent Bernard, the Editor in Chief of the International Review of the Red Cross, eloquently stated that, “making violence into a spectacle and spreading it through media has become a remote-warfare tactic.”[125] Social media has been used by extremist groups like ISIS to recruit over 30,000 foreign terrorist fighters to travel to the Syrian Arab Republic and Iraq (as well as to Afghanistan, Libya, and Yemen),[126] spread propaganda, and encourage attacks in other parts of the world. Russian-backed “trolls” have also successfully spread disinformation and misinformation as a form of cyber warfare to garner support for its annexation of Ukraine’s Crimean Peninsula in 2014.[127] Similarly, military personnel in Myanmar carefully crafted Facebook posts to incite hatred for the Rohingya community, thereby utilizing the social network as a tool for the military’s ethnic cleansing campaign.[128] The weaponization of social media contributes to increased insecurity in the current geopolitical climate.

Rise of violent extremism conducive to terrorism

One of the defining trends in the contemporary geopolitical context is the rise of violent extremist groups. While the number of global deaths attributed to terrorism has decreased from 25,000 in 2006 to 19,000 in 2018, [129] the insecurity, violence, and transnational criminal activity perpetrated by violent extremist groups remains a principle threat to international peace and security. Conflict is the primary driver of violent extremism, with more than 99 percent of all terrorist-related deaths occurring in countries with ongoing armed conflict such as Iraq, Syria, Somalia, Nigeria, and Afghanistan. Violent extremism conducive to terrorism is a diverse phenomenon without an agreed-upon definition. It is the product of historical, political, and economic, and social circumstances, including unemployment, poverty, perceptions of injustice, human rights violations, social-political exclusion, widespread corruption, sustained mistreatment of certain groups, and a state’s failure to provide basic rights, services, and security.[130]

The most notorious violent extremist groups like ISIS, al-Shabaab, Boko Haram, the Taliban, and al-Qaida have committed a laundry list of war crimes and crimes against humanity such as mass killings, abduction, trafficking, rape, sexual slavery, and torture, and the destruction of civilian infrastructure, in addition to inciting religious, cultural, and social intolerance in communities.

Forced displacement as a tactic of warfare

With a dramatic rise in the average number of refugees due to persecution, armed conflict, and human rights violations, it is evident that forced displacement has become a deliberate and widespread tactic of contemporary warfare. The total number of people forcibly displaced by conflict reached 70.8 million in 2019, with women and girls making up over 50 percent of this number.[132] Forced displacement of communities affected by conflict is frequently orchestrated, directed, and sustained by warring parties. For example, the displacement of more than a million Iraqis from Anbar Province was thought to be part of sectarian cleansing strategies by both Sunni and Shia militias intended to secure territory and contribute to nation-building through social engineering.[133] In 2005, the Uganda government resettled two million civilians from Acholi to squallid camps as a part of its military campaign against the LRA under the guide of protection.[134]

While al-Qaida and its affiliates sought to intimidate governments into changing their policies through devastating terrorist attacks, the latest iteration of violent extremist groups like ISIS and the Taliban have seized territory and attempted to govern civilian populations according to their own rules. Violent extremist groups have also undermined state authority and destabilized regions, aggravating unprecedented humanitarian crises and forced displacement; they often actively interfere with the provision of international humanitarian assistance. Additionally, as recognized by UNSCR 2462, violent extremist groups engage in transnational organized crimes like human trafficking, the slave trade, trafficking in antiquities, kidnapping for ransom, and the illicit oil to fund their operations. Unfortunately, counter-terrorism strategies and the “Global War on Terror” in the post-9/11 era have also exacerbated insecurity, institutionalizing the use of torture, arbitrary detention, and targeted extra-judicial killings of suspected terrorists.[131] States’ responses to transnational terrorism have eroded existing international standards of international humanitarian law. This research will elaborate on the systematic and consistent violation of the human rights and fundamental freedoms of women and girls, along with their communities, by violent extremist groups, particularly focusing on the use of sexual slavery as a tactic of terrorism.

However, the poorly protected IDP (internally displaced persons) camps ultimately resulted in increased insecurity. Forcibly displacing communities enables warring parties to assert control over contested territories, monitor restive populations, drain rebel-held territories of recruits and resources, and limit civilian casualties.

Conflict and displacement make women and girls particularly susceptible to gender-based violence, including sexual slavery; gender-based violence is estimated to affect over 70 percent of women in the context of crises.[135] For instance, 215,000 people became refugees as a result of the Liberian Civil War.[136]
It is estimated that 50-80 percent of those refugees were women; and that at least 40 percent of all Liberian women were raped during the civil war.[137] A study on Liberian refugee women residing in Nigeria showcased how "forced migration contributes to increased incidence of both communicable and non-communicable diseases in women."[138]

As conflicts evolve, so must global policies

The UN Charter and the laws governing armed conflict were developed to cope with traditional military conflict between state actors.[139] However, today, even though the principles underlying these laws remain valid, it is uncertain how they apply to different manifestations of conflict. Issues arise when armed conflict occurs between non-state actors, who have never signed such treaties. Armed conflict between nations is traditionally governed by two bodies of international law: "jus ad bellum, the body of law that governs when a nation may engage in armed conflict, and jus in bello, the body of law that regulates how a nation engaged in armed conflict must behave. (Such law refers to treaties [written agreements among nations] and customary international law (general and consistent practices of nations followed from a sense of legal obligation)."[140] Ratified by 191 state parties, the four Geneva Conventions and their Additional Protocols form the bedrock of international humanitarian law. Although recent trends in armed conflict pose challenges in the applicability of international humanitarian law, this legal body has stood the test of time, as argued by George Dvaladze, the thematic editor of the International Review of the Red Cross.[141] The United Nations has also responded to the evolution of conflict with the development and adoption of policy frameworks to address its drivers and impacts, particularly on women and girls, such as the Convention on the Rights of the Child, the WPS resolutions, the UN Plan of Action to Prevent Violent Extremism, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and the Rome Statute of the International Criminal Court, amongst many others.

Despite the global attention that sexual slavery has received in the past decade due to multiple global atrocities, there is no specific indicator available as to how the above-mentioned evolving trends in armed conflict have impacted the continued incidence of conflict-related sexual slavery. As mentioned previously, sexual slavery is such a distinct and insidious form of sexual violence in armed conflict, it is astonishing that there is no clear identifying trend or analysis of how it has evolved in a contemporary geopolitical context. However, it can be argued that the trends in the contemporary geopolitical context contribute to increased insecurity of women and girls, therefore exacerbating their vulnerability to conflict-related sexual slavery.

To understand this better, researchers will have to move from case-by-case basis toward a broader trend or hypothesis. From a preliminary understanding, it can be asserted that several factors have evolved or changed since World War Two, such as the increased incidence of non-state actors in armed conflict, the unprecedented levels displaced people as a result of a conflict, the increased internationalization of conflicts, as well as the use of the internet for propaganda, recruitment of slaves and/or transactions. All these factors require a deeper review and comparison.

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C. Conflict-Related Sexual Slavery as a Tactic of Terrorism

In a contemporary geopolitical context, conflict-related sexual slavery is increasingly committed by violent extremists as a tactic of terrorism. Terrorism is not just explosions and property destruction. Armed extremist groups are often tactical and strategic in the ways they target certain populations. Sexual violence is one such common tactic employed for recruitment, revenue generation, the promotion of extremist ideology, the subjugation of a population and more.

The use of sexual violence by contemporary extremist groups resembles similar crimes perpetrated by state military forces and other armed groups in the past.[142] For example, in Iraq, the strategic use of sexual violence “did not begin with ISIS.”[143] Reports indicate that during Saddam Hussein’s military assault of Iraq’s Kurdistan region in 1987-88, an unknown number of women were carted off to a secret police headquarters where they were raped.[144] Many current ISIS commanders are former Baath Party members, the party of Saddam Hussein; they now use sexual slavery to further their interests and propagate fear.

Terrorists’ systematic use of acts of violence associated with human trafficking clearly demonstrates that such practices are a highly effective means to achieve strategic objectives. Enslaved women and girls have been exploited as a recruitment tool to: attract new fighters (through forced marriages); to be directly deployed in military operations (as human shields, informants, bomb makers, executioners/suicide bombers); and to be sold and re-sold as merchandise (a means to secure ransom payment, and instruments to perform servitude roles).[145]

Armed and extremist groups use sexual slavery as a strategy to boost recruitment and retain members and fighters.[146] Women and girls are exploited to attract new fighters, often through forced marriages. For example, ISIS attracted hundreds of male recruits by offering them kidnapped women and girls as “wives”—a highly attractive offer for deeply conservative Muslim men raised to believe that casual sex is taboo and dating is forbidden.

Younger women and girls, some as young as 12, were separated from their parents and older relatives and sold, given as gifts or forced to marry ISIS fighters and supporters.[147] They were subjected to torture, rape, and other forms of sexual violence, as well as pressured into converting to Islam.[148] Similarly, women who escaped from camps of al-Shabaab—an extremist group based in East Africa—reported having been victims of gang rape and forced to use drugs, as well as to cook and clean in 2018.[149] According to a Kenyan Anti-Terror Police Unit investigator, women have been mainly recruited or abducted “to provide sex to fighters so that they do not think about going home.”[150]

Violent extremist groups, such as ISIS, al-Shabaab and Boko Haram, have also justified sexual slavery as a way to promote their ideology. ISIS justifies raping and enslaving women from Iraq’s small Yazidi religious community because they are non-believers in Islam.[151] They systematically target members of non-Arab and non-Sunni Muslim communities, as well as Sunni Muslims who opposed them. In an ISIS article entitled “Slave-girls or Purification,” the slavery of the Yazidi is explained as follows: “The purpose of this slavery is not for sexual pleasure, but rather is to help slaves embrace the religion of Allah in order to break free of their chains.”[152] ISIS leadership has a narrow and selective reading of the Quran and other religious rulings, which they claim justifies not only violence, but also the celebration of sexual assault as spiritually beneficial and virtuous for both the perpetrator and the victim.[153] This institutionalization of crimes such as sexual slavery also serves to normalize them. Since 2010, al-Shabaab has imposed forced and early marriage as part of the group’s efforts to impose its harsh version of Sharia—religious law—on every aspect of the personal lives of women and girls in south-central Somalia. Al-Shabaab has regularly been preaching marriage between fighters and young girls still in school, and has abducted and detained girls under the group’s auspices for this purpose.[154]
Members of Boko Haram, an extremist group operating in West Africa since 2002, purposely impregnated women and girls to produce the "next generation of fighters."[155] Military setback and loss of control over significant parts of territory have not deterred these extremist groups from using abduction, rape, sexual slavery, enslavement, and other such acts to continue to subjugate populations and advance their ideologies.[156]

Extremist groups also use sexual slavery and trafficking to generate revenue. The violent commodification of women and girls is an essential element of financing extremist groups. The use of monetary transactions to trade sexual slaves further institutionalizes such practice, as evidenced by ISIS’s fatwas (guidelines) for buying and selling women. The trade in Yazidi women and girls has created a persistent infrastructure and detailed bureaucracy, with sales contracts notarized by the ISIS-run Islamic courts, a network of warehouses where victims are held, rooms where they are inspected and marketed, and a dedicated fleet of buses used to transport them. In the Syrian Arab Republic, the bureaucracy of the Yazidi slave market was organized by a central body called the “Committee for Buying and Selling of Slaves.”[157] ISIS generated significant revenue through sex trafficking, sexual slavery, and extortion through ransom. The UN estimated that ransom payments extracted by ISIS amounted to between $35 million and $45 million in 2013 alone.[158]

For Boko Haram, the trading of women and girls through trafficking and prostitution also represents an important part of their income. Trafficking of abducted women would bring the group between USD 100,000 to 200,000 per month between 2014 and 2016.[159] In the aftermath of the April 2014 abduction of female students in Chibok, Nigeria, Boko Haram leader Abubakar Shekau stated that they intended to sell the kidnapped women and girls to its combatants as slaves or brides. Some were sold for SI2. But most evidence indicates that Boko Haram has not engaged directly in the sale of women to traffickers. However, women displaced as a result of Boko Haram activity have been captured by traffickers and forced into prostitution.[160]

Slavery and human trafficking thus constitutes a highly opportunistic source of financing for terrorists, who are able to profit from their victims in many ways and exploit them as "reusable commodities."[161]

ISIS, Boko Haram, and al-Shabaab, amongst other extremist groups, used sexual slavery to instill fear and exert control over communities. For example, ISIS widely publicized videos, photos, and statements showcasing the violence committed by combatants on captured soldiers and civilians on social media to establish a reputation for brutality and intimidate its enemies.[162] In response to ISIS’s campaign of terror, Iraqi and Kurdish forces retreated quickly, facilitating ISIS’s capture of unprotected communities. A member of the Peshmerga or Yazidi Armed Forces explained to Amnesty International in 2014, “Yes, I am a Peshmerga,[163] but I have a wife and children who need my protection, so my priority had to be to take them to safety before Da’esh[164] or ISIS attacked the area. The fear of crimes Da’esh could commit against women and children in my family is much greater than the fear of being killed by Da’esh.”[165]

As noted by UNSCR 1820, women and girls are particular targets of sexual violence, including as a tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group. Rape, sexual slavery, and other forms of enslavement are used to psychologically and physically debilitate women and girls and to ensure that they can never again lead a normal life. These crimes are used as a tactic to spread terror, advance ideology, decimate communities, and exert control on populations— as evident in the modus operandi of ISIS, Boko Haram, and al-Shabaab, amongst other extremist groups.


[161] Ibid.


[163] The Peshmerga are the military forces for the autonomous Kurdistan Region of Iraq.

[164] ISIS (the Islamic State of Iraq and Syria) is also known by its Arabic acronym as “Da’esh.”

D. Conflict-Related Sexual Slavery in Humanitarian Emergencies

As highlighted in the 2018 UN Office on Drugs and Crime Global Report on Trafficking in Persons, forcibly displaced populations have been targeted by traffickers, from Syrian and Iraqi refugees, to Afghans and Rohingya fleeing conflict and persecution.[166] Refugee women and girls in particular are vulnerable to trafficking and often, sexual slavery, as a result of the absence of legal and social protection systems and break down of safe channels for migration.

Refugees are treated as commodities in the political negotiations between nation-states, unwelcome wherever they land after desperate flight. As a subset within the broader flow of human migration, refugees are subject to dehumanizing practices by border enforcement, refugee camp management, and labor and domestic enforcement practices intended to discourage migration and curtail migrant rights.[167] Several risk factors related to trafficking for the purposes of exploitation and slavery are similar in crisis and non-crisis situations. However, crises prompt extra risk factors, such as the erosion of rule of law and institutional breakdown, corruption, impunity, lack of socio-economic opportunities, insecure housing, absence of legal protections, punitive immigration policies and lack of access to safe migration options.[168]

For refugee women and girls, gender discrimination exacerbates all other protection and survival challenges. Their gender threatens their physical security as well as hinders their ability to secure a livelihood and to meaningfully participate in finding political and social solutions to their refugee dilemma. Humanitarian emergencies often see a hardening of enforcement of gender codes. There are also elevated levels of sexual violence and coercion at all stages of the refugee experience—for example, women and children are sometimes forced to exchange sexual services for survival and access to food, protection, passage across borders, or other critical needs.[169]

Upticks in child marriage have been documented in humanitarian emergencies around the world, as families force adolescent girls to marry early as a means of protection or as an economic safety net. For example, in refugee camps in Jordan, marriages for Syrian girls between the ages of 15 and 17 rose from 12 percent in 2011 to 36 percent in 2018.[170]

In India, Malaysia, and Indonesia, many Rohingya women and girls who fled persecution in Myanmar became child brides and faced domestic violence and sexual slavery within marriage. People in dire situations may resort to forcing their family members into marriage or sexual labor, receiving money in exchange for their daughters, sisters, etc. Slavery can be an outcome of child marriage, even when it is not the initial intent.

Refugees are highly vulnerable because of subordinate social position, lack of legal status, exacerbated protection gaps, lack of consular assistance, and arbitrary detention. People escaping war and persecution are forced to make decisions within a short timeframe and often to flee weak states with pre-existing displacement crises. In the context of high levels of corruption and collusion between state authorities and criminal networks, migrant rights are often ignored and traffickers act with impunity.[171] In Libya, patterns of sexual violence against migrants, refugees, and asylum seekers perpetrated by smugglers, traffickers, and hybrid criminal-terrorist networks have been well documented. Libyan traffickers like Ahmad al-Dabbashi have links with terrorist and violent extremist networks.[172] In 2015 and 2016, ISIS in Libya abducted and took into captivity 540 migrants and refugees, including at least 63 women who were then forced into sexual slavery for fighters.[173] Refugee-related prostitution networks have largely developed in Turkey and Lebanon. Twenty-seven cases involving Syrian prostituted people and traffickers were reported in Lebanon in 2014.[174] Syrian refugees have also been forced into prostitution in hotels or establishments of prostitution in Baghdad, Basra, and in other places in the South of Iraq.[175] While women and girls are more susceptible to trafficking for the purpose of sexual slavery, Syrian men are more vulnerable to trafficking for the purpose of forced labor.[176] Many trafficking victims refrain from seeking government and law enforcement assistance, fearing not only arrest due to their irregular migration status, but also retributive violence from their exploiters.

[173] Ibid.
[174] Ibid.
[176] Ibid.
Yet, many have argued that too little has been done to address the vulnerabilities of girls in areas affected by conflict and terrorism—a gap that enables armed and extremist groups to take advantage of the strategic and financial benefits of human trafficking to expand their military and economic power.

Human trafficking for the purposes of sexual slavery is poorly addressed in humanitarian emergencies. This is because determining what amounts to a crime of trafficking is the prerogative of the state. There are grey areas between forced labor, exploitation, abduction, and trafficking, and so determining whether someone is a victim of trafficking or labor exploitation or a smuggled migrant can be challenging. Sexual exploitation remains undefined under international law. Despite increasing accounts of human trafficking in crisis, humanitarian actors often lack tailored, specific, and systematic anti-trafficking tools or knowledge. [180]

Conflict exacerbates the smuggling of migrants, as migrants turn to smugglers to flee from conflict and seek safety or asylum. For example, interviews conducted by a Washington Post journalist in 2019 with Venezuelan women indicate that armed groups have demanded sex as payment for crossing the border into Colombia.[177] In China, female North Korean refugees are targeted by traffickers and forced into prostitution.[178] Child refugees are decidedly vulnerable as well. They account for more than half of the refugee population, and often fall victim to trafficking and sexual exploitation. For example, the Lord’s Resistance Army abducted boys and girls from refugee camps for use as cooks, porters, concubines, and combatants. In 2016, government officials in DRC stopped sixteen Burundian and Rwandan child soldiers who were in transit to fight with armed groups in Burundi.[179]

UNSCR 2388 (2018), which focuses on people displaced by armed conflict, recognizes the need to enhance the protection of any displaced person who is either a victim of trafficking or at risk of becoming one.

### E. State-Sponsored Sexual Slavery

There are many recent examples of state-sponsored militia, armed groups, or armed forces who have used sexual slavery as a weapon of warfare, including as a part of systematic campaigns to commit genocide, often with impunity. As per the definition of UN Genocide Convention (Convention on the Prevention and Punishment of the Crime of Genocide), genocide is defined as the following:

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.[181]

As Lisa Sharlach argues, such a definition of genocide remains genderblind, since it does not reflect the differentiated consequences and impacts of wartime sexual violence on men and women.[182]

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The Balkans and Rwanda: Awakening global consciousness to sexual violence in conflict as genocide

Before the conflict-related sexual violence that occurred in the former Yugoslavia and Rwanda in the mid-1990s received international attention, wartime sexual slavery, systematic rape and sexual torture were regarded as inevitable "byproducts" of war.[183] With the horrifying wartime mass rape cases in Bosnia and Rwanda, sexual violence in conflict began to be acknowledged as a gendered military war strategy, and recognized as genocide.[184]

In the case of Bosnia, testimonies from survivors as well as many international reports describe the systematic mass rape committed by the Serbs against Muslim and Croatian women as a deliberate strategy of genocide. The Serbian military repeatedly raped women and girls in "rape camps" or houses, on the street, and in public spaces, until they became pregnant, which was a strategy of ethnic cleansing. [185] Similarly, in Rwanda, mass rapes were committed by mainly Hutu against Tutsi women during the 1994 genocide. Using mass rape to deliberately infect the victims with HIV was a distinctive trait of wartime sexual violence during the Rwanda genocide.[186]

Colombia, Democratic Republic of Congo and Guatemala: Conflict-related sexual slavery endures

Although the Bosnia and Rwanda genocides shed a spotlight on sexual violence in conflict as genocide, conflict-related sexual violence—and sexual slavery specifically—continued to be a widespread, systematic, institutionalized, weapon of war in the decades that followed, including in Colombia, the Democratic Republic of Congo (DRC) and Guatemala.

In a 2014 report, the UN Secretary-General urged the Security Council to recognize sexual violence as a tactic of war and terrorism.[188] The report highlights that sexual violence is integrally linked with the strategic objectives of armed groups.[189] Although it does not mention states or state-sponsored armies, the report mentions two high-profile prosecutions of military leaders in Colombia and DRC. In Colombia, paramilitary leader Salvador Mancuso Gómez was ordered to provide reparations to 9,500 people, while in the DRC, "Colonel 106" was sentenced to life imprisonment for crimes against humanity, including sexual slavery.[190]

Despite regional, political, and socio-cultural differences between Bosnia and Rwanda, in both cases, the logic of wartime sexual violence—including mass rapes—was closely tied to the concept of a gendered national identity in deeply patriarchal societies. Mass rapes could operate as a genocide as women symbolized the nation, or assets of the nation and family. Sexual violence against women of opposite ethnic or religious groups could be interpreted as the conquest of that group, where women's bodies figure as battlefields and territories be taken over and conquered. Furthermore, mass rape as a genocide works in deeply patriarchal societies and cultures, where the chastity of women is strongly valued and victim blaming is prevalent.[187] In such patriarchal societies, sexual violence against women and girls serves as an assault on the group's identity and honor. The stigma, shame, and victim blaming associated with sexual violence makes it extremely difficult for survivors to speak up about the abuse they experienced.

In Colombia, during the armed conflict between the Revolutionary Armed Forces of Colombia (FARC) and the government, more than 25,295 women and girls suffered sexual violence, including rape, forced abortions, and sexual slavery. These atrocities were committed by all warring parties to instill fear, impose social and military control, and as a form of punishment in communities.[191]

The experiences of former women FARC combatants break the victim-perpetrator binary, with multiple experiences of conflict and sexual violence within an organization that allegedly prided itself on treating women and men equally. [192] A 2018 interview with one of the FARC women commanders, Elda Neyis Mosquera, also known as "Karina," reveals that: "[i]nside the FARC, people are taught that gender does not constitute a difference, that things men are capable of doing can also be done by women. Nevertheless, FARC commanders frequently pressured or forced young women into sex. Some women turned to survival sex. Most FARC women did not have control over their bodies."[193]

[187] Ibid.
[189] Ibid.
Despite the adoption of a peace agreement celebrated internationally for its gender-sensitivity and inclusive drafting process, justice and accountability for sexual violence committed by the FARC has remained elusive, with members of the FARC political party vehemently denying allegations. A 2014 report by Colombia’s National Center for Historical Memory described the situation of survivors as follows: “On their bodies are imprinted the marks of a society that silences the victims, of a state incapable of delivering justice, of families and communities tolerant of gender violence.”[194] Nevertheless, women’s civil society, such as Rosa Blanca, an organization of former women combatants who suffered sexual violence, are actively advocating for justice and filing individual petitions with the Inter-American Commission on Human Rights. [195]

In the eastern region of DRC, tens of thousands of female survivors of sexual violence committed by the Forces Armées de la République Démocratique du Congo (FARDC) in the 2000s have stated that they felt the war was being fought “on their bodies.” In a 2009 report on sexual violence in DRC, Human Rights Watch examined the national army’s perpetration of sexual violence, including sexual slavery, which has contributed to the culture of impunity and insecurity in eastern Congo.[196] The report highlights the long-term physical, psychological, and social effects of sexual violence on the victims:

The situation is particularly bad for girls, who are at risk of serious injuries after rape, and whose health is at risk if they get pregnant. Their future is often compromised as they have difficulty finding a partner, drop out of school, are rejected by their own family, or have to raise a child born from rape while still being a child themselves.[197]

The Human Rights Watch report uses the example of the 14th Brigade to highlight how weak military justice has been, despite long-term sustained pressure from civilians, NGOs and even the country’s first Lady. From 2006, the 14th Brigade has been responsible for conflict-related sexual violence in North and South Kivu, along with abductions, killings, torture, looting, and extortion. The weak hierarchical structure of the army made it difficult to point responsibility, and almost all prosecutions have been on low-ranking soldiers. Military commanders ranking higher than captain continue to be treated as untouchable, and are even accused of protecting their soldiers, obstructing justice in the process.[198]

The use of sexual slavery by the Guatemalan Army during the Guatemalan civil war serves as another example of state-sponsored sexual slavery as a strategy to commit genocide, this time against local indigenous populations. In 2016, the Guatemalan court finally convicted two military officers of crimes against humanity, including sexual slavery, against 11 indigenous Q’eqchi’ women. This marks the first time that a national court prosecuted sexual slavery during conflict using national legislation and international criminal law. The court recognized that the offenses were part of a deliberate strategy by the Guatemalan Army to destroy the local indigenous community. The court also recognized the impact of these abuses on the entire community and ordered a comprehensive set of reparations.[199] However, the extremely low number of convictions to date —only two—does not accurately reflect the number of perpetrators involved, nor does it capture the extent and scale of the abuse.

A common theme arising from all three examples is the culture of impunity that persists when it comes to holding perpetrators accountable, especially high-ranking state officials. All three cases required years-long processes to ensure that survivors could testify freely without fear of retribution from the state. Even then, state-back militaries enjoyed—and continue to enjoy—impunity. It is significant that in his 2014 report, the UN Secretary General was able to speak out against armed extremist groups utilizing the tactic of sexual slavery, but not state-backed militaries, even though he reported their persecutions.

In her article “Deterring and Preventing Rape and Sexual Slavery during Periods of Armed Conflict,” Sarnata Reynolds notes many states have acknowledged that rape and sexual slavery are committed as part of the structure of war or wartime strategy.[200] From World War Two to a contemporary context, militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike employ sexual slavery to meet strategic objectives, recruit and retain fighters, instill fear, destroy communities, support general operations, and promote ideology with increased impunity.
IV. Gaps and Opportunities to Address Sexual Slavery in International Humanitarian, Criminal, and Human Rights Laws, the Women, Peace and Security Agenda and Policies on Preventing Violent Extremism and Countering Terrorism

Conflict-related sexual slavery is a specific, systematic crime of sexual violence, which must be addressed in its gravity and prosecuted as such. Although conflict-related sexual slavery is recognized and condemned under international human rights, humanitarian, and criminal laws and policies on preventing violent extremism and countering terrorism, there are significant gaps in consistent, coherent, and specific efforts to prevent the occurrence of, protect women and girls from, strengthen accountability for, and provide relief and recovery services for survivors of the crime. The failure to adequately address conflict-related sexual slavery contributes to reoccurrence and continued impunity.

The Women, Peace, and Security (WPS) resolutions provide a framework to improve prevention and response efforts. However, specific policies, provisions, and programming on conflict-related sexual slavery for the implementation of the WPS resolutions, including National Action Plans (NAPs), must be strengthened.

A. Conflict-Related Sexual Slavery in International Human Rights, Humanitarian, and Criminal Laws

Under international humanitarian, criminal, and human rights law, states are obligated to respect, protect, and fulfil human rights and fundamental freedoms. In addition, states are required to protect those under their jurisdiction against human rights violations by private entities, including extremist groups and other non-state actors.[201]

The protection of the right to life includes an obligation on States to take all appropriate and necessary steps to safeguard the lives of those within their jurisdiction...States must put in place effective criminal justice and law enforcement systems, such as measures to deter the commission of offences and investigate violations where they occur; ensure that those suspected of criminal acts are prosecuted; provide victims with effective remedies; and take other necessary steps to prevent a recurrence of violations. [202]
Article 15 of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), a landmark international human rights framework on women’s rights and gender equality, also necessitates states to take all appropriate measures to guarantee women equal recognition, enjoyment, and exercise of all human rights and fundamental freedoms on a basis of equality with men. [205] States are obligated to address discriminatory laws, practices, and customs against women by private actors too. Importantly, states must comply with obligations under CEDAW immediately; delays on the basis of periods of armed conflict or emergency are not considered satisfactory justifications for lapses.

Regional frameworks such as the Maputo Protocol, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the International Conference on the Great Lakes Region Protocol on the Prevention and Suppression of Sexual Violence against Women and Children, and the Declaration of the Elimination of Violence against Women in the Association of Southeast Asian Nations (ASEAN) echo and establish legal frameworks for the protection of women’s rights and the punishment of crimes of sexual violence. The Convention on the Rights of the Child[206] and UNSCR 1261[207] are also important legal frameworks that protect the rights of children during armed conflict and prohibit all forms of sexual exploitation and abuse.

States must also prevent, investigate, and punish violations of international humanitarian, criminal, and human rights law committed by its actors along with non-state actors. The Rome Statute of the International Criminal Court is considered by academics and civil society to be one of the most progressive and gender-responsive instrument to define violations of international humanitarian and human rights law. [208] Many forms of conflict-related sexual violence committed by state and non-state actors are covered under the scope of the Rome Statute. In international humanitarian, criminal, and human rights law, conflict-related sexual slavery is recognized, condemned, and prohibited as a crime of war, genocide, against humanity, slavery, or torture.

Sexual slavery, as a form of sexual violence, can constitute war crimes when committed by occupying forces in the context of international conflict under Article 147 and 27 of the Fourth Geneva Convention.[209] While international armed conflicts primarily concern conflicts between two or more states, non-international conflicts expand the definition of parties to conflict to include violent extremist groups and non-state actors.[210] Article Three of the Geneva Convention outlines acts prosecutable as war crimes in non-international armed conflict, including sexual violence (in particular, rape, sexual slavery, enforced prostitution, enforced sterilization, and enforced pregnancy).[211] An interpretation of Article 147 of the Fourth Geneva Convention by the International Committee of the Red Cross identifies slavery, including sexual slavery, as a war crime, although it is not explicitly listed as a grave breach of the Convention.[212] A Dutch court in Batavia’s prosecution of Japanese military defendants, who participated in enslaving 35 Dutch women and girls in “comfort stations” during World War Two for war crimes including rape, coercion to prostitution, abduction of women and girls for forced prostitution, and ill treatment of prisoners, serves as an example of the legal classification of conflict-related sexual slavery as a war crime.[213]

Under certain circumstances, conflict-related sexual slavery, amongst other forms of sexual violence, can be prosecuted as acts of the crime of genocide, as defined by Article Two of the Genocide Convention.[214] Importantly, specific intent on the part of the perpetrator to physically destroy, in whole or in part, a protected group (such as a national, ethnic, racial, or religious group) is required to classify a human rights violation as a crime of genocide. Although gender is not listed as a protected group under the Genocide Convention, Special Rapporteur to the UN Sub-Commission on the Promotion and Protection of Human Rights McDougall argued that attacking a historically marginalized group through sexual violence against female members is sufficient to establish the crime of genocide.[215] In line with this legal justification, the Independent International Commission of Inquiry on the Syrian Arab Republic submitted a report to the Human Rights Council in 2016 accusing ISIS of committing genocide against the Yazidi community.[216] The report defines the crimes of genocide inflicted upon the Yazidi people to include sexual slavery, rape, sexual violence, severe deprivation of liberty, and torture, amongst other inhuman acts.
Conflict-related sexual slavery has also been considered under the scope of crimes against humanity, defined as widespread or systematic attacks against a civilian population based on racial, ethnic, religious, or political grounds. While crimes against humanity have most often been prosecuted in the context of armed conflict, this nexus is not essential. However, although sexual violence was included within the formulation of inhuman acts in the International Military Tribunal at Nuremberg Charter (Control Council Law No.10) and the Charter of the International Military Tribunal for the Far East (Tokyo Charter), it has rarely been prosecuted as a crime against humanity following World War Two. In response to the international community’s failure to prosecute, the Women’s International War Crimes Tribunal for the Trial of Japan’s Military Sexual Slavery made history through its 2001 judgement, which recognized conflict-related sexual slavery committed by the Japanese army during World War Two in Asia and the Pacific as a crime against humanity and made recommendations to the Japanese government to acknowledge its responsibility, apologize, and to provide relief to victims such as reparations. As the Tribunal did not have any legal power to enforce its judgement (since it was not established on the authority of the UN or the International Criminal Court), the Japanese government refused to cooperate with the judgement or recognize its jurisdiction. In her report to the UN Sub-Commission on the Promotion and Protection of Human Rights, Special Rapporteur McDougall argued that gender should be explicitly recognized as one of the grounds of persecution under crimes against humanity in order to more effectively address widespread or systematic attacks on a population, in which sexual slavery is used as a tactic.

Recently, progress has been made in integrating a gender perspective in prosecutions of crimes against humanity. For instance, in 2015, the Office of the Prosecutor of the International Criminal Court analyzed the role of gender in its preliminary examination of alleged crimes against humanity and war crimes committed in the context of conflict between Boko Haram and security forces in Northeast Nigeria, including abductions, forced marriages, rapes, sexual slavery, sexual violence, the use of women and girls for operational tasks such as suicide attacks, and murders. Similarly, from December 2016 to March 2020, the Office of the Prosecutor of the International Criminal Court tried Dominic Ongwen, a former commander of the Lord’s Resistance Army, for war crimes and crimes against humanity, including systematic abduction and sexual enslavement of women and girls to build its ranks and provide sexual partners for officers.

Conflict-related sexual slavery—which encompasses situations where women and girls are forced into marriage, domestic servitude, prostitution, or other forced labor that ultimately involves forced sexual activity including rape—is also recognized as a form of slavery under the 1926 Slavery Convention. During a key informant interview, Patricia Sellers, former Special Advisor for the Office of the Prosecutor of the International Criminal Court, emphasized the need for the international community to better understand the breadth of experiences encompassed under enslavement, which has historically occurred consistently during armed conflict from Ancient Greece, the American Civil War, to World War Two. By removing sexualized enslavement and referring to the crime as sexual slavery as just this, we are reducing some of the nuances of what it is to be enslaved,” she argued. A critical element of the crime of enslavement include limitations on autonomy and on the power to decide matters relating to one’s sexual activity and bodily integrity.

Sellers further highlighted that prosecuting sexual slavery under the crime of enslavement often simplifies prosecution and better describes the range of abuse that slavery victims are subjected to. A claim of slavery does not require that a person be bought, sold, or traded; physically abducted, held in detention, physically restrained or confined for any particular length of time; subjected to forced labor or sexual activity; or subjected to any physical or sexual violence, although these are all indicative of slavery.


[221] Ibid.


[223] Key Informant Interview conducted by the Global Network of Women Peacebuilders with Patricia Sellers, former Special Advisor for Gender for the Office of the Prosecutor of the International Criminal Court, on September 25th, 2020.

A survivor’s ability to escape enslavement (at substantial risk of personal harm) does not nullify a claim of slavery either. Importantly, for a crime to be prosecuted as slavery, it does not require a nexus to armed conflict or state inaction. Finally, for conflict-related sexual slavery to be considered as a crime of torture, the intentional infliction of severe mental or physical pain or suffering, and a nexus to government inaction or action is required, as outlined in Article One of the UN Convention against Torture.[225]

International humanitarian, criminal, and human rights law dictates that states, including successor governments, have an obligation to prosecute slavery, crimes against humanity, genocide, torture, and certain war crimes before domestic courts, or to surrender defendants for trials as requested by other States or international criminal tribunals (Article 146, Fourth Geneva Convention).[226] It is important to note that there is no statute of limitation for serious crimes under international law. Regional human rights instruments such as the Arab Charter also enshrine the right to judicial redress for all persons (Article 12).[227] Crucially, CEDAW established the right of women to equal access to and treatment within the criminal justice system, compelling State parties to address discrimination against women based on gender stereotypes, stigma, and gender-based violence that adversely impacts their ability to secure judicial redress.[228] Therefore, a State’s failure to provide judicial redress and strengthen accountability for crimes of war, against humanity, genocide, slavery, and torture, including conflict-related sexual slavery, is a clear violation of international norms and obligations. In order to overcome impunity and a lack of accountability for conflict-related sexual slavery, effective judicial redress and remedy is essential.

Although it has been condemned as a crime, conflict-related sexual slavery has been inadequately and inconsistently addressed as a systematic violation of human rights within international law. Patricia Sellers and Jocelyn Getgen Kestenbaum attributed the international legal system’s failure to the development of international humanitarian, human rights, and criminal law being based on “the paradigm of male lives.”[229] Following a jurisprudential review of facts that precede the commission of enslavement and sexual slavery, Sellers and Kestenbaum characterized prosecutions of conflict-related sexual slavery as inconsistent and unsatisfactory due to a hesitant acknowledgement of the conduct’s criminality and an unfamiliarity with the responsive legal framework.[230]

They argue that the Rome Statute “erases the slave trade” as neither the slave trade nor slavery are included under Article 8 on war crimes or Article 7(g) on crimes against humanity.[231] There is also no specific language condemning enslavement as a widespread or systematic attack on civilian population.

Additionally, Sellers and Kestenbaum highlighted that the Rome Statute sanctions only the perpetrators of slavery exercising direct ownership over victims, rather than all perpetrators involved in the abduction, transportation, and selling of victims.[232] Therefore, it is the woeful prosecution record that despite the jurisdiction over the slave trade as a war crime in the statutes of Nuremberg and Tokyo Tribunals, International Criminal Tribunal for the Former Yugoslavia, and International Criminal Tribunal for Rwanda, sexual slavery has not been successfully prosecuted as a war crime by ad-hoc tribunals and judges. Moreover, inclusion under crimes of war, against humanity, genocide, slavery, and torture produces varied evidentiary requirements and judicial processes for the prosecution of conflict-related sexual slavery, which often are not understood or met by legal teams. These legal frameworks do very little to disentangle and distinguish concepts of sexual slavery, sexual violence, enslavement, torture, and trafficking, which often overlap. In addition, different bodies of law, including international humanitarian, human rights, and criminal law, along with domestic law on sexual violence, can be applied in different ways, but often, not concurrently. A consistent, coherent, specific normative framework for the prevention of, protection from, redress for survivors of, and prosecution of conflict-related sexual slavery remains absent in international humanitarian, criminal, and human rights law.

As a result, there have been a very limited number of successful prosecutions of the crime of conflict-related sexual slavery. Holding perpetrators accountable for international crimes of conflict-related sexual slavery is a slow, fractured, and largely ineffective process. As stated by Jamie O’Connell and James L. Cavallaro, the International Criminal Court has approached a crisis point as it continues to fail to try, convict or apprehend perpetrators of heinous crimes against humanity. With a woeful prosecution record, they argue that other criticisms of the Court—for its suspet focus on Africa and inability to prosecute citizens of powerful States—seem almost moot.”[233]
Lack of compliance with international law is a key challenge in ensuring accountability for conflict-related sexual slavery, as it relies entirely on the cooperation of states. Condemnation from other nations or civil society can and will be registered; however, UN Security Council permanent members have the ability to block or veto statements or resolutions on the matter. An order from the International Court of Justice is significant, but it needs to be reinforced by political will and support for human rights from member states.[234]

Recently, the UN Independent International Fact-Finding Mission on Myanmar (FFM) found that sexual violence is a cornerstone of Tatmadaw (military) operations. Armed officers have been complicit in crimes against humanity, including conflict-related sexual slavery for decades. Nevertheless, justice for survivors is elusive for multiple reasons, including the government’s reticence to take any necessary measures to prevent or protect.[235] International accountability measures are the only hope to defeat the government and military’s existing impunity; the ongoing case between the Gambia and Myanmar at the International Court of Justice is one important step. In January 2020, the International Court of Justice issued provisional measures ordering the Burmese government to immediately cease all acts to commit or incite genocide against the Rohingya people, preserve evidence of genocidal acts, and submit regular reports on compliance until the case is closed.

While the Burmese government has allegedly taken some steps to address the International Court of Justice’s order, discrimination, marginalization, and violence, including sexual violence and sexual slavery, continue to be inflicted upon the Rohingya people in the Rakhine State. Thus, the failure of international institutions to hold perpetrators accountable for crimes of conflict-related sexual slavery, amongst other international crimes, contributes to reoccurrence and rampant impunity.

From this review of the provisions on conflict-related sexual slavery in international humanitarian, criminal, and human rights law, it is clear that the global response to gender-based and sexual violence in conflict, including sexual slavery, must be strengthened to ensure accountability and adequate redress for survivors. Although considered under crimes of war, against humanity, of genocide, torture, sexual violence, and slavery, conflict-related sexual slavery lacks a consistent, coherent, specific normative framework for prevention of, protection from, redress for survivors of, and prosecution of the crime. As a result, successful prosecutions of the crime of conflict-related sexual slavery have been very limited.

B. Conflict-Related Sexual Slavery and the Women, Peace, and Security Agenda

The adoption of the UNSCR 1325 on WPS on October 30, 2000 was a historic moment.[236] Together with nine supporting resolutions, UNSCR 1325 constitutes a normative framework for women’s meaningful participation in decision-making, conflict resolution, conflict prevention and peacebuilding; protection of women and girls’ rights; and prevention of sexual and gender-based violence in conflict-affected situations. Moving from a discourse of women as passive victims of conflicts, the WPS agenda recognizes women as active agents of change and pioneers in building and sustaining peace.

Similar to international human rights, humanitarian, and criminal laws, the WPS resolutions lack adequate recognition of sexual slavery as a separate, systematic crime that should be addressed specifically in its gravity. Nevertheless, the WPS Agenda provides a crucial framework for prevention of, protection from, accountability for, monitoring and reporting of, and relief and recovery services for survivors of conflict-related sexual slavery.


Highlighting women and girls’ vulnerability to sexual violence in conflict

The WPS resolutions contain important provisions that can be used in advocacy and policymaking on the protection of women and girls from conflict-related sexual violence. Echoing international humanitarian and human rights law, UNSCR 1325 calls for all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict. \[237\]

UNSCR 1820 (2009) accepts the range of sexual violence offences in the Rome Statute, thereby including sexual slavery under its scope. It establishes the criminality of rape and other forms of sexual violence (such as sexual slavery), which can constitute crimes of war, against humanity, or a constitutive act with respect to genocide. \[238\] In a groundbreaking contribution to global policymaking on peace and security, UNSCR 1820 notes that women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group. \[239\] Sexual violence in conflict occurs on a continuum of interrelated and recurring forms of violence against women and girls. This resolution highlights that issues related to sexual violence in conflict are directly relevant to peacebuilding, peace processes, and post-conflict resolution in order to prevent the reoccurrence of such crimes and further outbreaks of violence.

Recognizing and addressing the gendered impact of violent extremism and terrorism

With the adoption of UNSCR 2242 (2015), the WPS Agenda recognized the gendered impacts of violent extremism and terrorism on women’s rights and gender equality, particularly in terms of access to health, education, participation in political decision-making or the labor force. \[243\] Sexual and gender-based violence was recognized as a tactic of terrorism employed by violent extremist groups, integral to strategic objectives, ideologies, and plans to increase power through financing, recruitment, and the destruction of communities.

UNSCR 2242 also accentuates the need for integration of the WPS Agenda into counter-terrorism measures through women’s meaningful participation, leadership, and empowerment in the design and implementation of counter-terrorism (CT), preventing violent extremism (PVE), and countering violent extremism (CVE) policies. \[244\]

In parallel, UNSCR 2467 (2019) encourages coordination and collaboration between UN Women, the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict, UN Office of Drugs and Crime, and the UN Counter-Terrorism Directorate to address the links between trafficking in persons and sexual violence committed by extremist groups in conflict and post conflict settings. \[245\] Since many incidences of conflict-related sexual slavery occur in the context of violent extremism and terrorism, the implementation of UNSCR 2242 is necessary to strengthen the global response to the crime.

[239] Ibid.
[244] Ibid.
Critically, the WPS Agenda emphasizes that efforts to end sexual violence in conflict (including sexual slavery) must also promote women’s meaningful political, social, and economic participation in decision-making at all levels on conflict prevention, ceasefire negotiations, peace processes, peace agreement implementation, conflict resolution, transitional justice mechanisms, preventing violent extremism and countering terrorism, and security sector reform. The agency of women, including survivors of sexual violence and sexual slavery, must be recognized and respected. Women’s leadership and participation results in gender-sensitive, sustainable peacebuilding and PVE measures which protect human rights, prevent further outbreaks of violence, and meet the urgent needs of community members; and effective, transitional justice outcomes which counter stigma and marginalization experienced by survivors.

Ultimately, the evolution of armed conflict, which brought about a rise in extremist groups and numbers of displaced persons as a result of conflict, has highlighted the increased relevance of the WPS Agenda as a cross-cutting issue to preserve, protect, and promote women’s rights and gender equality in matters of international peace and security, including counter-terrorism and humanitarian action.

**Calling for a survivor-centered approach to conflict-related sexual violence**

Through UNSCR 2467 (2019), the WPS Agenda champions the need for a survivor-centered approach in preventing and responding to sexual violence in conflict and post-conflict settings, and developing and delivering non-discriminatory redress which respects the rights and priorities of survivors. A survivor-centered approach requires the full and meaningful participation of survivors of sexual and gender-based violence at all stages of transitional justice processes, including decision-making roles. Women’s leadership and participation “increases the likelihood that transitional justice outcomes will constitute effective redress as defined by victims and will respond to important contextual factors.” UNSCR 2467 also emphasizes the need for women formerly associated with armed groups, as well as ex-combatants, are able to access trauma services, resocialization, and reintegration initiatives. This is critically important for survivors of sexual slavery who were forced to marry combatants and support operations of extremist groups like Boko Haram.

Thus, a survivor-centered approach requires recognition that survivors are not a homogenous group, but suffer differentiated harms based on intersecting inequalities, which can compound over time in the absence of a tailored response.

Governments, traditional, and religious leaders at local and national levels must play active roles in raising awareness of the need to prevent sexual violence in order to limit the marginalization and stigmatization survivors experience, as well as to facilitate their reintegration (and that of their children), and to address impunity for these crimes. The global response to conflict-related sexual slavery must prioritize the needs and respect the rights of survivors in order to challenge the perception that sexual violence in armed conflict is a cultural phenomenon, an inevitable consequence of war, or a lesser crime.

**Prosecution of sexual violence is central to prevention**

The WPS Agenda underlines that rigorous and consistent prosecution of sexual violence crimes is central to deterrence and prevention of reoccurrence. UNSCR 1888 (2009) reaffirms that “ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses.”

Thus, crimes of sexual violence and sexual slavery must be addressed from the outset of peace processes, mediation efforts, and post-conflict resolution.

UNSCR 1325 urges States to prosecute crimes of sexual and other violence against women and girls, and to take into consideration their specific needs during rehabilitation, reintegration, and post-conflict reconstruction. Meanwhile, UNSCR 1960 (2010) encourages States to apply targeted sanctions against perpetrators of sexual violence in conflict.
However, comprehensive legal and judicial reform is crucial if survivors are to receive adequate redress for crimes of conflict-related sexual slavery, amongst other forms of sexual violence. UNSCR 2106 outlines suggested reforms for justice sectors such as: legislative and policy reforms that address sexual violence, training in sexual and gender-based violence of justice and security professionals, and the inclusion of more women at professional levels in these sectors; and judicial proceedings that take into account the distinct needs and protection of witnesses, as well as survivors of sexual violence in armed conflict and post conflict situations; and their family members.[252]

In order to prosecute crimes of conflict-related sexual slavery, the capacities of justice and security professionals must be enhanced on the relevant normative frameworks under international human rights and humanitarian law. Due to a lack of a consistent, coherent, and specific normative framework to address conflict-related sexual slavery in international law, domestic legislation on the crime must be developed and adopted to strengthen accountability mechanisms and effective prosecution.

UN-led coordination and reporting to address conflict-related sexual violence

Established by UNSCR 1888 (2009),[253] the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG on SVC) leads efforts to respond to and prevent conflict-related sexual violence, including sexual slavery.[254] For example, in 2016, the Office of the SRSG on SVC signed a joint communique with the Government of Iraq on the prevention of and response to conflict-related sexual violence, prioritizing six issues: legislative and policy reform; accountability for sexual violence crimes; services and reparations; engaging religious and tribal leaders, civil society and women’s groups; integrating gender considerations into counter-terrorism measures; and awareness raising.[255] As a result, the Iraqi government committed to strengthening the capacities of national and regional authorities, including the Kurdistan Genocide Committee, to document, investigate, and prosecute crimes of sexual violence. In Mali, the Office of the SRSG on SVC signed a joint communique with the Malian government to address the reported incidents of sexual slavery, forced marriage, castration, and forced pregnancy in northern and central regions as a result of delays in disarmament, demobilization, and reintegration processes mandated by the 2015 Agreement for Peace and Reconciliation.[256] This led to the drafting of an action plan to prevent and respond to conflict-related sexual violence in Mali.

Reports of the Secretary General to the Security Council on Conflict Related Sexual Violence serve as one of the only instruments for documenting and monitoring incidences of conflict-related sexual slavery.[257]

These reports have highlighted how widespread the issue of conflict-related sexual slavery is, having occurred since World War Two in the Central African Republic, Iraq, Syria, Democratic Republic of Congo, Nigeria, Sudan, South Sudan, Colombia, Mali, Libya, Myanmar, Somalia, Yemen, Bosnia and Herzegovina, Uganda, Afghanistan, and Timor-Leste. All of the reports also stress that it is very likely that incidents of conflict-related sexual slavery recorded are extremely under-reported due to the significant number of barriers to reporting faced by survivors. However, the reports do not disaggregate between the types of sexual violence. As the UN Special Representative on Sexual Violence in Conflict Patten stresses:

"Year after year, we see conflict-related sexual violence used as a tactic of war, terrorism, and political oppression. I see the critical need to revise our data collection and analysis to improve our ability to gather information on instances of conflict-related sexual slavery (including abduction for the purposes of it)."

[258]
General Recommendation No. 30 of the CEDAW Committee as a complementary normative framework

General Recommendation No. 30 of the Committee on the Elimination of Discrimination Against Women (CEDAW) is an important complementary framework to the WPS resolutions for the prevention of, protection from, accountability for, monitoring and reporting of, and relief and recovery services for survivors of conflict-related sexual slavery. General Recommendation No. 30 explicitly identifies sexual slavery as a war crime which must be prosecuted by states:

State parties are obligated to prevent, investigate, and punish trafficking and sexual and gender-based violence reinforced by international criminal law, including jurisprudence of the international and mixed criminal tribunals and the Rome Statue of the International Criminal Court pursuant to which enslavement in the course of trafficking in women and girls, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity may constitute a war crime, a crime against humanity, or an act of torture, or constitute an act of genocide.[259]

It is important to note that the CEDAW can be applied to contexts outside of the international humanitarian law definition of “armed conflict,” including ethnic and communal violence, humanitarian emergencies, terrorism, and organized crime.[260] In these contexts, under CEDAW, states continue to be responsible for the protection of the human rights of all persons within their jurisdiction (including refugees, internally displaced persons, stateless persons, and asylum seekers).

Sexual slavery in National Action Plans to implement the WPS resolutions

While the WPS resolutions address the distinct impact of armed conflict and the importance of women’s meaningful participation in conflict prevention and resolution, there is a need to strengthen specific rhetoric on conflict-related sexual slavery. As outlined above, conflict-related sexual slavery is rarely referred to as a distinct form of violence, nor is its impact or incidence specifically addressed. Consequently, NAPs on WPS, the primary instrument for governments to localize and implement the WPS resolutions, fail to adequately address reparations, compensation, and restitution for victims.

A close review NAPs on UNSCR 1325 in countries where conflict-related sexual slavery has been reported reveals that there is no consistent, systematic inclusion of provisions related to the crime.

Despite evidence of high levels of conflict-related sexual slavery experienced by women and girls in DRC, Central African Republic, and Mali, the governments’ NAPs on UNSCR 1325 (2014-2018) contain little to no mention of sexual slavery. In the case of Iraq, the NAP for the Implementation of UNSCR 1325 (2014-2018) adopted in 2014 does commit to improving living conditions for women and ensuring that their rights and access to services are protected; ending impunity for perpetrators of sexual violence; and providing victims and survivors of violence with the means for their rehabilitation and reintegration into society during and after conflict.[263] However, the NAP fails to include specific provisions on sexual slavery for the countless Yazidi survivors who experienced the crime at the hands of ISIS.

[260] Ibid.
[261] Ibid.
While Syria does not have a NAP on UNSCR 1325, neighboring countries like Jordan and Lebanon, which host Syrian refugees, do. Lebanon’s NAP on UNSCR 1325, adopted in 2019, includes provisions for Palestinian and Syrian refugee women, but lacks specific measures for Syrian refugee women who survived conflict-related sexual slavery.[264] Similarly, Bangladesh’s 2018 NAP does not recognize the needs and priorities of Rohingya refugee women who survived conflict-related sexual slavery in the Rakhine State in Myanmar.[265] Overall, Bangladesh’s NAP contains a very limited number of provisions for Rohingya refugee women and girls. In Nigeria, the country’s second NAP (2017) and corresponding Zonal Action Plans do aim to meet women and girls’ specific relief and recovery needs, acknowledging the varied forms of gender-based and sexual violence committed by Boko Haram. Nevertheless, the Nigerian NAP does not recognize sexual slavery as a specific crime.

Both the first and second iterations of Japan’s NAP on UNSCR 1325, most recently adopted for the period of 2019–2022, do not acknowledge the incidence of conflict-related sexual violence inflicted upon countless women in Asia and the Pacific (including the former Dutch East Indies) by the Imperial Army during World War Two. Critically, the NAP fails to incorporate measures to ensure and improve survivors’ access to justice.[266] In contrast, the government of the Republic of Korea’s NAP for the implementation of UNSCR 1325, adopted in 2018, includes provisions to strengthen programs that provide livelihood support, nursing care, and psychosocial counselling for “victims who were forced into sexual slavery by the Japanese Imperial Army.”[267] The Korean NAP commits to pursuing efforts to restore the “honor of victims, clarify historical facts on the issue of so-called comfort women, and establish a correct view of history.”[268] To do so, the NAP suggests the investigation of historical records, the establishment of a cyber museum of history, and the publication of educational materials. Moreover, Korea’s NAP pledges to strengthen international cooperation to demand accountability and justice for historical crimes of conflict-related sexual slavery. Thus, the Korean NAP places appropriate emphasis on the needs and priorities of survivors of conflict-related sexual slavery and commits to deliver redress, justice, recognition, and reparations.

Like in the case of Korea, the NAPs on UNSCR 1325 of Uganda and Timor-Leste do include specific provisions related to sexual slavery. Uganda’s 2008 NAP on UNSCR 1325, 1820, and the Goma Declaration effectively addresses the incidence of conflict-related sexual slavery committed by the Lord’s Resistance Army.[269] The NAP underscores that formerly enslaved women and girls continue to suffer from the devastating consequences of sexual slavery and that many of them have given birth to children in captivity. In addition to provisions on relief and recovery, improving access to justice, and women’s participation in post-conflict resolution processes, the Uganda NAP includes specific measures for survivors of sexual slavery. The NAP commits to “facilitate[ing] the release, rehabilitation, and reunion of girls and women abducted and kept as wives and sex slaves.”[270] Furthermore, the NAP prioritizes actions to ensure women’s participation in the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding; and to improve linkages and long-term engagement between local authorities and central government agencies, along with regional coordination and cooperation between governments and international donors to prevent sexual violence.

Finally, Timor-Leste’s NAP on UNSCR 1325 on WPS (2016), which was drafted based on lessons and experiences of women and men during armed conflict, outlines a specific strategy to address the incidence of conflict-related sexual slavery.[271] The NAP contributes to implementing key recommendations of the Commission of Reception, Truth, Reconciliation (CAVR) report, which documented systematic abuses and violence committed by members of the Indonesian armed forces, including at least 833 cases of sexual violence (such as rape, sexual torture, and sexual slavery) between 1974 and 1999.[272] The NAP stresses the use of sexual slavery and rape by Indonesian armed forces as weapon of warfare, which humiliated and destroyed the societal fabric of the Timorese resistance. It is important to note that Timor-Leste’s NAP recognizes that sustainable recovery and livelihoods to survivors of sexual violence have not been delivered yet. The NAP aims to improve the gender sensitivity of the justice system, provide reparations and recognition to women veterans and victims of war, and address the marginalization and discrimination survivors experience, which prevents them from accessing trauma healing services.
As illustrated by the Korea, Uganda and Timor-Leste examples, when conflict-related sexual slavery is recognized as a specific crime, its impact and incidence can be more appropriately addressed through redress, compensation, or restitution for survivors. However, most NAPs fail to classify sexual slavery as a distinct form of violence and therefore do not include provisions to meet the needs of survivors or prevent the reoccurrence of the crime. This failure can be attributed to the inadequate recognition of conflict-related sexual slavery in WPS resolutions, and consequently, the NAPs adopted for their implementation. It is therefore crucial to strengthen specific provisions and language on conflict-related sexual slavery within the WPS Agenda and corresponding programs, policies, reports, NAPs, and—as we will see below—Regional Action Plans (RAPs) and Local Action Plans (LAPs).

Sexual slavery in Regional Action Plans to implement the WPS resolutions

Conflict-related sexual slavery often poses a transnational challenge to peace and security that requires a regional response. Regional Action Plans (RAPs) on UNSCR 1325 have the potential to address cross-border issues such as trafficking for the purposes of sexual slavery. RAPs can also galvanize member states to adopt NAPs and serve as best practice examples for the translation of global policy frameworks on WPS to a regional context. However, similar to NAPs, RAPs, which cover countries where the incidence of conflict-related sexual slavery has been documented, do not consistently include provisions for relief, recovery, justice, accountability, prevention, and protection for the crime.

The RAPs for the International Conference on the Great Lakes Region of Africa (ICGLR), the Economic Community of West African States (ECOWAS), the International Governmental Authority on Development (IGAD), and the East African Community (EAC) on UNSCR 1325 fail to include language on sexual slavery, despite the prevalence of the crime in Member States like Sierra Leone, DRC, CAR, South Sudan, Somalia, Uganda, Kenya, and Nigeria. However, the RAPs do contain important provisions that can be used to strengthen the regional response to conflict-related sexual slavery. For example, the ICGLR RAP for the Implementation of UNSCR 1325 (2018-2023) pushes member states to end impunity, punish perpetrators, provide access to justice to all survivors of sexual and gender-based violence, and compensate survivors adequately.[274] The Dakar Declaration and ECOWAS Plan of Action for the Implementation of UNSCR 1325 and 1820 in West Africa (2010) emphasizes the importance of prevention of conflict-related sexual violence.[275] The RAP outlines activities to develop a preventative culture of peace and early warning mechanisms, eradicate private militias, and effectively prevent a culture of peace and early warning mechanisms.

Importantly, the African Union’s Continental Results Framework (2018-2028) serves as a basis for regional monitoring and evaluation of the implementation of UNSCR 1325.[278] The framework includes comprehensive indicators grouped under the pillars of the WPS Agenda. Although the framework does not refer to sexual slavery, its indicator on the proportion of women and girls benefiting from conflict recovery programs (including disarmament, demobilization, reintegration, reparations, and economic recovery) can be used to monitor the redress and relief services survivors of conflict-related sexual slavery receive. The indicators can also be used to track the participation of survivors in peace and security processes.

Unlike RAPs on UNSCR 1325 in Africa, the League of Arab States’ Executive Action Plan on the Protection of Arab Women: Peace and Security (2015 – 2030) explicitly acknowledges sexual slavery, forced marriage, and human trafficking as major threats to women in conflict in the region.[279] Critically, the RAP contains specific provisions for the comprehensive rehabilitation and reintegration of survivors of conflict-related sexual slavery, who are referred to as former detainees of terrorist groups, and former combatants. It also includes a pillar on terrorism, programs to facilitate women’s active political participation in peacebuilding, conflict prevention, and countering terrorism, and protection mechanisms for women and girls in regions under occupation by terrorist groups. While a limited number of Member States of the League of Arab States (LAS) have adopted NAPs on UNSCR 1325, it is hoped that the effective implementation of the RAP can strengthen the regional response to conflict-related sexual slavery.

Not all regional organizations have adopted RAPs on UNSCR 1325. For instance, the Association of Southeast Asian Nations (ASEAN) does not have a RAP on UNSCR 1325. Instead, ASEAN has adopted a RAP on the Elimination of Violence Against Women and Children (2015), which weakly integrates a conflict lens and does not include language on sexual slavery.[280] Similarly, the Organization of American States (OAS) also does not have a RAP. In 1994, the OAS adopted an Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women.[281]

Though it recognizes different forms of sexual violence, including trafficking and forced prostitution, this Convention does not refer to sexual slavery or the increased incidence of conflict-related sexual violence. If these regional organizations were to adopt RAPs on UNSCR 1325 with specific provisions on conflict-related sexual slavery, it could encourage Member States to develop corresponding NAPs.

Localization of UNSCR 1325 to prevent reoccurrence of and address the impact of sexual slavery

In order to bridge gaps between the growing body of progressive global, regional, and national policies on WPS, it is critical to support and invest in the localization of UNSCR 1325. Localization guarantees leadership, ownership, and participation of local communities in full and effective implementation, leading to very context-specific, concrete actions that address the devastating impacts of violence conflicts and meet the needs of those most affected. Without effective and supportive local governance, achievements made at the national level in policymaking towards preventing and protecting women and girls from conflict-related sexual slavery may be overturned.

Pioneered by the Global Network of Women Peacebuilders (GNWP), Localization of UNSCR 1325 is a people-based, bottom-up strategy that convenes key local actors—including governors, mayors, councilors, community leaders, paramount chiefs, indigenous and traditional leaders, religious leaders, women’s civil society, youth organizations, teachers, local police, and military personnel—to enhance their capacities and awareness of the WPS agenda.[282] Together, they formulate Local Action Plans (LAPs), along with other relevant legislation, and integrate UNSCR 1325 and the supporting WPS resolutions into community development plans.[283] Localization is also a critical instrument for implementation of the WPS resolutions in countries that do not have NAPs, like Colombia, because it allows for a systematized approach to gender-sensitive conflict prevention and resolution. Decentralized implementation of the WPS resolutions allows for tailor-fit policies and programs to address the drivers and impacts of conflict, including sexual slavery in communities where it has or is occurring.

Localization also facilitates women’s civil society and survivors’ meaningful participation in local governance by creating increased avenues for coordination and dialogue with government officials on the drafting and implementation of policies and programs on WPS.

Localization of UNSCR 1325 can lead to strengthened specific provisions and programs on conflict-related sexual slavery to meet the needs of survivors or prevent the reoccurrence of the crime, even if RAPs and NAPs themselves do not contain explicit language. That is because LAPs and other local initiatives are developed by local authorities, local women and local community members themselves—including survivors. LAPs include concrete action on the most urgent, pressing WPS issues affecting a particular community.

For example, in the Kitgum, Dokolo, Lira, Bushenyi, Kasese, Gulu, and Amuria districts in Uganda, local women identified underreporting of conflict-related sexual violence and sexual slavery as a key issue contributing to increased impunity and continued reoccurrence of the crime.[284] Most survivors did not know their rights and were afraid of stigmatization. Following Localization workshops conducted by GNWP in 2012 and 2013, each district adopted LAPs with concrete provisions on the prevention of different sexual and gender-based violence.[285] In Kitgum district, a gender-based violence desk and community liaison officers were established at the local police station.[286] This bridged the gap between the police and community, resulting in confidence to report cases of sexual violence. As a result, the number of reported cases increased six times—from 435 in 2014 to more than 2,500 each year since Localization took place.

[283] Ibid.
[284] Ibid.
[285] Ibid.
[286] Ibid.
[287] Ibid.
Similarly, after GNWP Localization workshops in Bauchi and Gombe states in Northeast Nigeria in 2019, which have been affected by the violent Boko Haram insurgency, local Steering Committees were established.[288] This led to better collaboration between local government, civil society, the security sector, and traditional leaders in the development and implementation of context-specific measures to prevent violent extremism and conflict-related sexual violence, including sexual slavery, along with Nigeria’s NAP on UNSCR 1325. While Nigeria’s NAP on the Implementation of UNSCR 1325 does not contain specific provisions on sexual slavery committed by Boko Haram, zonal action plans for North-Central, North-East, North-West, South-East, and South-West regions of the country include programs to respond to kidnapping, abductions, internal displacement, sexual and gender-based violence, and forced marriage committed.[289]

Following GNWP’s Localization workshops in November 2019 in Cauca and Tolima, Colombia, grassroots women peacebuilders, survivors of sexual violence, and former women combatants accelerated the implementation of the peace agreement between the government and the FARC by integrating gender-sensitive provisions into Departmental Development Plans.[290]

C. Conflict-Related Sexual Slavery in Policies on Preventing Violent Extremism and Countering Terrorism

There is growing evidence that the impact of violent extremism conducive to terrorism, as well as tactics and strategies of violent extremist groups, are strongly gendered. Across all regions, the advance of violent extremist groups has been coupled with attacks on gender equality and women’s rights.[291] Globally, sexual violence, including sexual slavery, rape, human trafficking, and early, forced, and child marriage, continues to be a tactic of terrorism, integral to recruitment, resourcing, and radicalization strategies.

However, the gendered nature of violent extremism conducive to terrorism goes beyond the sexual and gender-based violence perpetrated by violent extremist groups. Evidence shows that violent extremist groups have strategically manipulated and exploited gender norms and ideas about masculinity and femininity, to build their support base, justify their actions, and attract new recruits.

These provisions aimed to respond to key threats to women and girls, including recruitment or abduction of women and girls by armed groups and killings of women human rights defenders. As a result of the workshops, local government officials established holistic, multi-sectoral referral and response protocols for sexual and gender-based violence in several municipalities in Cauca to ensure that survivors receive timely, appropriate, and adequate redress, despite delays at the national level.

Ultimately, the WPS Agenda provides a framework for prevention of, protection from, accountability for, monitoring and reporting of, and relief and recovery services for survivors of conflict-related sexual slavery. To improve the global response to conflict-related sexual slavery, it is urgent to deepen and invest in the WPS Agenda’s emphasis of a survivor-centered, localized approach to prevention of sexual slavery, women’s meaningful participation in peace processes, post-conflict resolution, transitional justice, and preventing violent extremism.

For example, some groups have used gendered narratives of men’s duty to “save their women”[292] or “revenge their women”[293] as a recruitment tactic. Violent extremist groups, like the Taliban in Afghanistan, also restrict women and girls’ access to education, employment, and sexual health and reproductive services. At the same time, violent extremist groups have also used “warped feminism,” emphasizing that they “support and hold dear [their] female force”[294] and creating opportunities for leadership and socio-economic advancement for women.[295] This is similar to the recruitment mechanisms of other non-state armed groups such as the Revolutionary Armed Forces of Colombia (FARC).[296]
Faced with the devastating impact of violent extremism and terrorism on women, states have the obligation to prioritize women’s rights, gender equality, and protection from sexual and gender-based violence in efforts to prevent violent extremism (PVE) and counter terrorism (CT). Policies and programs designed to counter and prevent violent conducive to terrorism must consider and be shaped by the varied experiences of local women and men, as well as young people, as victims or perpetrators of terrorism, and as agents in state and non-state institutions involved in countering terrorism.

Nevertheless, the 2006 United Nations Global Counter-Terrorism Strategy,[297] which marks the first time Member States agreed upon a common strategic and operational approach to fighting terrorism,[298] does not incorporate specific language on gender equality, the gendered impacts of terrorism on women, or gender-based and sexual violence. However, it does urge Member States to “cooperate fully in the fight against terrorism, in accordance with obligations under international law” and “ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts in accordance with the relevant provisions of national and international law, in particular human rights law, refugee law, and international humanitarian law.”[299] Since the adoption of this strategy, UN General Assembly Resolution 68/178 on the protection of human rights and fundamental freedoms while countering terrorism, called upon Member States to shape, review, and implement all counter-terrorism measures in accordance with the principles of gender equality and non-discrimination.[300]

Adopted in 2015, the UN Secretary General’s Plan of Action to Prevent Violent Extremism calls for a shift from securitized, state-led counter terror policies to sustainable, inclusive strategies to prevent and counter violent extremism (PCVE) conducive to terrorism.[301] Importantly, the UN Plan of Action on PVE highlights the need to prioritize collective efforts to prevent armed conflict, atrocities, disasters, violence against women and children, and conflict related sexual violence, along with the empowerment of women in CT and PCVE policies and programs. In support of the WPA Agenda, the UN Plan of Action on PVE urges: mainstreaming gender perspectives across efforts to prevent violent extremism; investing in gender-sensitive research and data collection on women’s roles in violent extremism; including women and other underrepresented groups in national law enforcement and security agencies; building the capacities of women and civil society groups to engage in prevention and response efforts related to violent extremism; and ensuring that funds dedicated to addressing violent extremism are also committed to projects that address women’s specific needs or empower women.

Furthermore, the UN Plan of Action on PVE acknowledges that violent extremist groups are contributing significantly to a cycle of insecurity and armed conflict, and that terrorist groups are also benefiting from transnational organized crime (such as human trafficking, the slave trade, and kidnapping for ransom) to increase their financial resources. Significantly, the UN Plan of Action on PVE includes sexual slavery as one of the crimes against humanity, war crimes, crimes of genocide, and other serious violations of international law committed by violent extremist groups, which violate the rights of women and girls.

Recognizing that a lack of accountability in conflict areas for gender-based and sexual violence contributes to an increase in atrocities, the UN Plan of Action on PVE urges accountability for gross violations of international human rights law and international humanitarian law. Similarly, the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism has argued that the right to seek redress is an integral part of a comprehensive strategy for combating terrorism.[302] The duty to provide redress, relief, and recovery services for victims of terrorism rests primarily with the State.

Within global CT and PCVE policies, there is a greater focus on human and sex trafficking committed by violent extremist groups as a part of strategic objectives, financing, and ideology. For example, in the UN Convention Against Transnational Organized Crime (2000),[303] sexual slavery is addressed as it overlaps conceptually with trafficking and sexual exploitation. The majority of victims of trafficking in areas affected by conflict and terrorism are women and children. Article Three of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (one of the Palermo Protocols) defines exploitation to entail “prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices to slavery, servitude, or the removal of organs.”[304] Under this Palermo Protocol, sexual and gender-based violence, including sexual slavery, can be prosecuted as trafficking where such a nexus exists.

[299] Ibid.
Meanwhile, UNSCRs 2331 (2016) and 2338 (2017) draw attention to the connection between trafficking in persons, sexual violence, armed conflict, humanitarian emergencies, and terrorism—the impacts of which can prolong instability and intensify insecurity. UNSCR 2331 [307] and 2338 [308] explicitly condemn the sale of, or trade in, persons seized by ISIS, as well as violations and abuses conducted by Boko Haram, al-Shabaab, the Lord's Resistance Army, and other violent extremist groups for the purposes of sexual slavery, exploitation, and forced labor. Critically, UNSCR 2331 classifies victims of all forms of trafficking in persons and of sexual violence committed by violent extremist groups as victims of terrorism and urges for targeted sanctions for individuals and entities associated with these crimes. [309] This provision bolsters the advocacy for survivors of conflict-related sexual slavery for accountability, justice, and adequate redress specific to the gravity of the crime. UNSCR 2331 notes that different forms of sexual violence in conflict may require tailored programmatic responses, including specialized medical and psychosocial assistance and analysis as a basis for action. [310]

Recently, in 2019, the CEDAW released a concept note on a General Recommendation on Trafficking in Women and Girls in the Context of Global Migration, which sheds light on the relationship between trafficking and conflict-related sexual slavery. [311] The CEDAW Committee expressed concern regarding:

increased reporting of trafficking for the purposes of:  
sham, forced and/or servile marriage, child marriage of girls fleeing humanitarian crises, sexual exploitation in refugee camps, temporary reception centers and informal settlements, recruitment of women forced to sell their babies or give them up for adoption, forced labor forced begging, exploitation of migrants in situations of debt bondage, including domestic servitude, forced recruitment or abduction into military service or by armed forces, sexual exploitation by peacekeepers, and collecting ransom. [312]

The CEDAW Committee condemns the use of trafficking by extremist groups for the purposes of sexual slavery, forced marriage, forced pregnancy, domestic servitude, to serve as combatants, for sale or for ransom, and as recruitment incentives for fighters. In addition, the CEDAW Committee identifies the manipulation of patriarchal norms by hybrid criminal-terrorist networks and the exacerbation of gender inequalities in conflict settings compounded by forced displacement as key drivers of trafficking. [313]

Women and girls are more vulnerable to trafficking in situations of conflict and post-conflict, where a breakdown of political, economic, and social structures, high levels of violence and increased militarism fuel impunity. The CEDAW Committee recognizes that "conflict and post-conflict situations can create particular war-related demand structures for women's sexual, economic, and exploitation of women as combatants and human bombs." [314] In response, the Committee urges the integration of gender perspectives into global policies on migration and trafficking.

Although considered together in counter terror frameworks, trafficking in persons and conflict-related sexual slavery are not necessarily synonymous, nor do they always occur consecutively. While the conditions under which trafficking and sexual slavery occur overlap, there are important differences between the two crimes. Patricia Sellers and Jocelyn Getgen Kestenbaum emphasized that the classification of a crime as enslavement, unlike trafficking, does not require proof of subsequent exploitation. [315] The act of or intent to enslave a person is sufficient to categorize a crime as slavery; proof of coercive circumstances is also not required as evidence. On the other hand, for a crime to be considered as "trafficking," the purpose, such as exploitation, must be identified. Trafficking also necessitates evidence of the use of force, threats, abduction, fraud, or deception by the perpetrator or a lack of consent from the victim. Finally, trafficking is not considered within the jurisdiction of the International Criminal Court.

Conflict-related sexual slavery and trafficking are separate, yet overlapping phenomena employed by extremist groups to promote ideologies, support operations, instill fear, and generate revenue. Therefore, counter terror policies and strategies to prevent violent extremism that muddle responses to both crimes fail to adequately address the specific nuances of, and provide specific judicial redress for victims of sexual slavery. Claudia Martin and Susana SaCouto echo this argument, stating that:

while interventions should aim to integrate responses to different forms of sex trafficking, such as early/forced marriage, sexual exploitation of combatants and sexual slavery, there should also be a clear understanding of the differing health, social and criminal justice needs required by survivors. Developing more evidence-informed strategies to support trafficking survivors and prevent future victims is what is urgently needed. [316]
In line with UNSCR 2331, it is critical that sexual and gender-based crimes committed by extremist groups, including trafficking and sexual slavery, be considered in the context of overall criminality of these groups, and not be seen as ancillary or incidental to terrorist crimes.\[317\]

Despite progress in global policy frameworks on addressing the gendered impacts of terrorism, including sexual slavery, national legislation on countering terrorism and preventing violent extremism often fails to recognize and respond to deliberate acts of sexual violence as a weapon of terrorism. The Secretary General's Report to the Security Council on Conflict-Related Sexual Violence in 2020 highlighted that ongoing counter-terrorism trials in Iraq, Mali, and Nigeria are not considering sexual violence offences within their scope.\[318\]

Prosecuting sexual violence, including sexual slavery, outside of domestic counter-terrorism laws and through general criminal law poses significant challenges, particularly the failure to recognize the gravity of the crime and provide adequate redress.\[319\] Due to a lack of legal precedent on prosecution of sexual and gender-based violence as a crime of terrorism, specialized legal investigators, prosecutors, and adequate competence are limited in most national judicial systems. Collecting admissible evidence to meet requirements of domestic criminal law proceedings is also exceptionally challenging for legal investigators. Trafficking and sexual violence often remain hidden crimes, since victims are often prevented from or experience significant barriers to reporting to authorities. As a result, victims of terrorism are stigmatized, marginalized, and denied access to the redress and relief and recovery services they require. Continued impunity and a lack of accountability for crimes of sexual violence and sexual slavery contribute to their reoccurrence in areas affected by conflict and violent extremism conducive to terrorism.

Ultimately, most counter-terrorism measures continue to fail to protect and prioritize women's rights and gender equality. State-sponsored responses to violent extremism have often failed to recognize and adequately address the plurality of roles, experiences, and needs of women and men affected.\[320\] “We lack a solid evidence base to better understand what the gendered drivers and impacts of terrorism are—not just for women and girls, but for men, boys, and gender non-conforming persons too. We are trying to move beyond generic affirmations that ‘gender matters’ to integrate effective ways to address gender dynamics,” shared Aleksandra Dier, the Gender Advisor at the United Nations Counter-Terrorism Directorate during a key informant interview.\[321\]

Gender-blind PCVE strategies fail to address the exclusion of women and girls from political decision-making, education and economic opportunities, which increases their vulnerability to discrimination, sexual violence, and radicalization. There have also been limited efforts to integrate a survivor-centered approach and meaningfully involve local women in preventing and countering violent extremism, and addressing the gendered impacts of terrorism. Foluke Oluymemsi Abimbola highlights how the government’s amnesty strategy for militants who conducted crimes against civilians including sexual slavery was drawn up to turn the tide against extremism; however, the vast majority of women and girls who were and are still victims of these conflicts were not included.\[322\]

Securitized, male-dominated, exclusionary counter-terrorism measures continue to perpetuate gender stereotypes, which negatively affect women.\[323\] When women’s agency is recognized within the “preventing violent extremism” framework, their roles and contributions are often stereotyped and instrumentalized.\[324\] Their rights, lives and security are put at risk.\[325\] For example, programs that focus on promoting women’s rights or engaging women solely as a means of preventing or countering violent extremism run the risk of “agenda hijacking” and distract from the “wider structural realities that produce gender inequality, exclusion and violence.”\[326\] Moreover, programs that propose to use women’s roles as mothers, wives and sisters to position them as “gate-keepers,” or intelligence gatherers, not only perpetuate traditional gender roles, but may also put women at risk, if not designed in a culture- and conflict-sensitive manner. As a result, the interplay between patriarchal gender norms and violent extremism remains unaddressed.

It has become alarmingly clear that sexual slavery, increasingly committed as a tactic of terrorism, must be addressed by global counter-terrorism policies. Global strategies to prevent and counter violent extremism respond to the incidence of sexual slavery, as a form of sexual violence and human trafficking, committed by terrorist groups. Nevertheless, national counter terrorism measures still lack adequate gender-responsive provisions for survivors, including access to adequate redress, relief, and recovery services.


\[321\] Key Informant Interview conducted by the Global Network of Women Peacebuilders with Aleksandra Dier, Gender Advisor, United Nations Counter Directorate, on October 7th, 2020


\[326\] Ibid.
Improving synergies between WPS and PVE

To improve the global response to the gendered nature of violent extremism conducive to terrorism and its impacts, including sexual violence, sexual slavery, and human trafficking, amongst other human rights violations, NAPs on PVE and WPS respectively must be harmonized. Following the adoption of the Secretary General’s Plan of Action to Prevent Violent Extremism, several countries, such as the United Kingdom, Lebanon, and Jordan, have ensured synergies between their NAPs on WPS and PVE, thereby ensuring that their counter-terrorism policies are gender-responsive. The Jordanian NAP for the Implementation of UNSCR 1325 (2018-2021), adopted in 2018, includes a pillar on preventing violent extremism and protection against gender-based violence.[327] The NAP explicitly recognizes sexual slavery, human trafficking, and forced prostitution used by extremist groups to generate resources and oppress women, specifically Syrian refugees in Jordan. The specific needs and priorities of Syrian refugee women, many of whom survived conflict-related sexual slavery at the hands of ISIS, are addressed in a pillar titled “Relief and recovery in response to the refugee crisis.” Additionally, the Jordanian NAP commits to mainstreaming women’s needs and gender perspectives as a comprehensive approach within all efforts to counter terrorism and prevent violent extremism.

Nigeria’s NAP for Preventing and Countering Violent Extremism acknowledged Boko Haram’s use of female suicide bombers, forced marriages, and violence against women.[330] The NAP on PVE and CVE also includes a pillar on strengthening the rule of law, access to justice, and human rights-based approaches to countering terrorism. In parallel, the second NAP for the Implementation of UNSCR 1325 (2017) contains provisions on ensuring that women and girls’ specific relief and recovery needs are met; on women’s capacities to act as agents in crisis, recovery, and post-conflict situations; and on transitional justice for survivors.[331] The NAP on UNSCR 1325 also incorporates Zonal Action Plans, which address kidnapping and abductions, internal displacement, sexual and gender-based violence, forced marriage, trafficking, and violent extremism. The improvement in the gender-responsiveness of Nigeria’s NAPs on PVE and CVE and the coverage of issues related to violent extremism in the NAP on UNSCR 1325 increase the likelihood that the priorities of women and girls impacted by terrorism—including survivors of conflict-related sexual slavery—will be addressed. However, it should be noted that neither Nigeria’s NAP on PVE and CVE nor its NAP on UNSCR 1325 identifies sexual slavery as a specific crime.

NAPs on PVE are important policy instruments in the prevention of and protection against violent extremism, which can be made gender and conflict-sensitive by integrating language from NAPs on WPS. To improve the global response to conflict-related sexual slavery, synergies in the implementation of the WPS resolutions and counter-terrorism policies, including NAPs, must be promoted. Counter-terrorism policies and programs to prevent violent extremism must invest in survivor-centered approaches that adequately address the gendered nature of violent extremism and its impacts, including sexual violence, sexual slavery, early, forced, and child marriage, human trafficking, kidnapping and murder, and restricted access to education and sexual health and reproductive services.

D. Conflict-Related Sexual Slavery and Peace Processes, Post-Conflict Resolution, and Transitional Justice

Transitional justice processes can provide an opportunity to transform patriarchal laws and social norms by registering the gravity and extent of crimes of sexual violence committed in a country’s official historical record and public memory. UNSCR 1325 and 2122 emphasize the need for women’s meaningful participation in post-conflict reconstruction and peacebuilding. The Guidance Note of the UN Secretary General on Transitional Justice outlines the characteristics of gender-sensitive transitional justice to include a rights-based approach, complying with international norms and standards and reinforcing the right to justice, the right to truth, the right to reparations, and guarantees of non-recurrence of violations. Gender-sensitive transitional justice must also include: a mandate to address sexual and gender-based violence; national consultations which meaningfully engage women; victim-centered process; the removal of physical and economic barriers for participation; the representation of women as leaders/commissioners/staff; and gender-sensitivity trainings for those working with victims. As emphasized by UNSCR 1820, adequate redress and strong accountability mechanisms which end impunity for sexual violence are critical to a “comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation.”

Truth and reconciliation commissions also provide platforms for survivors to seek accountability for widespread sexual violence used as weapon of warfare or tactic of terrorism. Truth and reconciliation commissions create safe spaces for survivors to articulate their experiences of sexual violence in conflict and enumerate the human rights violations they suffered, thereby creating a moral and legal basis for redress and reparations. Following a Truth and Reconciliation Commission, in 2012, the National Parliament of Timor-Leste adopted a law establishing a framework for a reparations program for victims of past human rights violations, including rape and sexual slavery.

Shortly after, the government adopted a NAP on WPS. In contrast, in Uganda, transitional justice mechanisms failed to adequately address the full spectrum of gendered impacts of conflict, instead prioritizing reconciliatory measures of forgiveness for offenders and traditional reparations. Cleansing rituals were used as a primary means of reconciliation and reintegration, which did not reflect the gravity of sexual violence crimes. As emphasized by Honorable Betty A. Ogwaro, Member of Parliament of South Sudan, and former member of the mediation team negotiating the peace settlement between the Lord’s Resistance Army and the government of Uganda:

During the peace settlement negotiations between the Lord’s Resistance Army and the Ugandan Government held in South Sudan, some survivors of sexual violence were brought into discussions and consulted. They advocated for trauma healing, adult education, and medical treatment. But their biggest ask was accountability for the war crimes committed by the Lord’s Resistance Army and the Ugandan Government. That was the priority of the people of northern Uganda. But the peace negotiations did not adequately address survivors’ needs. Survivors of sexual violence who had been forcibly married to fighters were seen as “wives,” undeserving of reparations.

The failure to address sexual violence in conflict—including sexual slavery—through gender-responsive peace processes, post-conflict resolution, and transitional justice mechanisms contributes to a recurrence of these crimes committed against women and girls in conflict, along with continued impunity and inadequate redress for survivors. The transitional justice and post-conflict resolution processes in Bosnia, Guatemala, Sierra Leone and Guatemala analyzed below demonstrate that effective implementation of the WPS Agenda is critical to effectively address the lack of accountability and reoccurrence of conflict-related sexual slavery.

[337] Key Informant Interview conducted by the Global Network of Women Peacebuilders with Honorable Betty A. Ogwaro, Member of Parliament, South Sudan, and former member of the mediation team negotiating the peace settlement between the Lord’s Resistance Army and the government of Uganda, on October 5th, 2020
The International Criminal Tribunal for the former Yugoslavia

The International Criminal Tribunal for the former Yugoslavia, established in 1993, marked one of the first attempts to prosecute rape and sexual slavery as crimes against humanity and a weapon of ethnic cleansing.[338] Tens of thousands of women were raped in Bosnia and other parts of the former Yugoslavia between 1992 and 1994 by the Bosnian Serb armed forces as a part of their campaign to instill terror and fear.[339] Girls as young as 12 were forced into sexual slavery and sold for as little as GBP 65.[340] As highlighted in a UN Department of Peacekeeping Operations report:

[1]The eight-month long trial included testimony of sixty-three witnesses, including sixteen victims of rape held for months in sexual slavery and subjected to multiple gang rapes by the defendants and others. The Tribunal found that the defendants had enslaved six of the women. Most importantly, although two of the women were sold as chattel by Radomir Kovac for 500 Deutsch Marks each, the Tribunal found that enslavement of the women did not necessarily require the buying or selling of a human being.[341]

Although the International Criminal Tribunal for the Former Yugoslavia set an ambitious legal precedent for prosecutions on conflict-related sexual violence, adequate redress and justice for survivors is yet to be delivered. Author Lejla Hadzimesic identified challenges that have undermined the effective implementation of reparations and redress programs including

Prosecuting sexual slavery as a crime in Guatemala

In Guatemala, conflict-related sexual slavery was addressed through a survivor-centered approach that countered institutional impunity. In the early 1980s, at the height of the 36-year conflict between the government of Guatemala and various leftist rebel groups supported primarily by Mayan indigenous people and Ladino peasants, “women were abducted forced to take turns every few days washing, cooking, and cleaning for soldiers. During their shifts, women were repeatedly raped and/or subjected to various forms of sexual abuse.”[347]

“The peculiar governance structure created in the Dayton Agreement, the absence of a healing process, the treatment of returning internally displaced persons, and the conflation of social benefits and reparations programming.”[342] Due to the high number of war crime cases, only those cases regarded as most serious or involving high-ranking military officers were dealt with at the national level, witnesses in these cases were given protection.[343] Cases of sexual violence committed by lower-ranking perpetrators were passed to lower-level regional courts, which did not offer similar protection mechanisms for witnesses.[344] With only 70 prosecutions of conflict-related sexual violence thus far, the judicial process has been described as very fractured and slow; by 2014, survivors and international organizations spoke of losing hope in any form of justice. In Bosnia and Herzegovina, survivors of rape and sexual slavery continue to experience stigma, unresolved trauma, and socioeconomic exclusion. Only eligible for disability pension (which is a form of welfare as opposed to reparation), survivors still have not received comprehensive compensation. In contrast, disabled soldiers and civilian victims have received over 60 percent of allotted pensions.[345] The failure to provide appropriate redress has reinforced the stigma of sexual violence, implying that it is an unavoidable consequence of conflict, which does not merit sustained public sector response.[346]

[344] Ibid
[349] Ibid
However, the Guatemalan government has failed to effectively implement reparation programs for survivors of conflict-related sexual slavery. Burt attributes this failure to a lack of monitoring and clear procedure for the implementation process of reparation and redress delivery. An amnesty bill, which would have freed military officers convicted of and awaiting trials for human rights violations, including sexual slavery, was introduced in the Guatemalan Congress in November 2017. The bill also proposed to end all future criminal investigations into human rights abuses from the internal armed conflict that lasted from 1960 to 1996.

In 2019, amidst international pressure and national protests, the Guatemalan Congress refrained from adopting the bill, which would have re-institutionalized impunity and endangered survivors of sexual violence.

Thus, Binaifer Nowrojee argues that sexual violence has remained Sierra Leone’s invisible war crime, with incidents being treated as less serious than other human rights violations. Rape of married or “non-virgin” women were often not considered to be grave crimes due to patriarchal belief that the victim must have “consented or seduced” the perpetrator. The destruction of Sierra Leone’s corrupt and inefficient court system and police force during the war created an environment in which impunity for crimes of sexual violence persisted. For instance, the Government of Sierra Leone did not abide by its legal obligation under Sierra Leone Truth and Reconciliation Commission Act 2000 and implement the recommendations of the Truth and Reconciliation Commission, which prioritized addressing sexual violence in conflict.

A 2003 Human Rights Watch report recorded the limited assistance programs that have been established for women and girls who survived conflict related sexual violence and sexual slavery. Laura Cullen emphasized that the post-conflict resolution process failed to recognize the variety of women’s experiences, as victims of sexual slavery and as combatants.

Women were treated solely as victims and therefore, they did not receive appropriate disarmament, demobilization, and reintegration support and services.

**Convictions for sexual slavery by the Special Court for Sierra Leone**

Similar to the former Yugoslavia and Guatemala, the Special Court for Sierra Leone is internationally recognized for its conviction of individuals for crimes against humanity and its examination of forced marriage or “conjugal slavery.” At least 64,000 women and girls were abducted by the Armed Forces Revolutionary Council (AFRC) and subjected to forms of sexual violence, including sexual slavery and forced marriage, during the course of the Sierra Leone Civil War.

In 2007, three members of the AFRC were found guilty of rape as a crime against humanity and sexual slavery as a war crime directed against women, men, boys, and girls during the Sierra Leone civil war. Valerie Oosterveld emphasizes that the judgement is notable for its consideration of the different forms of rape that had taken place in AFRC-controlled territory during the conflict, its legal characterization of sexual slavery, and its debate over the legal nature of forced marriage.

The judgement also concluded that sexual violence was tolerated and institutionalized within the AFRC.

However, this legal achievement did not result in appropriate redress, relief, and recovery for survivors of conflict-related sexual slavery. Due to funding constraints, the Special Court of Sierra Leone only tried a limited number of persons, thereby failing to adequately address the full extent of conflict-related sexual violence.

National prosecutions were not possible because of the Lomé Peace Accord’s amnesty provision for all offences committed before July 1999.
As a result of the inadequate recognition, redress, justice, and reparations for survivors and enduring impunity for perpetrators of conflict-related sexual violence, women and girls in post-conflict Sierra Leone continue to experience sexual and gender-based violence. Oosterveld explains that:

**Sexual slavery in the Colombia peace process**

Finally, Colombia's peace agreement signed in 2016—the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace between the Government of Colombia and the FARC–Ejército del Pueblo—is celebrated as a global milestone in gender-responsive peace processes and meaningful participation of grassroots women peacebuilders in conflict resolution. The peace agreement includes provisions that address the gendered impacts of conflict and promote women's rights and gender equality. In Colombia, sexual violence in conflict, including sexual slavery, forced prostitution, and sexual torture, was widespread and systematic, with 54,410 women per year, 149 per day, or six women per hour suffering from sexual violence on average.[363] Women have been meaningfully participate in the transitional justice process, including by heading victim units. The peace agreement also mandates the establishment of psychosocial counselling centers.

Women victims who had the opportunity to testify in front of the Colombian Women's Truth and Memory Commission acknowledged that “the harm they suffered is irreparable.”[364] However they recognized that “formal reparations provide an opportunity to transform and re- weave broken lives and damaged relationships with the State, and to facilitate women’s rights to education, economic opportunities, justice, health care, and psychosocial services that can allow them to reclaim their lives.”[365]

However, implementation of the peace agreement has been fraught with delays and obstacles.

A 2020 review found that despite garnering praise for the peace agreement having effective gender provision, the implementation of these provisions on gender and women's rights has lagged behind that of other measures. Only 37 percent of commitments related to gender and women's rights have begun implementation, as compared to 51 percent of other commitments that are already being executed.[366] Key challenges in implementation include lack of funds, limited capacity and technical expertise amongst government officials, and limited awareness in rural contexts.[367] At the local level, women remain excluded from the implementation of the peace agreement, and from decision-making more broadly.

Importantly, the peace agreement includes an “Amnesty Law” clause, which requires all perpetrators of violations of international humanitarian law, in accordance with the Rome Statute, to be held accountable. However, access to justice remains a persistent issue for survivors of conflict-related sexual violence, particularly in rural parts. This is the case despite the Truth Commission prioritizing testimonials, and police deploying mobile teams to reinforce prevention and response measures in cases of sexual violence in conflict-affected areas. As reported in the 2020 Report of the UN Secretary-General on the UN Verification Mission in Colombia, while some former FARC leaders have recognized that sexual violence and forced abortions had been perpetrated and asked for forgiveness, others denied responsibility, arguing that it was not possible for the guerrilla group to monitor the conduct of all of its units.[368]
Due to the lack of implementation of the gender provisions of the peace agreement on accountability for crimes of sexual violence and protection of women in conflict-affected areas, Colombian women and girls continue to face high levels of insecurity. Women human rights defenders and peacebuilders, who were instrumental to the success of the peace process, experience increasing attacks, which in turn inhibits their participation in the implementation of the peace agreement.[369]

Removing gender bias to strengthen accountability for crimes of sexual slavery

To strengthen accountability for crimes of sexual slavery, amongst other forms of sexual violence, and prevent reoccurrence, States must transform judicial systems and remove gender biases. The 2017 Report of the UN Secretary General on Conflict-Related Sexual Violence strongly condemns the normalization of sexual violence in conflict:

There is a discernible trend of outdated and incomplete definitions of sexual violence at the level of national law, which often fail to criminalize rape in marriage, ignore coercive circumstances, and exclude males from the scope of protection, leading to permissive attitudes in wartime about sexual violence in the context of forced marriage, slavery or detention. These practices tend to be justified as “legitimate” by certain belligerent and extremist groups, and can become “normalized” and more deeply entrenched in the post-conflict phase. Similarly, legislative immunity for members of the armed and security forces can translate in wartime to a “license to rape.”[371]

In some legal systems, rape is not classified as a crime of violence against a person; men convicted of rape can avoid punishment if they marry the victims, and survivors are denied access to sexual health and reproductive services. [372] States should enact special legislation integrating international humanitarian and human rights law into their municipal legal systems, thereby specifically criminalizing sexual slavery, amongst other acts of sexual violence. It is equally important to remove patriarchal norms in municipal law and procedure by ensuring that legal systems are capable of adjudicating international crimes and administering justice without a bias. To encourage increased reporting of crimes of sexual violence, victims and witnesses must also be provided with adequate protection form intimidation and reprisals. States must also prioritize provisions on women’s rights in peace agreements and ceasefires, refusing to offer amnesty for war crimes or crimes against humanity.

Furthermore, survivors face countless, often interconnected, barriers in accessing justice, compounded by structural gender inequalities. Barriers can be institutional and legal, such as a law that either fails to protect women’s rights or that contains judicial procedures that discriminate against women or a lack of independent, impartial judicial systems. Socioeconomic status, political background, geographic location, disability, sexual orientation, and gender identity may also prevent survivors from accessing justice (i.e. inability to afford quality, gender-competent legal aid or inaccessibility to women from rural or remote regions). Many survivors also lack awareness of their right to demand justice, often due to illiteracy.

In order to improve women’s access to justice, States must implement General Recommendation No. 33 of the CEDAW, which stipulates this right as essential to the realization of de jure and de facto gender equality.[373] Adopted in 2015, General Recommendation No. 33 outlines six interrelated and essential components to protect and preserve women’s uninhibited access to justice in formal, informal, or semi-formal settings: justiciability, availability, accessibility, good-quality, accountability of justice systems, and the provision of remedies for victims. States are encouraged to create courts and tribunals with gender units, which guarantee women’s access to justice in a non-discriminatory, confidential manner with corresponding protection mechanisms in place in the event of reprisals; provide women who are victims of violence with access to monetary aid, crisis centers, shelters, and counselling; and provide legal aid and interpretation services. Critically, General Recommendation No. 33 requires the provision of adequate and effective remedies in a timely manner, the creation of women specific funds for reparations, and the adoption of legislation to combat conflict-related sexual violence.[374]
The CEDAW Committee also invites States to adopt “explicit constitutional protection for formal and substantive equality and non-discrimination in public and private spheres, including all matters of personal status, family, marriage, and inheritance law, and across all areas.”[375] This requires States to protect women’s access to justice by giving them the constitutional basis on which to base their claims. States are required to raise awareness of women’s rights (particularly their right to claim justice) and build the capacities of all actors in the justice system including judges, prosecutors, and police officers to implement CEDAW. In addition, General Recommendation No. 33 urges regular gender analysis and monitoring of decisions rendered, judicial proceedings, authorities involved, participation of women in judiciary processes, legal reasoning followed, remedies offered, and sanctions imposed to ensure that national justice systems remain gender-sensitive, accessible, and accountable.[376] To implement the recommendations, States must develop a corresponding budget that sufficiently allocates financial and human resources to the justice system.

The provision of adequate redress or reparations for crimes of conflict-related sexual violence help dispel destructive attitudes and stigma survivors experience. As highlighted in the 2020 Report of the UN Secretary General on Conflict Related Sexual Violence, “reparations remain the justice intervention that survivors seek the most, but receive the least.”[377] Sellers highlights that a criminal conviction does not necessarily give victims the right to reparations or damages; domestic civil proceedings are often required after a case has been prosecuted under international or national criminal law, during which victims are forced to reveal their identities and face the risk of stigma.[378] In many countries, delays in transitional justice mechanisms and the unwillingness of the government to provide appropriate redress has led to cases being referred to traditional or customary courts, which often resolve cases of sexual violence by awarding material assistance to the family of the victim. Although temporarily meeting socioeconomic needs, this recourse does not deter or punish perpetrators. In line with the Nairobi Declaration on Women’s and Girls’ Right to a Remedy and Reparation, it is crucial that reparations do not reinforce gender-based legal, social, or economic barriers to redress.[379] Instead, reparations must aim to drive post-conflict transformation of gender inequalities, which perpetuate sexual violence.

The Guidance Note of the UN Secretary General on Reparations for Conflict-Related Sexual Violence recommends an administrative reparations program, which is an out-of-court process used by States to provide redress to large numbers of survivors of war crimes or crimes against humanity.[380] This approach is more inclusive and accessible than court proceeding, with victim-friendly, flexible procedures, lower costs, and limited requirements for evidence. An administrative reparations program is also a quicker, confidential way for survivors to access redress without experiencing significant victimization or stigma. Importantly, the types of sexual and gender-based violence eligible for reparations, redress, recognition, and relief and recovery services should not be limited to rape; sexual slavery must be included and addressed in its specific gravity.

Ultimately, transitional justice mechanisms, when gender-sensitive, provide an opportunity to transform inadequate laws and harmful social norms, by ensuring that the gravity of sexual violence is officially recognized and addressed. The failure to address conflict-related sexual slavery through gender-responsive peace processes, post-conflict resolution, and transitional justice contributes to a reoccurrence of these crimes committed against women and girls in conflict, along with continued impunity for perpetrators, and inadequate redress for survivors. The WPS Agenda provides a framework to address impunity and prevent reoccurrence of conflict-related sexual slavery. However, specific policies, provisions, and programming on conflict-related sexual slavery for the implementation of the WPS resolutions, including NAPs, must be strengthened. In particular, Localization of UNSCR 1325 should be adopted as a strategy to meet the needs of survivors of conflict-related sexual slavery and prevent reoccurrence of the crime through context-specific, survivor-centered conflict resolution initiatives developed in partnership with women’s civil society.

To improve the global response to conflict-related sexual slavery, synergies in the implementation of the WPS resolutions and international human rights, criminal, and humanitarian law must be promoted. Adopting a survivor-centered approach and increasing women’s meaningful participation in the design and implementation of programming and policies on conflict-related sexual slavery in international human rights law, international humanitarian law, Women, Peace, and Security resolutions, and policies on preventing violent extremism and countering terrorism is critical for progress.
IV. Highlighting the Initiatives of Women’s Rights Organizations and Civil Society Groups in Condemning and Demanding Accountability for Conflict-Related Sexual Slavery

Survivors of conflict-related sexual slavery often face high levels of stigmatization and marginalization from their communities and families, particularly when they do not receive adequate redress, recognition, justice, and relief and recovery services through peace processes, transitional justice mechanisms, and post conflict resolution and peace agreement implementation. Despite this, many survivors of conflict-related sexual slavery break the barrier of silence and actively advocate for accountability and reparations from perpetrators.

A. Marginalization and Stigma Experienced by Victims/Survivors of Conflict-Related Sexual Slavery

Throughout numerous testimonies, survivors of sexual slavery have been continuously speaking of the painful experiences they had to endure. What has been revealed through the testimonies is the multi-dimensional and lasting impact of the sexual slavery experienced during the wartime.

Each individual survivor’s story is different and shaped by factors such as nationality, geography, socioeconomic status, religion, ethnicity, and race, among others.

Physical impact of sexual slavery

Sexual slavery is forced upon women and girls, often under oppressive, inhumane situations of confinement. Survivors of sexual slavery across historical and geographical contexts report tremendous physical violence such as repeated rape, gang rape, torture, beating, stabbing and threats of violence—all of which were strategies to repress them by force. This physical violence left irreversible physical scars on their bodies, such as chronic illness and physical impairment including hearing loss and deafness, loss of the use of their arms or legs, digestive disorders, headaches etc. Survivors suffered not only from sexually transmitted diseases like gonorrhea and syphilis, but also from genital and urinary injury and diseases, which at times led to infertility. In Uganda specifically, survivors highlighted traumatic genital inflammatory disease, infertility, and HIV/AIDS as some of the most common physical consequences of sexual slavery.[381]

One of the most devastating physical impacts on survivors is traumatic gynecologic fistula, where a woman’s vagina, bladder, rectum, or both, are torn due to rape. When this occurs, it leaves one unable to control the constant flow of urine and/or feces leaking out. This in turn makes life hard to live on a daily basis physically, and also results in societal stigma. A large number of such cases have been observed in Burundi, Chad, DRC, Rwanda, Sierra Leone and Sudan, Ethiopia, Liberia, Somalia and Northern Uganda.[382]

Despite these horrific physical impacts, survivors do not typically have access to clinical support, management for injuries or medication to prevent sexual transmission of diseases or to prevent unwanted pregnancies: “While limited services for post-rape medical and psychosocial care may be available in some urban centers, such services are typically less available in rural areas, and access to medical and psychosocial support for survivors in acute humanitarian crises is extremely limited.”[383] Even in cases when care is available, survivors often do not to seek it due to societal pressure and stigma. This stigma is pertinent for HIV prevention, care and support, as well as other sexual-heath related issues.

Dispelling the narrative of survivors of conflict-related sexual slavery as passive victims without agency, the examples of women-led initiatives that follow demand accountability for the crime of conflict-related sexual slavery, in the absence of effective actions taken by global and national policymakers. In order to effectively prevent, protect women and girls from, strengthen accountability for, and provide adequate redress for conflict-related sexual slavery, a survivor-centered approach is crucial. This requires the meaningful participation of survivors of conflict-related sexual slavery, bolstered by women’s civil society, in the design and implementation of programming and policies on conflict-related sexual slavery.
Stigma and marginalization of “comfort women” in the aftermath of World War Two

In the aftermath of their sexual enslavement, survivors often experienced stigma and marginalization in their communities and in their own families. This was the case for many women and girls who had been enslaved by the Japanese military during World War Two. Some of them hesitated or decided against going back home to their family, community or home country, because of the prevalent chastity culture there. For instance, survivor Ha Sang-Sook was “wondering what I could do after going back with this body, I decided not to go.”[384] The survivor’s feeling of shame and lost dignity was a reflection of the society’s perception that her body was contaminated and tarnished as the result of the sexual abuse.

Even the survivors who managed to return to their family and community had to hide their experience of sexual slavery, or face stigma from their family. For instance, survivor Bok Dong Kim testified as follows:

At first even my mother didn’t know my secret. Because she kept on talking about trying to marry me off, I told her. So then my mother gave up on trying to make me marry... After a bit I met an older man whose marriage had failed and we got married. My husband didn’t know about my history either. It’s now five years since he died. I feel sorry for him. I could not bear children, so he died without even one child to follow on.[385]

The marginalization and strong stigma towards survivors of sexual slavery during World War Two have kept them silent for a long time, relegating them to structural insecurity in terms of economic opportunities and social integration. As Bok Dong Kim’s account reveals, her experience of sexual slavery was dishonorable to her family. This is why most survivors did not speak about their experiences, sometimes for their entire lifetime. In addition, sexual slavery and the infertility it caused were taboo in patriarchal societies where marriage and having children were considered a women’s duty and a way to achieve financial security. As a result, survivors faced socio-economic insecurity. Considering that most women and girls were already extremely poor when they were forced into sexual slavery, it is not surprising that severe economic difficulties and only limited opportunities awaited them when they returned home.

Stigma and marginalization of sexual slavery survivors in Uganda and Iraq

Similarly, survivors of sexual slavery in Uganda and Iraq experienced stigma and shame upon returning to their families and communities. For example, in Uganda, a survivor from Oyam shared: “My parents never welcomed, never wanted to see me, and when I go to them they would say, ‘Do we have anything of yours so we give it back to you?’”[386] Male relatives could be particularly unwelcoming and harsh towards survivors and their children. A woman from Nwoya explained: “My father told the family he wants no child of his from the bush to come home alive or dead, they should go look for their bush husbands on their own.” Similarly, survivors of sexual slavery in Iraq who managed to return to their families sometimes drove survivors to move away to live in urban areas, detaching themselves from daily humiliation and rejection. Survivors of sexual slavery, particularly those forced into marriage with fighters, were thought to be supporters of the Lord’s Resistance Army.[387] This stigma prevented them from seeking health services; as a result, they suffered tremendous mental stress and some committed suicide.

In Iraq, Yazidi women survivors also experienced—and continue to experience—tremendous stigma and rejection as a result of their sexual enslavement. A 2017 study about the trauma of Yazidi women living in internally displaced person camps in the Kurdistan Region of Iraq found that 44.6 percent of survivors of sexual slavery interviewed felt extremely excluded by the community.[388] Even though in 2019, the Yazidi Higher Spiritual Council stated that survivors of sexual violence and enslavement were to be welcomed back into the community, children born as a result of rape committed by ISIS members would not be accepted.[389] This is because the Iraqi personal status law states that any child whose father is missing or unknown, would be registered as a Muslim on their IDs. The children born of rape are generally not welcomed by the Yazidi community because their fathers were members of ISIS. In this context, stigma and marginalization spans more than one generation; it extends to the children of survivors.

[386] Woman from Omoro district during a focus group discussion in Gulu district, August 2020.
[387] This testimony was shared during a focus group discussion conducted in Gulu district, August 2020.
[389] Iraq: Yazidis to accept survivors of IS rape, not children. (2019, April 28). AP NEWS. https://apnews.com/article/7d70d6ee8c2b68a483c9f26e1f8f2b81a
Psychological trauma

In addition to—and as a result of—the tremendous physical harm and the ensuing rejection and stigma they faced, survivors report irreparable psychological harm. [390] Survivors across contexts testified that they felt shame, disgrace and worthlessness, as well as suffered from nightmares, depression, anxiety and trauma throughout their lifetime. [391]

Survivors from Uganda cited depression, and anxiety symptoms as some of the predominant psychological impacts. [392] Many survivors experienced post-traumatic stress disorder as a result of the burden of working as combatants during the day and as “wives” in the night. They were forced to loot food, carry heavy loads, build huts, fetch water, wash clothes. However, the dual stigma and shame associated with being both a combatant and enslaved inhibited most survivors from confiding in their family members. Instead, they chose to suffer in silence.

Evelyn Amony, the 11th wife of LRA General Commander, Joseph Kony, shared her experiences during a key informant interview:

I am still suffering. I have dreams of helicopters shooting at me and my children. I am scared of running water because I almost drowned in a river. I have seen countless young girls and boys drown in rivers and floods. I fear socialization. It is hard to feel comfortable in a group of people I don’t know. It is hard to attend church services and burials. I have excessive fear and panic attacks. I hate the sound of children crying. It makes me miss my first born child. I am not sure if he is dead or alive. The war might have ended in our communities, but it is still going on in our minds. We have been rejected by our parents, communities, and country. We don’t have access to land because of patriarchal land-owning rules. And if you do not have access to land in Acholi, you are as good as dead. We are the living dead. [393]

In Iraq, Yazidi survivors of sexual slavery have stated that many community members consider them to have lost their dignity.

Marginalization and collective trauma spans generations

Lastly, marginalization, stigma and trauma do not stop at the survivor. The trauma of sexual slavery affects the next generation, as is the case for children born out of sexual enslavement by ISIS members and Yazidi mothers. In other cases of sexual slavery and systematic rape strategically utilized as genocide or ethnic cleansing through forced impregnation, as happened in the former Yugoslavia and Rwanda, unwanted children born out of rape also became victims. [396]

They have been mistreated as a result, and the stigma has a lasting impact on their mental health. The 2017 study on Yazidi women mentioned above found that:

More than 80 percent of girls and women, and almost all participants who were formerly enslaved, met criteria for a probable DSM-5 PTSD diagnosis. Trauma exposure and enslavement predicted poor mental health. In addition, among formerly enslaved girls and women, perceived social rejection in their community mediated the relationship between traumatic enslavement events and depression symptoms. [394]

Consequently, suicide rates among survivors of sexual slavery and internally displaced persons are very high. Pari Ibrahim, founder and executive director of the Free Yazidi Foundation, explains:

Most of these women were depending on the male members of their families, and now they are depending on UN agencies and other organizations to provide them with aid. Many of these women have suicidal thoughts. Suicide rate among Yazidi IDPs is growing. Survivors of ISIS captivity are even worse. We are talking about different levels of trauma among survivors. [395]

Survivors in both Uganda and Iraq stressed that most state-sponsored or UN relief and recovery services fail to meet their needs, thereby inhibiting their healing and recovery. Available psychosocial counselling is often insufficient to address the urgent needs of survivors, who continue to live the trauma, community stigma and are internally displaced.

For instance, Yazidi survivors, their children and the displaced Yazidi community lack adequate psychological and trauma healing programs, medical care, access to education, financial support to cover their daily needs, missing family members and the anxiety arising from the uncertainty of their future. Access to education is one of the big problems survivors—boys and girls—as a result of the years of schools they missed while in captivity.
The area has been destroyed and survivors and community members have not healed. Survivors must receive urgent support for their specific physical and mental health need, while healing must also involve the community as a whole. Women survivors live within a community, and if the environment of the community is not healthy, and their needs are not being met, the survivors will be impacted mostly as they are living within this community.

Nevertheless, survivors have taken it upon themselves to advocate for their right to justice and adequate redress, despite the ineffective action by global policymakers, including through peace processes, transitional justice mechanisms, post-conflict resolution, peace agreement implementation, and policies to prevent and counter violent extremism.

As some survivors come into old age and—in the case of the “comfort women”—perish one by one, their testimonies of such painful and traumatic experiences have been emphasized as a way of remembering history and publicizing the importance of the issue of sexual violence during war and in conflict situations. Such a painful story of survivors, however, should not be interpreted or consumed only as a victimized voice. Breaking the silence and speaking about their suffering in front of the world requires tremendous courage. For some survivors, it was a significant milestone to identify themselves as an active “survivor,” a “human rights activist,” a “testifier of history” who developed agency beyond being a passive victim.

B. Survivors and Women’s Rights Organizations’ Advocacy for Accountability and Efforts to Address the Impacts of Conflict-Related Sexual Slavery during World War Two

Despite ample evidence of systematic and widespread sexual slavery committed during World War Two in Asia and the Pacific, the International Criminal Tribunal for the Far East (IMTFE) failed to prosecute Japanese officials for these crimes during the trials held in Tokyo between April 1946 to November 1948.\[397\] In response, survivors of sexual slavery during World War Two, bolstered by women’s civil society, pushed the international community to strengthen its accountability and justice mechanisms. Through numerous testimonies, survivors of sexual slavery expressed the need for a sincere apology from Japan, as well as for justice and accountability.

Advocacy activities demanding Japan’s accountability and reparation for survivors can be divided into three levels: national, regional and international.

National advocacy: a focus on the Korean Council

Sporadic efforts by individual scholars and religious groups in South Korea that began in 1988 led to the establishment of a coalition in November 1990. This coalition known as the Korean Council for the Women Drafted for Military Sexual Slavery by Japan—or the Korean Council for short—consisted of 37 women’s and human rights organizations. Following the first survivor’s public appearance and testimony on 14 August 1991, the Korean Council set up a hotline for survivors to call and identify themselves and started to support the victims. Similarly, a Taiwanese feminist non-profit organization, Taipei Women’s Rescue Foundation (TWRF), set up a hotline service to find victims and survivors who were silenced; the Philippines also started similar initiatives at the same time.

Together with survivors, civil society continues to seek truth, justice and reparation for the survivors, centered around the UN human rights mechanisms and global forums. It is important to emphasize that in the late 1980s, civil society organizations in different countries began to work together in solidarity, including women’s rights organizations and progressive civil society in Japan. It is also important to note the collaboration between South Korea and North Korea to address the issue. This section highlights civil society’s decades-long advocacy efforts to address sexual slavery, as well as the challenges that remain today.

To hold the Japanese government accountable, the Korean Council first demonstrated in Seoul on 8 January 1992, when the then Japanese Prime Minister Miyazawa visited Korea. Since then, the Korean Council has been holding the “Wednesday Demonstration” in front of the Japanese Embassy in Seoul, Korea every Wednesday at noon, calling for Japanese government’s accountability. The seven demands of the Korean Council have been the following: \[398\]

1. Admit the Japanese military sexual slavery system as a war crime.
2. Disclose official documents.
3. Deliver an official apology.
4. Pay reparations to the victims.
5. Punish those responsible.
6. Record the sexual slavery system in history textbooks.
7. Erect a memorial monument and build an official archive.

The initial advocacy of national civil society organizations such as the Korean Council led to the mobilization of governments to investigate the issue. For example, in South Korea, the Inter-Ministerial Working Group on the Comfort Women Issue was established in January 1992. This was followed by enactment of legislation by the Korean National Assembly in June 1993, which provided basic financial and medical assistance to the survivors who were recognized as victims. In December 2002, this law was strengthened and added the provisions on commemorative projects, which became the basis to support the civil society organizations.

Collective advocacy of national civil society and regional and global organizations

Unsatisfied with the Japanese government’s denial of its involvement in sexual slavery and its claim that sexual slavery was perpetrated by private entrepreneurs, the Korean Council and Japanese civil society organizations brought the issue to the UN human rights body in Geneva in August 1992. The Korean Council’s participation in the UN Commission on Human Rights, and the survivors’ testimonies demanding truth, accountability and reparations from the Japanese government continued beyond 1992 and yielded successful results. The issue quickly garnered support from international civil society organizations. For example, the World Council of Churches and the International Commission of Jurists supported the Korean Council’s activities in Geneva, with the latter organization conducting a mission study on the issue in 1993, and publishing the report in 1994.

In the initial years of international advocacy, survivors from South Korea, North Korea, and the Philippines participated in several key events such as the Working Group on Contemporary Forms of Slavery in May 1993, the Commission on Human Rights in January 1993, the Women’s Tribunal on Human Rights in Vienna in June 1993, and the NGO Forum at the occasion of Beijing World Conference on Women in 1995.

Collective advocacy in global forums: Vienna and Beijing

These successes are closely linked with the concerted advocacy activities of women’s human rights groups from around the world in two global forums: the 1993 Vienna World Conference on Human Rights; and the 1995 Fourth World Conference on Women in Beijing.

At the Vienna Conference, women’s rights groups organized the “Global Tribunal on Violations of Women’s Human Rights,” where the survivors of various forms of violence testified on violations, including war crimes against women. Bok Dong Kim, a survivor of military sexual slavery from South Korea, shared her experiences.

Thus, for more than 28 years, the Korean civil society groups, together with the survivors of the military sexual slavery and the citizens, have demanded legal and political accountability and responsibility from the Japanese government. The weekly demonstration has become an open site and space for education on women’s human rights and peace as well as solidarity-building, where the survivors meet the ordinary participants and supporters, oftentimes including the visitors from Japan and other countries. On special days such as 15 August, which is a national holiday in South Korea commemorating the liberation from Japan, more than a thousand people gather easily; solidarity rallies are also simultaneously held in other cities in Japan, the Philippines and Europe.

Finally, in the Women’s International War Crimes Tribunal in Tokyo in 2000, 66 victims participated from 10 countries. In particular, Lee Yong-Soo has been the survivor with the most experiences of international advocacy in Japan, USA and Germany.

Most notably, the collective efforts of civil society from across the globe led to the appointment of the Special Rapporteur by the Sub-Commission on the issue of systematic rape, sexual slavery and slavery-like practices during wartime in August 1993. This opened the door for sexual slavery to be formally discussed by the UN human rights body of independent experts, under the Commission on Human Rights. In 1994, the newly appointed expert of the Commission on Human Rights, Special Rapporteur on violence against women, agreed to conduct a study into military sexual slavery. She visited South Korea, North Korea and Japan in 1995 and her report was published in 1996. Together with the Sub-Commission’s final report published in 1998, these reports by UN experts contributed to frame the issue of military sexual slavery as a war crime and crime against humanity, which require legal responsibility and reparations.

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A significant achievement at the Vienna Conference was the adoption of the Vienna Declaration and Program of Action, which confirmed that “the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights” and addressed the issue of violence against women in situations of armed conflict. The Vienna World Conference on Human Rights recognized that “violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law” and called for the States that “all violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy require a particularly effective response.”

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[401] Ibid.
At the NGO Forum held ahead of the Beijing Conference in 1995, a similar tribunal was held. The Beijing Tribunal on Accountability for Women's Human Rights dealt again with violations of women's human rights in various areas including violence against women in situations of conflict in Algeria, Uganda and Rwanda. A progress report on the Japanese military sexual slavery issue was presented in this section.[402] More importantly, the Beijing Declaration and Platform for Action adopted by the 189 governments contained more advanced and comprehensive policy guidelines regarding women’s rights. Thus, women are recognized as 'victims of acts of murder, terrorism, torture, involuntary disappearance, sexual slavery, rape, sexual abuse and forced pregnancy in situations of armed conflict' and the impact of violence is 'compounded by the life-long social, economic and psychologically traumatic consequences of armed conflict and foreign occupation and alien domination.'[403] In the Beijing Platform for Action, the long list of recommended actions to be taken by governments and international and regional organizations included the following:

Sustained collective civil society advocacy yields strong language in the Rome Statute

The sustained collective activities and advocacy after Vienna and Beijing led to discussions of sexual slavery at the International Criminal Court (ICC). Women's human rights groups organized themselves in February 1997 as the Women’s Caucus for Gender Justice, to incorporate gender perspectives into the ongoing process of setting up the ICC and other mechanisms, as well as to help institutions and instruments to effectively protect and promote gender justice. The Rome Statute of International Criminal Court, adopted in July 1998 as a legally-binding new instrument, defined various acts as crimes against humanity “when committed as part of a widespread or systematic attack directed against any civilian population,” which included the acts of “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity.”[405] These serious violations are also included in the list war crimes. The Rome Statute also contains expansive mandates concerning the participation and protection of victims and witnesses and the staffing of women on the court, as well as experts on sexual and gender violence.

Regional collaboration in Asia for accountability and reparations

In order to gather collective wisdom and energy to be a part of a growing, global feminist movement, the national organizations working on the issue of sexual slavery in World War Two maintained a close network in the Asian Solidarity Forum. The first Asian Solidarity Forum was held in Seoul as early as in 1992, in which over 30 civil society activists from Japan had participated, together with some from the Philippines, Taiwan, Thailand and Hong Kong. The second Forum held in Tokyo in October 1993 expanded to include participants from North Korea, China and Indonesia. In fact, civil society organizations in South Korea worked with North Korean counterparts, even when the diplomatic relationship between the two was blocked.

[404] Ibid.
The Women's International War Crimes Tribunal held in December 2000 in Tokyo was a particular highlight of networking and solidarity between Japanese women's organizations and civil society and the victimized countries. Women's and civil society organizations that had been working on the Japanese military sexual slavery in ten countries collaborated for three years, together with international women's and human rights communities. The final judgment delivered a year later in The Hague in December 2001 declared Hirohito Emperor Showa and nine other commanders of war guilty for their crimes against humanity, war crimes and crime of sexual slavery.

[406] This four-day tribunal was a great success, with 1,100 people participating including more than one hundred media practitioners from around the world. Compared to the complete negligence by the formal International Military Tribunal for the Far East fifty years ago, the Women's Tribunal has shown, symbolically and meaningfully, the importance of legal accountability and pursuing reparation for the victims of sexual slavery in conflict.

Advocacy targeted at UN treaty monitoring bodies

Another important venue for advocacy to seek accountability and reparation for sexual slavery were the United Nations treaty monitoring bodies. Jointly with Minbyun-Lawyers for a Democratic Society, the Korean Council first submitted its counter report to the Human Rights Committee in 1993, when the Japanese government's report on the implementation of the International Covenant on Civil and Political Rights was considered.[407] Although this first effort did not yield any fruitful result, the Korean Council and the Japanese and Filipino organizations kept engaging with the Human Rights Committee and other treaty bodies. CEDAW dealt with the issue of Japan's sexual slavery for the first time in 1994 in its concluding observations, and since then the Committee includes the issue in its concluding observations every time it considers Japan's periodic reports. Likewise, other treaty bodies, namely the Committee on Economic, Social and Cultural Rights, Committee Against Torture, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination (CERD), raise the issue of sexual slavery during World War Two whenever Japan's reports are considered.

The most recent questioning on the issue was in August 2018 by the CERD, which recommended the State of Japan to "ensure a lasting solution to the issue of comfort women with a victim-centered approach, inclusive of comfort women of all nationalities, accepting responsibility for its role in the violation of the human rights of these women."[408]

In conclusion, the advocacy efforts of the women's and civil society organizations post World War Two have brought remarkable progress in making conflict-related sexual slavery visible and specified as a punishable crime, notably in the Rome Statute of International Criminal Court. However noteworthy and precedent-setting the recommendations from the UN human rights mechanisms, Special Procedures and treaty bodies may be, their implementation is not enforceable. When governments are not willing or capable of implementing the recommendations, there is no real way to enforce them. The efforts of women's civil society to strengthen accountability mechanisms and improve relief and recovery services for survivors of conflict-related sexual slavery must be recognized and invested in.

C. Survivors and Women's Rights Organizations' Advocacy for Accountability and Efforts to Address the Impacts of Contemporary Conflict-Related Sexual Slavery

The horrific crimes of sexual violence and sexual slavery during conflict are neither isolated incidents, nor do they have isolated effects on survivors. In 2017, the UN Special Adviser on the Prevention of Genocide stated that shame and stigma attached to those who endure CSRV is an integral part of using sexual violence as a tactic of war. They added that the shame and stigma is so high at times that survivors “were literally dying of shame, foregoing medical and legal help in order to avoid humiliation.”[409]

Women's civil society organizations have been instrumental in insisting that steps be taken to address crimes of sexual violence and enslavement, despite the international community's collective failure to adequately address the prevention of, protection from, accountability for, and relief and recovery for survivors of conflict-related sexual slavery. This section showcases the efforts and successes of survivors and women’s civil society advocacy. The meaningful participation of women’s civil society, particularly survivors, in decision-making at all levels of peacebuilding, counter-terrorism, and transitional justice processes is critical to strengthen the global response to conflict-related sexual slavery.


P A G E 61
In spite of key role and successes, civil society and survivors continue to be side-lined

There is abundant literature and numerous examples of women’s civil society advocating for the survivors of conflict-related sexual violence, including sexual slavery, but not necessarily for sexual slavery alone. As stated in the section above, advocacy and lobbying by the transnational feminist network “Women’s Caucus for Gender Justice” at the Rome Conference was an influence for the codification of sexual and gender-based violence crimes as crimes against humanity and war crimes by the International Criminal Court. As cited by the UN itself, the crimes against humanity committed in the Rwandan genocide, including sexual slavery, were only tried at tribunals after women’s civil society brought cases forward:

The NGO community was ultimately responsible for insisting that the international community place the issue on its agenda. Information about the rape and abduction of women and girls provided by African Rights was referred to in the Final Report of the Rwanda Commission... NGO information on sexual violence in Rwanda was also referred to in some of the later reports of Mr René Degni-Ségui, the Human Rights Commission’s Special Rapporteur for Rwanda. [410]

Civil society advocacy is crucial for successful prosecution and accountability

An important form of civil society-led advocacy for accountability and justice for those who have suffered sexual slavery are “Women’s courts,” most famously the “Women's International War Crimes Tribunal on Japan's Military Sexual Slavery,” which convened in Tokyo from 8-10 December 2000, as elaborated above. This example has also been utilized by women civil society activists in Guatemala, Colombia and Tunisia, to allow women a space to discuss and testify about conflict-related sexual violence, and to bring forward recommendations and ultimately, justice.

South Korean feminist activism has also challenged dominant political and cultural discourse in their country and the region. As author Min Ji Kim states, because women’s organizations and feminist activists in South Korea have taken the lead over the last decades, engaged in peace marches, demonstrations, circulated international petitions, and publicized the comfort women issue, they have helped dismantle traditional patriarchal narratives and helped remove social stigmatization attached to survivors.[413]

In Guatemala, where the record-breaking Sepur Zarco sexual violence and sexual slavery case took place, women’s groups and civil society assisted investigations by providing evidence they had been collecting for years, as well as helped to break the stigma and assert demands for justice for survivors:

A coalition of civil society organizations, the Alliance Breaking Silence and Impunity, worked with the women of Sepur Zarco at the individual, familial, and community level, addressing some of their most pressing needs, including physical and psychological assistance.[414]

Despite the relative success of civil society in Rwanda, academic Heidi Nichols Haddad in "Mobilizing the Will to Prosecute: Crimes of Rape at the Yugoslav and Rwandan Tribunals" concluded that the Rwandan Tribunal (ICTR) did not have (conflict-related) rape as the central focus of the prosecution strategy, which she claims "resulted in a sporadic approach to gender-sensitive investigative procedures, inconsistent rape indictments, and few successful prosecutions." In comparison, the Yugoslav Tribunal (ICTY), which did address rape as a consistent element of prosecution strategy, resulted in gender-sensitive investigations, higher frequencies of rape indictments and more successful prosecutions. Nichols concludes that transnational advocacy by coalitions of women’s and human rights organizations was a crucial factor in successful prosecutions.

[412] Ibid.
Women's groups advocated across borders and helped to develop political will "to alter the prevailing norm of conflict rape as an invisible crime."[415] However, there were stark differences in both cases. The factors that worked in favor of ICTY included that local activists had long-established ties with feminist and women's human rights groups in Europe and North America.

Key efforts by civil society groups to address sexual slavery in Iraq

In response to sexual slavery committed by ISIS, there are some civil society organizations, primarily based in the Kurdistan Region of Iraq, that work with the Yazidi survivors on several efforts varying from documentation, advocacy, reparation, justice and accountability. While these efforts are yet to amend existing laws or enhance national justice mechanisms, they are significant in their provision of a platform for the voices of survivors to be heard and efforts to pursue justice.

The Free Yazidi Foundation (FYF) Justice Project aims to collect and analyze information on crimes committed by ISIS against the Yazidis. The ultimate goal of the project is to identify the perpetrators of these crimes through information received from Yazidi survivors and non-Yazidi sources. Their team consisting of international and national lawyers put together case files of ISIS combatants in an attempt to combat impunity for atrocity crimes, including conflict-related sexual and gender-based violence.

Additionally, the Yazidi Survivor Network and Documentation project of Yazda organization runs a documentation project of the Yazidi genocide and has been doing so since 2015. The project documents statements of Yazidi witnesses and survivors aiming at collecting evidence that can be used for accountability efforts and advocacy for transitional justice. Yazda Organisation has also initiated the Yazidi Survivor network (YSN) with the support of the International Organization for Migration (IOM), a network consisting of 17 Yazidi women survivors of ISIS captivity. The survivors advocate for survivors' rights, trying to gain the attention of national and international entities. The aim behind forming this network is to have a group of survivors who are empowered in a way that enables them to talk about their situation, needs, demand for justice and urge for the implementation of international human rights and accountability. Most importantly, the survivors are encouraged to speak for themselves by themselves.

In Rwanda, this was not the case, as local groups did not have the same connections or the same issue alignment over rape; the priorities of local activists were not focused on justice for rape victims, but rather social and economic issues. Hence, Nichols notes that geopolitical location, media attention, and reach, as well as local connections of activists, have an important impact. Thus, transnational advocacy does not always guarantee successful outcomes.

Coalition for Just Reparation (C4JR) is a coalition of 25 Iraqi CSOs that work closely on advocating for reparation for the victims of ISIS atrocities, including sexual and gendered-based violence (SGBV) victims, regardless of their ethnic backgrounds. The group, established in 2019, aims at creating programs that provide reparations to ISIS victims. The coalition is calling for reparation to all victims of ISIS; however, it appears that the focus is particularly on Yazidi survivors. A representative stated that "the focus has been around the Yazidis because the Yazidi women spoke up about the SGBV crimes committed against them specifically the crime of rape and enslavement they were exposed to by ISIS. While women from other ethnic groups that were exposed to SGBV crimes by ISIS didn't speak publicly of these crimes as of now."[417] One of the coalition members, the Emma Organization for Human Development, works closely on reparation for survivors of sexual violence, with a special focus on law reformation.

Meanwhile, the KINYAT Organization for Documentation focuses on justice and accountability and documenting ISIS crimes against the Yazidis. The original aim behind documenting the crimes was initially to have the genocide appropriately documented. Currently, the documentation evidence is used as a tool of bringing ISIS combatants to justices in international courts. The head of KINYAT organization, Bahzad Farhan, said the organization is a link between the survivors as witnesses and victims and the international organization of those countries that have citizens that joined ISIS.

Behar Ali, the founder and director of Emma Organization for Human Development, stated that they work on drafting a law that amounts sexual violence as an international crime. They have already consulted with several survivors, as they aim to have sexual violence defined through the voices of the survivors. However, on the status of the civil society efforts, Behar concluded:

Women civil society and others are doing all their efforts to have a law that condemns the crimes of sexual violence. But until now they are only efforts, nothing has changed, and no laws have been passed or drafted by the government. The efforts are either to pass new laws or to reform the existing laws that prevent and protect women from sexual violence.

[417] This information was shared during a focus group discussion conducted in Duhok, Iraq, in August 2020.
Key efforts by civil society groups to address sexual slavery in Uganda

For survivors of sexual slavery during the conflict between the LRA and the government in northern Uganda, organizing themselves and looking after one another was often their only way to find support and begin to heal. The strong women’s civil society groups in Uganda demonstrate that women are more than capable of organizing, consulting with local stakeholders, and implementing key peacebuilding initiatives themselves. Members of civil society organizations include women who have survived horrific crimes such as conflict-related sexual slavery; but also, and importantly, those women who were members of Lord’s Resistance Army and perpetrated or participated in armed conflict.

Women Advocacy Network, War Victims Networking, Rwot Lakisa, Can Rwedepi, Rubanga Matwero and Awach Tailoring Group are examples of civil society organizations that have mobilized to demand accountability for sexual and gender-based violence in Uganda. Their activities include: conducting capacity building workshops for war-affected women on mediation, conflict resolution and advocacy skills; engaging with stakeholders and other victim’s groups on women justice needs, including attending women celebrations; and organizing roundtable meetings with district and national level policymakers and other victim’s groups in greater northern Uganda.

These women’s groups have been instrumental in raising awareness on conflict-related sexual violence and in addressing the stigma that many survivors face. For instance, in 2014, these civil society groups petitioned the parliament of Uganda for redress of conflict-related sexual and gender-based violence in northern Uganda. This led to greater awareness of victims’ plight. These organizations also carry out community outreach and radio talk shows on the experiences and impact of sexual conflict on women and their children, which has resulted in greater acceptance of formerly-abducted women and their children. In addition, these groups facilitate child-tracing and family mediation.

Women civil society groups also play a key role in empowering survivors, who often face physical health, mental health, and economic hardships. Civil society groups offer economic empowerment for survivors, through the formation of women savings and loans groups. They also equip survivors with tailoring skills, group farming and marketing. These initiatives have alleviated economic hardship and lifted some out of extreme poverty. These women’s groups have been the source of social and psychological support of the victims. When one of the members is in need of help, the women come together and help her to seek medical advice. As a result of these women-led activities, sexual violence survivors in northern Uganda can now play a key role in the production and maintenance of their families and communities’ social capital through material and social exchanges, day-to-day cooperation, and informal social networks.

Despite the post-conflict challenges confronting these women and their children, some of the women exhibit remarkable strength. Most survivors interviewed as part of this research were engaged in a range of livelihood activities within the informal sector. Since most live as single mothers, their livelihood activities have enabled them to meet their households’ daily needs, to make choices and go in new directions in their lives. For married women, their livelihood activities have allowed them to have their own income, and not rely exclusively on their husbands. Women underscored that, as a result of their earnings, they had more ability to make family-related choices and decisions. The women reported that their work gave them pride and satisfaction, providing them with motivation and a purpose in life. Many mentioned that because of their work, they are always busy, which they felt helped them to make good choices about how to spend their money and time. Importantly, their work enabled them to maintain a positive image of themselves despite the negative behavior of some of their family members and people in the community.

Many women in northern Uganda have joined efforts to promote peace, including women who have been armed combatants or “wives” of LRA officers. Rosalba Oywa, a pioneer of community-based conflict resolution in the Acholi region of northern Uganda and a founding member of People’s Voice for Peace, explains that Acholi women had been armed combatants in the conflict since its beginning—the most notable being Alice Auma “Lakwena,” who led the armed group that preceded Joseph Kony’s Lord’s Resistance Army. In the LRA, most girls and women were forced to join after being abducted, but nevertheless comprise a significant presence in the movement. The abducted girls are mainly allocated as “wives” to LRA officers or used as sex slaves by other rebels. Most women combatants testify that they joined out of a need to save themselves or their families.

The experiences demonstrate that many Acholi women have had to respond to the pressures of violence in extraordinary ways that are profoundly challenging to traditional social roles. One approach has been to appeal to the fighting forces to use peaceful means to resolve their differences and encourage the rebels to come back home. Many women testify to having used a variety of means to persuade or prevent their husbands, sons and other male relatives from actively engaging in the war. They have tried to persuade individual fighters to drop their arms and return to their communities while encouraging the government to change its policy to promote peace.

Women have been active in forming or joining community-based organizations and local non-governmental organizations (NGOs) intended to address the consequences of the war by promoting reconciliation, reintegration and regeneration.
For example, women worked with elders and traditional leaders to establish a reception center for ex-combatants between 1989 to 1990. Women have also been active in psycho-social programs, particularly those focusing on the rehabilitation of returnees and supporting rape victims and amputees. In addition to peacebuilding at the community level, Acholi women have played a direct role in efforts to find a negotiated settlement to the conflict. Women representatives were among those involved in the 1994 delegation, led by the government’s Minister for the North, Betty Bigombe, herself an Acholi woman, to negotiate with the LRA. This initiative fostered a cessation of violence for almost six months before it collapsed.

Women in Uganda have also been leaders in efforts to draw international attention to the conflict for decades. When the LRA abducted girls from St. Mary’s School in Aboke in October 1996, the Concerned Parents Association was formed to campaign for their release. Local NGOs such as People’s Voice for Peace have used participatory research to document people’s experiences. This process has helped to empower the participants with a deeper understanding of the nature, pattern and dynamics of the armed conflict—knowledge that the women’s peace movement has used to strengthen its capacity. Documentation projects have also generated information for advocacy and lobbying work.

Civil society, supported by private lawyers, have used strategic litigation as a strong advocacy tool for women’s rights in Uganda; strategic litigation can potentially also serve as a key tool for civil society advocates in Northern Uganda.

D. Challenges in Holding Key Actors Accountable for the Full and Effective Implementation of the WPS Resolutions and International Laws on Conflict-Related Sexual Slavery

While survivors of conflict-related sexual slavery, with the support of women’s civil society organizations, have achieved significant milestones in their advocacy for justice and adequate relief and recovery programs, many obstacles prevent their needs from being fully met.

Challenges in justice, accountability and reparations in Iraq

Women’s civil society and survivors in Iraq face several challenges in their efforts to demand justice and accountability for the crime of conflict-related sexual slavery. Participants in this research identified the Yazidi Female Survivors Draft Law (Reparations Bill) as a key pathway to demand justice and accountability for the crime of conflict-related sexual slavery, although they remain disappointed by continued delays in its adoption. Even though the bill is intended to assist Yazidi women survivors, it was formulated without consultations with survivors. Political stalemates and power-plays that have delayed the adoption of the Bill and cast doubt about its eventual implementation have only added to the existing trauma and stress that survivors within Iraq face every day.

The Yazidi Female Survivors Draft Law, known as the "Reparations Bill," was initiated by the President of Iraq Berham Salih in 2019. The ambitious Bill targets the Yazidi women survivors of ISIS captivity. According to the draft Bill, a General Directorate for Women Survivors’ Affairs should be established and linked to the General Secretariat of the Council of Ministers. This General Directorate is to be located in Mosul in the Nineveh Governorate, and directed by a Yazidi individual. The Bill aims to compensate survivors financially and morally, rehabilitate and improve care for survivors, secure a decent life for the survivors, restore infrastructure of survivors’ areas, and integrate survivors back into society.

Finally, women’s advocacy played a key role in the inclusion of gender equity in the latest iteration of the Peace Recovery and Development Plan (PRDP). PRDP is the comprehensive development framework for northern Uganda currently being implemented by the government of Uganda, through the office of the Prime Minister. The newest iteration, PRDPIII, has seven overarching principles that cut across all development interventions. These include; outcome focus, multi-sector and multi-stakeholder partnerships; transparency and accountability; functionality and value for money; gender equity and inclusion; as well as public awareness and sensitization.

Several landmark constitutional cases in Uganda have recently been decided, while others are still pending. The passing of the Domestic Violence Bill in November 2009 was a civil society advocacy achievement. Keeping important pieces of legislation, such as the Marriage and Divorce Bill and the Sexual Offences Bill, on the Parliament’s agenda is also the result of robust civil society advocacy. Decades-long civil society advocacy has led to the Parliament of Uganda’s 2014 adoption of a resolution calling for gender-sensitive reparations for war-affected women and other victims of the Lord’s Resistance Army. [418] With the support of UN Women, Women’s Advocacy Network, a network comprised of over 400 formerly abducted and war-affected women, held the first-ever meeting discussing a victim-centered, gender-just reparations process in 2006. The meeting brought together international and local governments, donors, civil society representatives, and helped secure government buy-in.

The Bill also includes provisions on legal assistance, psychosocial counseling, economic empowerment, access to job opportunities, a monthly salary, a plot of land or accommodations, and access to education. Importantly, the Bill recognizes the experiences of Yazidi women and girls as crimes of genocide, which must be addressed through criminal proceedings.

However, Yazidi women’s groups identified several gaps within the draft Bill. First and foremost, survivors were not consulted or included in the drafting process. According to Guley Bor, a researcher who organized a consultation with Yazidi survivors of sexual slavery, because survivors were not consulted, critical survivor demands, such as finding missing family members, were not included in the draft. The Bill also does not adequately address the situation of children born of rape, thereby failing to amend Iraqi laws that forcefully require the religion of the father (Islam) to be adopted by the child, as well as failing to reunite survivors with their missing children. Furthermore, the Bill does not address the needs of survivors and community members to prevent the reoccurrence of sexual slavery. These needs include provisions for inclusive, sustainable peacebuilding, early warning systems, and social cohesion to improve Yazidi community relations with other groups in Iraq.

Another critical gap in the Bill is the omission of the term “sexual enslavement” as a crime committed against Yazidi people. In the Bill, survivors of sexual slavery are referred to as abductees. The Bill’s analysis of the breadth of crimes of genocide committed is similarly weak or absent. In addition, the Bill fails to consider survivors of sexual violence from ethnic and religious groups other than Yazidi, including Turkmen, Arab Shia, Christian, and Shabak women and girls. Men and boys who were enslaved by ISIS are similarly ignored. Clear procedures for justice that increase survivors’ access to justice were not outlined.

The location of the General Directorate of Women Survivors’ Affairs presents yet another obstacle: the Bill dictates that it be located in Mosul, although most Yazidi survivors live in the Duhok governorate and Sinjar. This could prevent Yazidi survivors from being able to work in and regularly visit the office.

Delays in the adoption and implementation of the Bill further cast doubts on its eventual capacity to improve survivors’ access to justice, accountability and reparations. A key informant explained that when legislation does not directly benefit a politician, they do not support it. Another key informant expressed a similar worry regarding the limited political will to move the draft bill forward: “there is a large number of draft laws on the shelves of the parliament. Any political bloc does not adopt them. The draft laws that are adopted by a certain bloc are the ones that are initiated in the parliament.” Unsurprisingly, the Bill has had only one reading; two more reading must take place before the Bill is implemented. Susan Khudeda, an Iraqi activist, expresses doubts about the implementation of the Bill if there is no pressure from the international community or under the WPS agenda in Iraq. She asked:

Iraq is the first country to have signed the INAP, why isn’t Iraq implementing the survivors draft bill then?...

[W]e know there is legislative discrimination in the constitution and the laws of Iraq. Therefore, if there is no advocacy through these resolutions, especially internationally, the Yazidi survivors bill will not be passed anytime soon, because according to information we have, there are parliamentary blocks that are working against this bill because they want to change its title. The voices of the survivors should reach all the international institution, when would the survivors get reparation? When would the survivors have a monthly salary? They are knocking on the doors of organizations to receive some aid. Until when will this be the case? When we go to courts, we see them standing beside the doors of the courts. We keep repeating the word “survivor, survivor” but with all due respect, these are only slogans. Until this draft law is executed, where is the dignity of the survivor, how can we preserve the survivor’s dignity if she doesn’t have a monthly salary to raise a bunch of children with no father?

Natia Navourazov, the documentation project manager at Yazda, sums this up, stating:

We want the reparation bill to be inclusive, and we would like it to involve all victims of ISIS. They all deserve some kind of reparation. At the very beginning, it was challenging to ask the Yazidi Survivor Network member to advocate for other survivors because simply they were not aware of crimes that had happened to women from other communities. After all, this is something not spoken of in the Iraqi society. There are no survivors other than the Yazidis speaking up. It was very powerful when some of the Yazidi survivors met with Christian and Shia Turkmen activists who explained what happened to women survivors from their communities. The Yazidi survivors said they went through the same thing, but they didn’t know it had happened to other survivors.

The delay in the Bill’s implementation has resulted in anxiety for the survivors and their community. There is still a lot of uncertainty for many survivors who are unsure about what the bill means. They don’t know what it is exactly, who is benefiting from it or what those benefits are. Pari Ibrahim, the founder and executive director of Free Yazidi Foundation, elaborated this issue:

I think the majority of Yazidi survivors understand there is a reparation bill, but I don’t think the majority of Yazidi survivors understand what is happening with it. Their needs are a lot more action giving information to survivors about what is happening, about what they can expect about what cannot they expect. This leads to frustration and problems within the Yazidi community.

Cigene Kshto, from Emma Organization for Human Development, emphasized the importance of having a directorate as a governmental body for the Yazidi women survivors referring to a common complaint shared by the survivors: “Survivors don’t have trust in NGOs anymore. [Survivors] say ‘NGOs come to give us training, take photos then leave; therefore there must be a governmental body that survivors can go to whenever they have any needs or enquiries.”

Fortunately, through consultations conducted by the Commission of Investigation and Gathering Evidence (CIGE), survivors did have an opportunity to share their views on the Reparations Bill. The CIGE report indicates that consultations with 200 Yazidi women survivors took place, around the issue of reparations in general and the draft Reparations Bill. Interestingly, and in line with the research conducted by Bor, 94% of the consulted survivors expressed their wish to rescue their missing family members back from captivity. Ninety-six percent of them wanted to bury the remains of their loved ones.[420] Including survivors’ voices within a law that is extensively considered a remedy for them should be a top priority. This is not to say the Bill is of no value; on the contrary, it is perhaps the only form of reparation survivors of sexual slavery might receive in Iraq. Nonetheless, in order to hold perpetrators of conflict-related sexual slavery accountable, it is critical to address the barriers Yazidi survivors face in accessing justice. A survivor-centered approach to prosecutions of international criminal law is essential.

Challenges in justice, accountability and reparations in Uganda

In Uganda, women civil society and survivors share similar concerns as their Iraqi counterparts, particularly when it comes to the lack of systematized consultations with survivors, as well as the lack of effective implementation of local and national policies that are already in place. The lack of consultation and implementation of gender issues was a major shortcoming of the Peace Recovery and Development Plan (PRDP) I & II, which failed to meet the needs of women, survivors of war, and survivors of sexual slavery particularly, in northern Uganda. Despite massive expenditure on development programs through all three iterations of PRDP, civil society and women survivors report that there have been very few changes in the lives of women living there. This is because “gender” in the plan was narrowly referred to a mainstreaming issue; the plan overlooked the unique needs of women who had disproportionately suffered during the conflict.

Interviews with survivors of sexual slavery highlighted the fact that they were not involved in the drafting of the PRDP; as a result, the PRDP does not reflect survivors’ urgent needs. As one survivor explained:

-The Peace, Recovery and Development Plan (PRDP) was and is just a political image building tool. It concentrated on increasing police officers in Acholi, building health facilities and school. But most of the built facilities were/are inadequately equipped with the necessary staff, drugs, medicine and equipment. For instance, most survivors of war, had physical and internal injuries, how do you diagnose my back and head pain if the hospital has no x-ray or scans. Most of us, we have issues with wild dreams and fears. How do you expect to afford a psychiatrist? The PRDP should have consulted us, to capture our unique needs. Those officials in charge of the PRDP drafting and implementation from Kampala just come to northern Uganda to inform us about PRDP not to consult. Otherwise, Women Taskforce for a Gender Responsive of PRDP input since 2011 would have been captured and PRDP re-adjusted.

The PRDP does not include accessible or adequate psychosocial support, though it is mentioned as an urgent need by women survivors of sexual slavery and violence. A religious leader for northern Uganda stated:

-PRDP is like a four-legged chair that has gotten three legs...it has concentrated on infrastructure like building more health facilities, buying cars, constructing roads, recruiting more police officers and construction of power transmission line. They forgot we are an immediate post-conflict area, that they need a lot of soft infrastructure like more equipped health facilities to handle post-conflict physical and psycho trauma and counselling, we need more schools with adequate teachers and chair, we need more assistance for women to access land, truth story telling for closure rather than tarmacked roads.

Corruption and the lack of political will at the national level is also perceived as an impediment to justice, accountability, and adequate redress for women survivors in northern Uganda. The founding member of People’s Voice for Peace elaborated on a massive corruption scandal within the office of the Prime Minister:

-The situation put the entire PRDP in jeopardy and many citizens of northern Uganda took this as further evidence of political marginalization, lack of political will to bring northern Uganda up to the development levels of the rest of the county. There is also lack of political will to help women and women survivors of sexual violence. For instance, the budget for peacebuilding and reconciliation was 2.7 percent (USD 18.5 million) of the total budget for PRDP I, while 23.8 percent (USD 162.4 million) was allocated for the consolidation of state authority. As a result, little attention was paid to addressing the drivers of conflict and violent extremism in northern Uganda. The limited peacebuilding programs were managed by through top-down processes, which did not meaningfully include the perspectives of grassroots peacebuilders, nor seek ownership from community members. Ineffective rehabilitation, reintegration, and demobilization programs contributed to increases in levels of domestic violence and self-harm amongst former combatants and survivors of sexual violence.

It is important to emphasize that shortcomings in adequate services for survivors and gender-responsive peacebuilding in northern Uganda is not due to a lack of ability or capacity of local women’s groups. Acting Executive Director of the Centre for Women in Governance (CEWIGO) explained that local expertise in gender mainstreaming and gender budgeting to support capacity building exist and was offered; however, it was sidelined. The Executive Director felt that women’s issues are promoted by national actors, initiatives and policies. However, when it comes to implementation and operationalization, everything remains promised but incomplete: “they create an impression that we are participants of each government program, but what is on the ground, it is like we are simply giving legitimacy to their workings.”

VI. Conclusion

This research has outlined the need to address conflict-related sexual slavery as a widespread, systematic, institutionalized, and deliberate human rights abuse committed by militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike. From its incidence during World War Two to a contemporary geopolitical context, this research has indicated that conflict-related sexual slavery is employed systematically as a weapon of warfare, wartime strategy, or a tactic of terrorism by non-state or state perpetrators to recruit and retain fighters, instill fear, destroy communities, support general operations, and promote ideology. Despite clear evidence of the devastating impacts of conflict-related sexual slavery on women, girls, and communities, the global response to address this crime has been weak.

Although conflict-related sexual slavery is recognized and condemned under international human rights, humanitarian, and criminal laws and policies on preventing violent extremism and countering terrorism, there is a significant gap in consistent, coherent, and specific efforts to prevent the occurrence of, protect women and girls from, strengthen accountability for, and provide relief and recovery services for survivors of the crime of conflict-related sexual slavery. As a result, peace processes, post-conflict resolution, transitional justice mechanisms, counter-terrorism measures, peace agreement implementation have largely failed to adequately respond to the incidence of conflict-related sexual slavery, thereby contributing to a reoccurrence of these crimes committed against women and girls in conflict, along with continued impunity and inadequate redress for survivors.

Nevertheless, many survivors, who experience significant trauma, stigmatization, and marginalization from their communities, have led efforts to advocate for accountability, justice, relief and recovery services, protection, and prevention of reoccurrence of conflict-related sexual slavery. Their efforts to strengthen accountability mechanisms and improve relief and recovery services for survivors of conflict-related sexual slavery must be recognized and invested in. The global response to conflict-related sexual slavery must prioritize the needs and respect the rights of survivors in order to end impunity for sexual violence and build sustainable, inclusive peace.

The full and effective implementation of the Women, Peace, and Security resolutions, which provide a framework to improve the prevention of, protection from, accountability for, and relief and recovery from conflict-related sexual violence, is critical to address the continued incidence of sexual slavery. It is essential to strengthen specific policies, provisions and programming on conflict-related sexual slavery for the implementation of the Women, Peace, and Security resolutions, including National Action Plans, must be strengthened. Localization of United Nations Security Council Resolution 1325 is an important strategy to meet the needs of survivors of conflict-related sexual slavery and prevent reoccurrence of the crime through context-specific, survivor-centered conflict resolution initiatives developed in partnership with women’s civil society.

The 25th anniversary of the Beijing Declaration and Platform for Action and 20th anniversary of United Nations Security Council Resolution 1325 in 2020 present a critical moment to highlight the need to step up the response to sexual slavery, particularly justice and reparation for victims; and prevent future recurrence. They are a unique opportunity for survivors, women’s rights organizations, and civil society groups worldwide to demand the United Nations, regional organizations, Member States, the International Criminal Court, and the International Court of Justice to take concerted efforts to end sexual slavery in collaboration with civil society, media, academe, faith-based institutions and other key stakeholders. During a key informant interview,[421] Special Representative of the United Nations Secretary-General on Sexual Violence in Conflict, Pramila Patten, amplified this message, stating: “On the 20th anniversary of United Nations Security Council Resolution 1325, we are focusing on turning commitments into compliance, resolutions into results.”

[421] Key Informant Interview conducted by the Global Network of Women Peacebuilders with Special Representative Patten on September 25th, 2020
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Wood from Omoro district during a focus group discussion in Gulu district, August, 2020.


VIII. Glossary

The glossary draws from the sources outlined in the bibliography.

Al-Shabab: “The Youth” in Arabic, is the largest militant organization fighting to oust the Somali government and the foreign military presence supporting it. The group seeks to control territory within Somalia in order to establish a society based on its rigid interpretation of Shariah law.

Boko Haram: Founded by Mohammed Yusuf in 2002, the group has been led by Abubakar Shekau since 2009. When Boko Haram first formed, their actions were nonviolent. Their main goal was to purify Islam in northern Nigeria. Since March 2015, the group has been aligned with the Islamic State of Iraq and the Levant. Conflict-related sexual violence: This term refers to incidents or patterns of sexual violence, that is rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity against women, men or children. Such incidents or patterns occur in conflict or post-conflict settings or other situations of concern (e.g., political strife). They also have a direct or indirect nexus with the conflict or political strife itself, that is, a temporal, geographical and/or causal link. In addition to the international character of the suspected crimes (which can, depending on the circumstances, constitute war crimes, crimes against humanity, acts of genocide or other gross violations of human rights), the link with conflict may be evident in the profile and motivation of the perpetrator (or perpetrators), the profile of the victim (or victims), the climate of impunity/State collapse, cross-border dimensions and/or the fact that they violate the terms of a ceasefire agreement.

Conflict resolution: The methods and processes involved in facilitating the peaceful ending of conflict and retribution.

Civil society: Organizations that are not associated with government—including schools and universities, advocacy groups, professional associations, churches, and cultural institutions (business sometimes is covered by the term civil society and sometimes not.

Comfort Woman: A woman or girl who was forced to engage in sexual activity with Japanese soldiers as part of a system of brothels operated by the Imperial Japanese Army in its occupied territories between 1937 and 1945.

Decolonization: The action or process of a state withdrawing from a former colony, leaving it independent.

Fuerzas Armadas Revolucionarias de Colombia: Revolutionary Armed Forces of Colombia, a Marxist revolutionary guerrilla force engaging in armed struggle against the government of Colombia.

Gender: The term “gender” refers to the roles, behaviors, activities and attributes that a given society at a given time considers appropriate for men and women. In addition to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, gender also refers to the relations among women and those among men.

Gender mainstreaming: Gender mainstreaming is the chosen approach of the United Nations system and international community toward realizing progress on the rights of women and girls, as a subset of the human rights to which the United Nations is dedicated. Gender mainstreaming is not a goal or objective on its own; it is a strategy for achieving equality for women and girls in relation to men and boys.

Gender-based discrimination against women: This refers to any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women of human rights and fundamental freedoms, even where discrimination was not intended. Direct discrimination against women constitutes different treatment explicitly based on grounds of sex and gender differences. Indirect discrimination against women occurs when a law, policy, program or practice appears to be neutral in so far as it relates to men and women, but has a discriminatory effect in practice on women because pre-existing inequalities are not addressed by the apparently neutral measure.

Gender-sensitive approach: A gender-sensitive approach uses a gender perspective to understand differences in status, power, roles and needs between men and women, and the impact of gender on people’s opportunities and interactions.

Gender stereotype: A gender stereotype is a generalized view or preconception about attributes or characteristics that are or ought to be possessed by, or the roles that are or should be performed by, women and men.

Gender-based violence: Any harmful act directed against individuals or groups of individuals on the basis of their gender. Other forms can include acts of physical violence, domestic violence and harmful traditional practices. Accordingly, while sexual violence is a form of gender-based violence, gender-based violence is a broader category of crime and may be perpetrated through non-sexual acts (e.g., physical violence).

Genocide: The deliberate killing of a large number of people from a particular nation or ethnic group with the aim of destroying that nation or group.

Intersectionality: The term “intersectionality” refers to the way in which gender interacts with social, cultural, religious and other factors that may form the basis of discrimination (such as race, ethnicity, religion and nationality) to structure the experiences of, in particular, women.

International Criminal Court (ICC): The International Criminal Court investigates and, where warranted, tries individuals charged with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression.

International Court of Justice (ICJ): The International Court of Justice is the principal judicial organ of the United Nations (UN). It was established in June 1945 by the Charter of the United Nations and began work in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands).
International criminal tribunals: These tribunals are temporary (ad hoc) or permanent courts convened for the purpose of deciding cases arising under international criminal law.

Islamic State of Iraq and Syria (ISIS): Also known as ISIL (Islamic State of Iraq and the Levant), ISIS is a Sunni jihadist group with a particularly violent ideology that calls itself a caliphate and claims religious authority over all Muslims. It was inspired by al-Qaeda but later publicly expelled from it.

Marginalization: Treatment of a person, group, or concept as insignificant or peripheral.

National Plan of Action: Can be defined as a plan that is based on a situation assessment and multi-sectoral consultation, sets priorities and objectives, defines strategies, identifies corresponding coordination bodies, includes a policy and legislative review and a monitoring and evolution strategy and estimates costs and funding sources for priority actions.

Preventing Violent Extremism: Through promoting inclusive development, tolerance and respect for diversity.

Post-Traumatic Stress Disorder: A condition of persistent mental and emotional stress occurring as a result of injury or severe psychological shock, typically involving disturbance of sleep and constant vivid recall of the experience, with dulled responses to others and to the outside world.

Sexual and gender-based violence: This refers to any harmful act that is perpetrated against one person's will and that is based on socially ascribed (gender) differences between males and females. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty, whether occurring in public or in private life. Sexual and gender-based violence entails widespread human rights violations and links to unequal gender relations within communities and abuses of power. Acts of sexual and gender-based violence are not restricted to one gender, but rather, may be inflicted upon women, men, girls and boys.

Sexual violence: Sexual violence encompasses any sexual act, attempt to obtain a sexual act or acts otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. Sexual violence takes multiple forms and includes rape, sexual abuse, forced pregnancy, forced sterilization, forced abortion, forced prostitution, sexual enslavement, forced circumcision, castration and forced nudity.

Sexual Slavery: Conflict-related sexual slavery will be defined as: the act of attaching the right of ownership over one or more people with the intent of coercing or otherwise forcing them to engage in sexual activities that is directly or indirectly linked to a conflict. The scope of conflict-related sexual slavery includes systematic or repeated rape, forced labor, forced marriage, trafficking in persons, and forced prostitution.

Social Norms: Unwritten rules about how to behave. They provide us with an expected idea of how to behave in a particular social group or culture.

Stigmatization: The action of describing or regarding someone or something as worthy of disgrace or great disapproval.

Special Court: A court with limited jurisdiction that deals with a particular field of law rather than a particular territorial jurisdiction.

Special Rapporteur: A title given to individuals working on behalf of various regional and international organizations who bear specific mandates to investigate, monitor and recommend solutions to specific human rights problems.

Sex Trafficking: The action or practice of illegally transporting people from one country or area to another for the purpose of sexual exploitation.

Terrorism: There is currently no universally accepted, comprehensive definition of "terrorism". As noted in the Secretary-General’s Plan of Action to Prevent Violent Extremism, the definition of "terrorism" is the prerogative of Member States and must be consistent with their obligations under international law, in particular international human rights law.

Violent extremist group: For the purposes of the present publication, the term "violent extremist group" encompasses at least the entities designated by the Security Council on the ISIL (Da’ech) and Al-Qaeda Sanctions List and the Taliban sanctions list, as well as al-Shabaab. It may also include other groups that resort to acts proscribed by the universal counter-terrorism conventions and protocols, as well as groups designated as terrorist groups at the national or regional level.

Transitional justice: Theorists and practitioners of transitional justice focus on the most effective and legitimate ways of addressing past wrongs and moving towards the (re)establishment of a decent civil order.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): An international legal instrument that requires countries to eliminate discrimination against women in all areas and promotes women’s equal rights. CEDAW is often described as the international bill of rights for women.

United Nations Security Council Resolution (UNSCR) 1325: A global commitment to ensure that women and girls are more systematically and sustainably integrated into peace and security.

United Nations (UN): An intergovernmental organization that aims to maintain international peace and security, develop friendly relations among nations, achieve international cooperation, and be a center for harmonizing the actions of nations.

United Nations High Commissioner for Refugees (UNHCR): The United Nations High Commissioner for Refugees has a mandate to provide international protection and assistance to refugees and, together with governments, find solutions to their plight. UNHCR also protects stateless persons and works to prevent and reduce statelessness.
UN Global Counter-Terrorism Strategy: A unique global instrument to enhance national, regional and international efforts to counter terrorism. Through its adoption by consensus in 2006, all UN Member States agreed the first time to a common strategic and operational approach to fighting terrorism.

Violent extremism: A form of extremism that condones and enacts violence with ideological or deliberate intent, such as religious or political violence. Violent extremist views can manifest in connection with a range of issues, including politics, religion and gender relations.

Yazidi: A member of a Kurdish-speaking people living chiefly in Iraq, Syria, Armenia, and Georgia and adhering to an ancient monotheistic religion.