

Responding to boys as victims of sexual violence in armed conflict

All Survivors Project: Briefing for UN Security Council Open Debate on Children and Armed Conflict-October 2017

Introduction

Sexual violence is proving to be among the most difficult to document of the six grave violations against children during situations of armed conflict enumerated in UN Security Council resolutions. UN reports on children and armed conflict routinely note that sexual violence is “underreported” which, while true for girls, is likely to be more so in relation to boys. This lack of data means that the vulnerability of boys to sexual violence is little understood and they are often overlooked in responses and in prevention and protection strategies. Medical and psychosocial support services are widely unavailable for boy survivors and in many situations, there is structural impunity for crimes of sexual violence against boys including because of discriminatory laws which do not recognise male rape.

The 2017 Annual Report on Children and Armed Conflict includes just four verified cases of conflict-related sexual violence against boys across 20 country situations.¹ Research by the All Survivors Project (ASP) indicates that boys are at far greater risk of sexual violence than is captured by the monitoring and reporting mechanism (MRM). In the Central African Republic (CAR) for example, ASP has received credible information about cases of sexual violence against boys across the country 2017 in a range of situations, including during attacks by armed groups. Likewise, in Syria, ASP research has found that boys are at risk of sexual violence in various settings including as child soldiers, in IDP camps and in flight across borders, as well as in detention where such abuses are already well-documented.

Patterns of Vulnerability of boys

ASP believes its research reveals only the tip of the iceberg and that urgent and intensified action is needed to identify the real extent of the problem and to respond appropriately. Based on available information, some patterns of vulnerability for boys are beginning to emerge which warrant particular attention:

- **Detention:** Men and boys often represent the majority of detainees during armed conflict and, without adequate safeguards, are highly vulnerable to sexual violence. In Syria, sexual violence, against male detainees often as a broader pattern of torture and ill-treatment, in state-controlled facilities has been extensively documented. Recent research by ASP reinforces previous

¹ Cases were verified in the Democratic Republic of Congo, Iraq, Somalia and Darfur. In Syria it was reported that at least 7 boys detained by government forces and popular committees were subjected to torture and ill-treatment, but it is not clear from the report if this included sexual violence.

findings that young men and boys in detention are at greater risk to certain types of sexual violence² and gives rise to concerns that such treatment may in some cases lead to radicalization. Children detained on account of their association with armed groups can be at particular risk, for example there are reports that boys associated with Al-Shabaab have been subjected to sexual violence in detention in Somalia.³

- **Children Associated with Armed Forces and Armed Groups (CAAFAG)**, including groups involved in violent extremism. It is well established that girls are often, although not exclusively, recruited by armed forces or groups for sexual purposes but boys are also at risk. ASP has received credible reports of rape of boys as part of forcible recruited by armed groups in Syria by ISIS and Hay'at Tahrir al-Sham⁴ and other non-state armed groups. In Afghanistan, the sexual exploitation of young boys through the practice of *bacha bazi*, in which pubescent boys are made to entertain and perform sexual functions for military commanders and other influential men, continues. In Yemen, there have been previous reports of the rape of male combatants, both men and boys, during ground hostilities.⁵
- **During armed attacks:** Documented cases of sexual violence against boys during armed attacks are relatively rare, although reports that boys had been castrated and left to bleed death in South Sudan in 2015 revealed shocking levels of sexual violence against boys there. In the CAR, ASP research indicates that while rates of sexual violence against females during attacks by armed groups may be higher, males including boys are also vulnerable both during armed attacks on communities and in the aftermath when forced to flee to areas where there is limited or no protection by UN or State security forces.

As with girls, conflict also creates wider risks of sexual violence to boys not necessarily perpetrated by members of armed forces or armed groups. For example, the extreme vulnerability to sexual and gender-based violence of girls forced to flee their homes within or across national borders is widely acknowledged. But boys are also at risk including because of the higher frequency with which they travel alone when seeking safety in different sites internally or abroad. ASP research has found, for example, that young boys fleeing from Syria into Turkey have been sexually exploited by people smugglers and engaged in

² See for example, Syria Justice and Accountability Centre (SJAC), *SJAC Gender and SGBV Documentation Policy*, 2015, <http://www.alnap.org/resource/20662>; and Child Protection Working Group, *Syria Child Protection Assessment*, 2013, https://www.crin.org/en/docs/SCPA-FULL_Report-LIGHT.pdf

³ For reference to reports sexual violence against children associated with Al Shabaab in Somalia see UN Secretary-General Report on Children and Armed Conflict in Somalia, 22 December 2016, UN Doc. S/2016/1098; and Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 (2015), 31 October 2016, UN Doc. S/2016/73.

⁴ Formerly known as Jabat Al-Nusra.

⁵ See, Final report of the Panel of Experts on Yemen established pursuant to Security Council resolution 2140 (2014), 26 January 2016, UN Doc. S/2016/73.

forced prostitution in exchange for money and transport. In both Syria and Turkey, ASP has documented cases of sexual violence against boys in IDP camps in Syria and is concerned about the heightened risks to children including boys in unregulated orphanages in both Syria and Turkey. It has also found a high-level of vulnerability of boys to sexual and gender-based violence in Syria in the context of child labour, particularly where boys are working away from their homes and out of reach of the protection of their families having been forced to take on more “adult roles of income generation as a result of the years of conflict.

Key Recommendations

In order to respond to the largely hidden problem of sexual violence against boys in armed conflict, ASP calls upon UN member states to:

- ***Encourage and support efforts to improve the documentation of rape and other forms of sexual violence against girls and boys in situations of armed conflict***, including by the MRM, and consider resourcing a global study to identify the extent, nature and consequences of the specific problem of sexual violence against boys to better inform responses.
- ***Insist that strategies aimed at preventing grave violations against children in armed conflict factor in the gender-specific risks of sexual violence against girls and boys***, and that equal attention is paid to identifying and responding to situations where boys may be at heightened risk of such crimes.
- ***Support gender-specific and age appropriate medical and psychosocial support for child survivors of sexual violence committing, where necessary, additional funding to ensure that humanitarian programs have the capacity to respond to boy survivors as well as to girls.***
- ***Insist that perpetrators of sexual violence against children in armed conflict are held to account***, and remove all structural obstacles including discriminatory laws that prevent the investigation and prosecution of rape and other forms of sexual violence against boys.

1. Improving documentation and countering stigma

Stigma and shame are repeatedly cited as reasons for non-reporting of sexual violence. While this applies to girls, gender-stereotypes around notions of masculinity, prejudice and discrimination against behavior perceived as being homosexual can present specific barriers to boys. Ending stigma requires multi-dimensional approaches spanning legal, judicial, health, education and other sectors and must be informed by better understandings of the causes and consequences of sexual violence including against boys. However, the current lack of data on boys reinforces the perception that the scourge of sexual violence in armed conflict is one that affects primarily women and girls which in turn reinforces stigma, inhibits males from disclosing their experiences, and prevents them from asking and receiving assistance and demanding justice.

In the few situations where there has been more detailed research, a higher than expected prevalence of sexual violence against males has been found. A 2010 population-based survey in eastern Democratic Republic of Congo, for example, showed rates of reported sexual violence among men of 23.6 percent of which close to two-thirds was conflict-related.⁶ Likewise the 2015 Report of the OHCHR Investigation on Sri Lanka (OISL) found that that male detainees in Sri Lanka “were as likely to be subjected to sexual violence as female detainees”.⁷ Although the OISL did not receive detailed testimonies of sexual abuse of children, given the apparent prevalence of sexual violence, it recommended that any investigation mechanism set up should also include strong measures to protect children. ASP’s latest research in the CAR and in Syria also points to higher rates of sexual violence against boys than is generally documented by the MRM and other sources.

- Sexual violence against boys should be more systematically documented by the MRM. To support this, members of MRM Country Task Forces should receive training on identifying and documenting cases in accordance with the principle of “Do No Harm”, and strategies put in place to encourage and support child survivors, irrespective of whether girls or boys, to safely and confidentially report and seek assistance.
- A global study should be undertaken to identify the extent, nature and consequences of conflict-related sexual violence against males, including boys, to better understand the problem and inform responses.

2. Including boys in prevention and protection strategies

In many countries affected by armed conflict there is no legal protection for boys against rape because national laws fail to recognize and proscribe rape against

⁶ Kirsten Johnson et al, Association of Sexual Violence and Human Rights Violations With Physical and Mental Health in Territories of the Eastern Democratic Republic of the Congo, The Jama Network, 4 August 2010, <https://jamanetwork.com/journals/jama/fullarticle/186342?apld=scweb>

⁷ Report of the OISL, 16 September 2015, UN Doc. A/HRC/30/CRP.2, paras 586 and 603.

males. This contributes not only to impunity, but can inform broader social attitudes and responses in which the possibility of sexual violence against males is not acknowledged. Additionally, lack of data on sexual violence against boys contributes to lack of awareness of the specific risks that they may face and undermines efforts to prevent and protect them against such violations. Nevertheless, even with the limited data available, it is clear that boys living in situations of armed conflict are at risk of sexual violence and that there may be particular sites of vulnerability, although these will differ depending on the context and dynamics of the particular conflict.

- States should review their laws to ensure that legislation on sexual violence is non-discriminatory and that legal protection against rape and other forms of sexual violence is provided for boys, girls, men and women.
- There should be a working assumption that boys as well as girls may be at risk of sexual violence in situations of armed conflict and therefore prevention and protection strategies should be designed accordingly. Particular attention should be paid to situations where boys may be at heightened risk such as in detention and in the ranks of armed forces and armed groups.

3. Need for gender/age appropriate services for boy survivors

ASP's research in both CAR and in Syria identified examples of good practice in humanitarian responses to sexual violence against boys, in particular the use of Child Friendly Spaces as entry points to identify children (regardless of gender) who may have been subjected to sexual violence, and of "body safety awareness training for girls and boys to help them differentiate between appropriate and inappropriate physical contact and to encourage them to report incidents of sexual abuse or violence.

Despite such examples, gender-specific support services and safe spaces for male victims of conflict-related sexual violence including boys are widely lacking and, where they exist, of variable quality. Gender-based violence humanitarian programming typically focus on women and girls and there is a lack of medical care, psychosocial support to respond to mental health and social impacts and other essential support services designed to respond the specific needs of male survivors including boys. ASP continues to find limited awareness, knowledge and skills to respond to sexual violence against males among many humanitarian workers and other relevant services providers, and in some cases also found harmful or discriminatory attitudes that prevent or discourage boys from seeking help.

- Humanitarian and state-provided services for survivors to respond to the gender-specific needs of men and boys and women and girls, and all relevant staff trained in core child sexual abuse knowledge and child

friendly competencies in engaging and communicating with girls and boys. Additional funding should be made available to ensure that provision of services for boys is not to the detriment of girls who have suffered sexual or other forms of gender-based violence.

4. Accountability

Accountability for crimes of sexual violence is a key element of prevention. However, criminal prosecutions for crimes of sexual violence in armed conflict remain rare. In the case of boys there are structural impediments in many countries to holding perpetrator to account. As well as lack of recognition of male rape in law, the criminalisation of same-sex acts, regardless of whether the conduct was consensual or not, often makes it difficult if not impossible for male victims to come forward.⁸ Even where legal frameworks are consistent with international human rights standards, lack of expertise, dedicated capacity and resources within the criminal justice system and transitional justice processes often present insurmountable barriers for boy survivors to realise their right to justice, truth and reparations.

- All allegations of sexual violence against children, with all guarantees of confidentiality and protection of the victims, should be promptly investigated and prosecuted. Broader transitional justice processes, including truth-seeking and reparations process should recognise that males as well as females may have been subjected to sexual violence.
- In addition to ensuring that definitions of rape and other crimes of sexual violence are gender-inclusive, laws which criminalise consensual same-sex relations should be repealed, and legislation enacted that criminalises sexual violence as a war crime and crimes against humanity in accordance with international law.
- Training for law enforcement, judicial and other relevant officials should include prevention, investigation and prosecution of sexual violence against children as an integral part and resources allocated to build dedicated expertise and capacity to support gender-inclusive, child sensitive justice processes for crimes of conflict-related sexual violence.

⁸ A total of 62 countries still provide no legal protection for male rape victims and in 78 countries homosexuality is criminalised under national law. See, Report of Secretary-General Annual Report on Conflict Related Sexual Violence, Children and Armed Conflict, 22 June 2016, UN Doc. S/2016/361/Rev.1.