

## **The Prevalence of Sexual Violence in Darfur**

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Since the conflict first erupted in February 2003 (Reuters 2007), journalists, humanitarian aid workers and members of civil society have reported sexual violence taking place in the Darfur region of Sudan. The 2006 United Nations (UN) report of the Secretary General described “high levels of sexual and gender-based violence” (2006), while Human Rights Watch (HRW) proclaims that sexual violence remains “endemic to the Darfur conflict” (2008, 10). As consumers of news media, it is common to hear stories of grizzly rapes and violent attacks emanating from the region on a regular basis. Consequently, there pervades a perception in the West that extreme levels of rape and sexual assaults are occurring. However, where does this information come from? What is it based on? Is Darfur truly experiencing widespread levels of sexual violence and if so, what shape does this violence take? Lastly, what explains this sexual violence?

These are the questions this research paper will seek to answer. The first section will describe trends and patterns of sexual violence that exist in Darfur. The second, will account for the credibility of the figures of sexual violence, and seek to make a judgement as to how prevalent sexual violence really is in the conflict. The final section will try to account for why sexual assaults are occurring by presenting some of the most influential theories which attempt to explain sexual violence in conflict environments.

Before the patterns of sexual violence are addressed, a clear definition is needed. This paper will use the term sexual violence as defined by the World Health Organization (WHO 2002, 149):

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work

The acts of sexual violence often associated with this term are: rape, attempted rape, sexual assault, bodily mutilation and sexual slavery. The term is not interchangeable with gender-based violence (GBV). GBV is a broader concept that encompasses sexual violence.<sup>1</sup>

### **Patterns and Trends of Sexual Violence in Darfur**

#### **Trend 1: Perpetrators are chiefly Janjaweed and Sudanese Military**

According to most victim testimony studies, rapes and sexual assaults are primarily committed by the Janjaweed militia,<sup>2</sup> with government soldiers either present or participating directly in sexual acts on many occasions (U.S State Department 2004, AI 2004, MSF 2005, Totten 2004). There have also been reports of rebels, police, and village elders engaging in sexual violence (Nieuwoudt 2006, AI 2004, HRW 2008).

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<sup>1</sup> GBV is “an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females.” Examples of gender-based violence include sexual violence, domestic violence, trafficking, forced/early marriage, and harmful traditional practices. See Guidelines for Gender-based Violence Interventions in Humanitarian Settings, Inter-Agency Standing Committee, Geneva (2005), pp. 7-8.

<sup>2</sup> “Janjaweed”, a traditional Darfurian term denoting an armed outlaw on a horse or camel. In the current context, the Janjaweed militia are linked to the government of Sudan. See Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General 2005, para. 90 -126)

Nevertheless, the evidence of Sudanese military and Janjaweed collusion is so strong that the UN International Commission of Inquiry (2005) concluded that sexual violence is used by government forces and the Janjaweed as a “deliberate strategy” (quoted in HRW 2008, 6).

**Trend 2: Part of the context of war &**

**Trend 3: Part of the military strategy predominantly against black Darfuris**

Rapes and other acts of sexual violence have taken place in the context of attacks, perpetrated by the Janjaweed militia and Sudanese military primarily against black Darfuris (Gingerich and Leaning 2004, MSF 2005, Amnesty International (AI) 2004). The overwhelming majority of civilians who are sexually targeted are of African decent (AI 2004, Chad/Sudan Showing the Seeds of Darfur). Refugees International (RI) notes that rape is an “integral part of the pattern of violence” (2007, 2). It is not sporadic or random, but rather it is “inexorably linked to the systematic destruction of their communities” (RI 2007, 2). Perpetrators rape in order to spread terror (MSF 2005, 2) and use torture in the same attacks in order to determine where husbands are to kill them (AI 2004, 12). This campaign of attacks is carried out in the name of the counterinsurgency (HRW 2008, 11) where “...rape virtually always forms part of the attack” (Totten and Markusen 2006, 142).

**Trend 4: Women are the primary targets**

Although men and children can be targets of sexual violence,<sup>3</sup> women are the clear targets of the perpetrators (MSF 2005, 2). Men know that if they get caught, they will be killed, while women will likely only be raped (Gingerich and Leaning 2004, 14). For example, in 2005, in the span of 4.5 months, of the 297 rape victims that MSF treated, 99% were female. Further, in their analysis, Amnesty International points out that women and girls are the most likely to be victims of sexual assault, abduction and sexual slavery (AI 2004, 10, 15, 24).

**Trend 5: Sexual violence no longer only common in military attacks**

In the early phase of the conflict, sexual attacks were chiefly part of military attacks on villages. Currently, perpetrators strike when women carry out ordinary, everyday activities such as water, grass and firewood collection (UNSC Report of the Secretary General 2006). MSF reports that “Rape, a feature of the attacks on their villages, has now followed them insidiously into their places of refuge” (2005, 3). Since the Sudanese war strategy has largely been successful in forcing people from their land, now, as Refugees International explains, the strategy of war has changed. Perpetrators patrol the periphery of refugee and Internally Displaced Persons camps (IDP) waiting to attack at the first opportunity (RI 2007, 2). In this manner, the campaign of terror is continued. Civilians are just as likely to be sexually assaulted in periods of calm, as during attacks on villages (Read BBC 2008).

**Trend 6: Sexual attacks are violent and involve multiple perpetrators**

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<sup>3</sup> There have been documented cases of sexual violence towards men. See Hagan and Richmond 2008 and Gingerich and Leaning 2004, 1.

When victims are raped and assaulted, very often sexual attacks are extremely violent in nature. Victims are beaten, whipped, cut with knives, mutilated, penetrated with foreign objects and weapons, and only rarely killed on the spot (MSF 2005, Askin 2006, Gingerich and Leaning 2004, 15). In more than half of the cases reported to MSF, physical violence was inflicted beyond the sexual act (MSF 2005, 3). In addition to the violent nature of the attack, trauma is often compounded because there are multiple assailants who carry out the sexual violence. According to humanitarian workers and representatives of NGOs in the field, a sizeable number of rape victims are raped by multiple men<sup>4</sup> (HRW 2008, MSF 2005, Gingerich and Leaning 2004, 15).

### **Accuracy and Quality of Data**

Unfortunately, most accounts of sexual violence in the region are anecdotal in nature. They predominantly originate from reports of journalists, humanitarian workers and NGO workers. Due to the ongoing insecurity in the region and also methodological complexities of constructing a population based survey, it is extremely difficult to acquire accurate, quantitative estimates of the actual number of people who have been sexually victimized (Gingerich and Leaning 2004, 1).

However, there have been several studies and surveys completed by various groups who provide substantive light on the numbers. One study by Amnesty International in May 2004, compiled victim testimonies in 3 Chadian refugee camps and recorded over 250 rapes (AI 2004, 4). MSF has provided service statistics from their field clinics where they have treated sexual assault victims. In the span of 4.5 months, MSF recorded over 500 rapes with 99% of victims being women (MSF 2005, 2). In 2004, an Atrocities Documentation Team (ADT) sponsored by the U.S. State Department and composed of independent experts,<sup>5</sup> conducted systematic interviews with 1,136 randomly selected refugees in 19 locations across the Chad-Sudanese border. The results show that 16% of those interviewed, have either been raped or have heard of someone being raped (U.S. State Department 2004, ADS).

Taking a closer look at this data, the numbers are eye opening in that they reveal what appear to be high incidents of sexual violence. However, MSF and Amnesty International figures for example, do not by themselves explain how widespread sexual attacks really are because they do not account for the proportion of persons victimized in comparison to those that are not. The ADS in comparison, is the most comprehensive and ambitious study attempted to date, utilizing a random sampling technique. This allows it to claim that 16% have experienced sexual violence. Unfortunately, because the statistic includes persons who have also heard about someone being raped, the threat of double counting is inherent and therefore does not accurately reflect the proportion of persons who in fact were raped.

Despite these shortcomings, it reasonable to believe that these studies and anecdotal accounts given by field professionals reflect a general trend of high rates of sexual violence in the region. First of all, the reports were gathered by numerous professionals from different agencies who talked to many different refugees at different locations and at different periods of time. The remarkable testimonial consistency of

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<sup>5</sup> See "Documenting Atrocities in Darfur," U.S. Department of State, for composition of team.

incidence, nature of attacks, persons targeted, and perpetrators carrying out these attacks, suggests accuracy in victim experience and therefore also reporting (Gingerich and Leaning 2004, 17). Secondly, since victims were not exposed to news reports and did not have a great deal of interaction with one another from refugee camp to IDP camp, this controls for any disinformation (17). Finally, due to the enormous stigma attached to rape in Darfurian society, there is a tremendous disincentive to falsely report oneself, or another member of the community (17).

Moreover, it is very likely that the prevalence of sexual violence is actually much higher than reported in the studies. Underreporting of incidents is a large problem. The extreme social stigma, shame and fear of being ostracized by families and communities, prevents many victims from coming forward (Stettler 1). The complete futility of reporting to police<sup>6</sup> and concurrent fear of being arrested for adultery or illegal pregnancy is a huge disincentive for disclosure (HRW 2008, 19). Lastly, aid organizations also fear making too many reports public. The government of Sudan has been known to arrest workers, deny visas, and shut down operations, essentially restricting their access to the population (Robertson 2008, CNN, RI 2007, 12, Gingerich and Leaning 26, 27). Thus, it is likely they also do not report all their findings.

In sum, at this stage it is impossible to determine exactly how many incidents of sexual violence have taken place in Darfur. Considering the astonishing consistency of reporting and testimonial accounts it is likely that high rates of sexual incidents are occurring. The fact that victims shared similar experiences across space and time suggests that sexual violence is prevalent all across Darfur and throughout the duration of the conflict.

### **Explaining Sexual Violence: Theory Application**

The most influential theory that has been advanced in the case of Darfur is the strategic rape theory. According to Gottschall, “wartime rape is coherent, coordinated, logical, and brutally effective means of prosecuting warfare” (Gottschall 2004, 3). It is used as a weapon of war to achieve greater, strategic objectives.

When applied to the context of Darfur, the claim is made that the Sudanese military with the aid of the Janjaweed militia is purposefully committing horrific sexual attacks in order to beat down the rebellion, or as many groups claim, ethnically cleanse the region of primarily black Darfuris (U.S, State Department 2004, Refugees International 2007). This is a very serious claim. However, there is considerable evidence to support such a view. For instance, when assailants attack, they often give reasons for these attacks (Totten and Markusen 2006, 147). There have been scores of testimonies of the following kind: “We have orders to kill all the blacks. We will kill all men and rape the women. We want to change the color. Every woman will deliver red” (U.S. State Dept. 2004, Hagan and Richmond 2004, 10). Furthermore, it is black Africans who are overwhelmingly targeted. Often, the Sudanese military also accompanies or is directly

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<sup>6</sup> In Darfur, a woman needs 4 male witnesses having seen the rape take place to have the perpetrator charged, and for her to be cleared from having sex out of wedlock or adultery. (Nieuwoudt 2006).

involved in the sexual violence (UNSC Report of the Secretary General 2006). However, as Amnesty International notes, at present, there doesn't seem to be enough evidence to prove the intention to destroy specific ethnic groups (AI 2004, 29). Whether one is making a case for genocide or simply arguing that the government is trying to suppress the rebellion, rape, as the UN Secretary General noted in his address to the General Assembly, is being used as a "deliberate weapon" (Secretary-General's Address to the General Assembly 2004).

One of the problems the strategic rape theory seems to experience is that increasingly, rape seems to be carried out opportunistically in Darfur. This is especially true in the latter half of the conflict when the war strategy changed. Perpetrators often wait around the periphery of villages, waiting for an opportunity to strike (HRW 2008, 13). Horwood points out that the use of "bush wives" is a lucid example of sexual violence common to conflict, but not motivated by military strategy (Horwood 2007). This phenomenon of abducting women and turning them into sexual slaves is also becoming ever more common in Darfur (UN Inter-Agency Team 4).

Another explanation of sexual violence that is proposed is the 'spoils of war' argument. According to authors, Gingerich and Leaning, military leaders believe that rape "after a battle [is] a well-deserved reward, a chance to release tensions and relax" and also encouragement for continued success (2004, 9). The same example of bush wives in the preceding explanation of the opportunity theory can also be applied here. The abduction of girls for sexual pleasure can certainly be used as evidence for the spoils of war theory (Gingerich and Leaning 2004, 19).

### **Concluding Remarks**

In assessing the empirical evidence of the prevalence of sexual violence in the Darfur conflict, certain distinct patterns emerge. However, due to the ongoing insecurity and significant underreporting problems, it is difficult to arrive at accurate numbers. More robust methods of data collection are needed. The studies so far, likely represent only a fraction of the true number of persons victimized (AI 2004, 5). Therefore, in view of the testimonies collected combined with reports and studies of sexual violence from the UN, journalists and non-governmental organizations in Darfur, it is likely that sexual violence is widespread throughout the region.

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