

# ADVANCING A HOLISTIC APPROACH TO JUSTICE AND ACCOUNTABILITY FOR SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE



The following case study has been written by an independent consultant on behalf of the Global Initiative for Justice, Truth and Reconciliation (GIJTR). This case study is informed by a combination of desktop research, document analysis and interviews. It therefore reflects these perspectives and findings, as compiled and written by the consulting author(s). Interviewees have been anonymized to ensure their safety and privacy but GIJTR extends its gratitude for the time and participation of all interviewees.

## Summary of Case Studies

### Introduction

In the aftermath of conflict or widespread human rights violations, survivors of conflict-related sexual violence (CRSV) are too often sidelined and silenced, forced to suppress their experiences and the violations they have endured due to undeserved shame, stigma, or fear. Perpetrators remain in positions of power; families and communities are torn apart; and victims/survivors suffer wide-ranging physical, psychosocial, and economic consequences, often alone. In a post-conflict context, victims'/survivors' stories are often decontextualized from the collective understanding of the conflict, which allows for the narrative to be driven by patriarchal voices—and impunity to remain the norm. This makes room for the recurrence of similar violations. Despite the publication of several toolkits and manuals on survivor-centered approaches to documenting CRSV, justice and accountability, as well as the advancement of truth, justice, and healing for victims/survivors, remain largely elusive at national, regional, and international levels for many reasons. These may include a lack of political will, when allies of the perpetrators retain power; a lack of resources among those invested in providing support; or a lack of understanding about how best to pursue and sustain

support for victims/survivors in relation to legal accountability, necessary support services, and the advancement of truth and healing. This signals a need for sustained and focused investment among states, policymakers, donors, and civil society in identifying, supporting, and cultivating best practices to address the unique needs of CRSV survivors in relation to truth, justice, and reparations.

While there have been important developments at international,<sup>1</sup> national,<sup>2</sup> and local levels,<sup>3</sup> significant gaps remain and the realizations of justice and accountability for victims/survivors continue to be an exception rather than the norm. Although a number of transitional justice processes are increasingly incorporating women-only hearings with a focus on sexual and gender-based violence (SGBV) and/or CRSV, such as the Gambian Truth, Reconciliation and Reparations Commission and the South Sudan Commission for Human Rights, what remains a gap is the expertise and dedicated resources to redress these violations and crimes in ways that secure justice for victim/survivors and meet their diverse short- and long-term needs across multiple levels and different stages of justice and accountability processes. More attention needs to be paid to both the role of civil society and community-led approaches to support these developments in order for there to be consistent application of survivor-centered protocols and local ownership over these processes, while also allowing for innovation at the community level. Local ownership, strengthened through the resources and support of international partners, will ultimately lead to the long-term, sustainable support victims/survivors of CRSV need in order to rebuild their lives while seeking justice and working to prevent similar violations from recurring.

In response to this need, in 2023, the Global Initiative for Justice, Truth and Reconciliation (GIJTR) undertook a project entitled “Implementing a Holistic Approach to Justice and Accountability for Conflict-Related Sexual Violence,” which aims to assess the different forms of recourse available to victims/survivors of CRSV in their pursuit of justice. It also aims to address the utility of new and existing resources on CRSV documentation to practitioners, and approaches that can be used to support victims/survivors before, during, and after trials and prosecutions. As part of this effort, GIJTR partners (the International Coalition of Sites of Conscience (ICSC) and the Centre for the Study of Violence and Reconciliation (CSVSR)), in collaboration with the International Institute for Criminal Investigations (IICI), Synergy for Justice, the Dr. Denis Mukwege Foundation, and the Global Survivors Fund (GSF), commissioned seven case studies from around the world that highlight innovations, challenges, and opportunities related to the pursuit of justice and

### **The Global Initiative for Justice, Truth and Reconciliation**

In 2014, the International Coalition of Sites of Conscience (ICSC) launched the Global Initiative for Justice, Truth and Reconciliation (GIJTR), a consortium of nine international organizations focused on offering holistic, integrative and multidisciplinary approaches to issues of truth, justice and reconciliation. GIJTR works primarily with local populations, civil society organizations, survivors and governments to develop transitional justice approaches that are victim-centered, collaborative, and support dignity, respect, inclusion, and transparency in societies emerging from conflict or periods of authoritarian rule. Since its founding, GIJTR has engaged 801 local civil society organizations; 78 countries; 43 publications; collection of over 8,000 narratives of human rights violations; and supported 588 civil society organizations dealing with human rights violations.

**For more information, please visit [gijtr.org](https://gijtr.org).**



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accountability for CRSV and long-term, holistic support for victims/survivors. Several interviews with key participants from various contexts were also conducted. From the key findings taken from the case studies and interviews, GIJTR developed a Toolkit for Survivor Networks and Civil Society Organizations to recognize their vital role in advancing truth, justice, and healing for victims/survivors of CRSV. The toolkit aims to offer these networks and organizations a set of tools to assess how comprehensively victims/survivors' holistic needs are being met in their context in the aftermath of CRSV, and whether there are gaps that could be addressed through their programs. This report summarizes the key findings from the case studies.

The case studies were submitted as part of GIJTR's assessment and mapping of various approaches to pursuing justice and accountability for CRSV. The case studies cover Syria, Uganda, Bosnia and Herzegovina (BiH), Myanmar, the Central African Republic (CAR), the Democratic Republic of Congo (DRC), Colombia, and Sri Lanka. They incorporate a mixture of relevant contextual information related to CRSV within the context of justice and impunity, and the authors' direct experience documenting cases of CRSV, pursuing justice and accountability alongside survivors, and meeting their needs through holistic support.

The first section of this summary discusses CRSV, its prevalence, and how it affects victims/survivors. The second section discusses best practices of holistic and survivor-centered approaches to documentation and care for victims/survivors from the different case studies. The third section discusses the challenges to the provision of holistic support to victims/survivors. Finally, the fourth section presents recommendations from the case studies for improving interventions and approaches to survivor-centered and trauma-informed support for victims/survivors of CRSV.

## **Holistic Approaches to Conflict-Related Sexual Violence**

**Conflict exacerbates pre-existing gendered inequalities and vulnerabilities, which can contribute to increased risks of CRSV. In the context of the DRC conflicts, the UN Mapping Report notes that “the socio-economic vulnerability [of women] has encouraged the forms of extreme violence they have suffered (...). The unequal place of women in the family has also encouraged sexual violence in times of war.”<sup>4</sup> Gendered norms related to masculinity, sexuality, war, violence, and power also play a role in CRSV. SGBV has been used as a weapon of war and oppression, and is often employed as a tactic to oppress, hurt, and humiliate women and girls, as well as men and boys. Victims/survivors often belong to minority ethnic groups, and sexual violence is weaponized strategically by the military and/or other armed groups. For example, in Myanmar, the use of SGBV is integral to the military's strategy to carry out its genocidal intent to destroy the Rohingya people. In CAR and the DRC, sexual violence has been used in wartime by multiple armed actors to undermine the social fabric of these societies.**

These cases share the fact that their conflicts have been marked by widespread and systematic CRSV, which has had devastating consequences for individuals and communities. Both state and non-state armed groups have been implicated in perpetrating CRSV, which has a lasting impact on victims/survivors, as many develop post-traumatic stress disorder (PTSD) and other psychological syndromes, while struggling to continue their day-to-day lives in the aftermath. Many victims/survivors also experience economic consequences, leading to poverty and further hardship. Some contexts have fewer appropriate

health services available, creating an additional burden of travel for victims/survivors to access healthcare. Securing basic needs and earning a livelihood are therefore more problematic for victims/survivors of CRSV.

It is important to note that while women, girls, and LGBTQ+ individuals are particularly vulnerable to CRSV, men and boys are also targeted. However, the effects have often been overlooked or underreported due to the barriers to reporting and the stigma related to men and boys as victims/survivors. While the 2021 UN factsheet reports that approximately 97 percent of reported cases of CRSV worldwide involve women, it is essential to challenge the assumptions that men and boys are invulnerable to such crimes, as this only perpetuates the stigma.

All too often these violations have been ignored within transitional justice processes. However, much of the changes that have taken place have been driven by the tireless efforts of victims/survivors and the communities that support them, especially in contexts where the state has been complicit in the crimes or is unable to adequately respond thereto.<sup>5</sup> Civil society organizations (CSOs) hold a deep understanding of the cultural context and local realities they operate in, and have therefore been instrumental in advancing truth, justice, and healing for CRSV victims/survivors by drawing attention to victims'/survivors' needs and by proposing innovative solutions to support them and prevent recurrence.<sup>6</sup> Given the nature of CRSV and its long-term impacts, organizations may struggle to fully meet the needs of victims/survivors, as they are diverse: while one survivor may prioritize economic, psychosocial, or physical support, others may seek criminal accountability and non-recurrence.<sup>7</sup> A holistic approach to CRSV is therefore necessary, noting that victim/survivor needs will always differ depending on the context. Collaboration and the development of referral networks are therefore necessary to achieve a holistic approach.

A holistic approach to addressing CRSV involves comprehensive strategies that go beyond mere legal measures and include various aspects of prevention, protection, and support. Prevention is an important aspect, and this can be achieved through community awareness and educational programs to challenge harmful norms and attitudes. To address underlying causes of violence, the focus should also be on conflict prevention and resolution initiatives that promote gender equality and empower women. It is important to strengthen legal frameworks to prosecute perpetrators and ensure justice for victims/survivors. A holistic approach entails the protection of victims/survivors through the establishment of safe spaces and mechanisms for reporting incidents of sexual violence to enhance security measures in order to better protect vulnerable populations. Response and support are also crucial components in addressing CRSV—and entail providing medical care and psychosocial support for survivors, necessarily involving the creation of survivor-centered services and programs, as well as offering legal assistance and facilitating access to justice. Finally, a holistic approach must involve coordination among various stakeholders, including government agencies, non-governmental organizations (NGOs), and international organizations. Collaborating with local communities to design culturally sensitive and contextually relevant interventions is also necessary. The need for culturally sensitive interventions in the promotion of human rights and gender equality is imperative, although limited resources may hinder the implementation of comprehensive programs, especially in conflict-affected regions. Ongoing conflicts may pose significant security risks for both victims/survivors and organizations working to address CRSV. Ensuring effective coordination among various stakeholders with different mandates and priorities can, therefore, be challenging. Social stigma and fear of retaliation may prevent victims/survivors from reporting incidents, making it difficult to address CRSV comprehensively.

# BEST PRACTICES:

## Holistic and Survivor-Centered Approaches to Documentation and Care

### SYRIA: Synergy for Justice; Lawyers and Doctors for Human Rights

Synergy for Justice (Synergy) is a women-led, multidisciplinary team working to enhance justice and end impunity for torture, sexual violence, and human rights violations. Through collaborations with partner organizations, including Lawyers and Doctors for Human Rights (LDHR), Synergy ensures that survivors of torture and sexual violence can access justice, receive the care they need to heal, and fully participate in society. LDHR is a human rights organization that conducts expert medical documentation for legal proceedings relating to patients reporting torture, cruel and inhuman treatment and sexual violence. Since 2012, LDHR doctors have been forensically documenting cases in Syria, Türkiye, and Jordan. Together, Synergy and LDHR have published several reports based on data analysis of the medical reports produced by LDHR doctors, seeking to highlight the experiences of CRSV victims/survivors to demonstrate the scale of the crimes occurring in Syria, preserve the evidence of those crimes for accountability processes, and illuminate the impacts of CRSV on victims/survivors. This collaborative approach is particularly innovative and provides holistic support to victims/survivors, due to the diverse expertise shared via collaboration between the two organizations.

Synergy and LDHR support victims/survivors by conducting forensic medical evaluations (FMEs) to document torture, sexual violence, and inhuman treatment experienced by victims/survivors while in detention or during arbitrary arrests. Documentation is based on international best practices outlined in the *Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, as well as the *Murad Code* and the *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict*.<sup>8</sup> The Protocol sets out specific guidelines on how effective legal and medical investigations into allegations of torture and ill treatment should be conducted. On this basis, medical documenters undergo a three-week intensive training on how to take the medical history, conduct a physical examination, and evaluate specific forms of torture, including sexual torture. Synergy and LDHR have developed a standard form for medical documenters to pursue justice and accountability through international mechanisms. They utilize a trauma-informed approach by acknowledging the significant trauma experienced by survivors and ensuring their experiences are understood and validated. The approach focuses on establishing safe and supportive environments, empowering victims/survivors, and avoiding retraumatization through sensitive language, practices, and procedures.

The documentation process starts with community outreach sessions, wherein the outreach and case management team explain the process and referral services they can provide. LDHR may also be approached directly. After an initial assessment, a thorough informed consent process is conducted,

and victims/survivors are informed about how their information will be stored and shared. Synergy has created informed-consent videos to present to victims/survivors before the documentation process to ensure that they are fully aware of the process by presenting information in an easily understandable format. After this, the victim/survivor is referred to an LDHR doctor, who must again obtain informed consent, for an evaluation. After the examination and interview, a standard FME form is completed with recommendations. FMEs can prompt investigations into crimes against humanity and international crimes, guide case-building efforts, and serve as evidence in criminal and civil courts internationally. It is important to manage expectations by ensuring that the victim/survivor is made aware that not all documented cases will lead to prosecution due to how lengthy and complex the process is. It is vital to ensure that victims/survivors are not given false hope.

Synergy and LDHR work with a diverse team of professionals from varying fields. They leverage their collective expertise to provide holistic responses to victims/survivors, empowering them and ensuring they receive the highest quality of care. While LDHR works on documentation and provides case management, they carefully vet any organization within their referral system. Synergy and LDHR also have a feedback mechanism that allows victims/survivors to provide feedback after their physical evaluation and after they have received a referral for follow-up care. This is important to maintaining a survivor-centered approach that prioritizes the well-being and empowerment of the victim/survivor and is vital to validating their experience and providing relief.

Systems have been established to support victims/survivors undergoing medical documentation. The case management team, as the initial point of contact for the victim/survivor, conducts an initial assessment, including preliminary identification of needs. Commonly, requests include livelihood assistance, medical services, and mental health services. Its case management system refers them to service providers for medical, legal, psychosocial, livelihood, and other services LDHR does not offer. This referral plan is prepared for the victim/survivor during the physical and psychological medical evaluation process.

Synergy and LDHR's community-based approaches have helped to tackle stigma related to sexual violence in Syrian communities. By fostering a supportive environment and raising awareness, victims/survivors are more likely to seek support services. This approach has led to more victims/survivors requesting their injuries be documented. It is important to note that sexual violence in the Syrian context is impacting men as well as women. Synergy and LDHR have documented hundreds of cases of male sexual violence and have recently published a medical journal article on the topic.<sup>9</sup>

## **BOSNIA AND HERZEGOVINA: The Humanitarian Law Center; TRIAL International**

The Humanitarian Law Center (HLC) is an NGO dedicated to promoting human rights, justice, and the rule of law in BiH. Established in 1992, HLC has played a crucial role in documenting human rights abuses, providing legal assistance to victims, and advocating for accountability in the BiH context. Through its work, HLC seeks to contribute to the prevention of human rights violations and the establishment of a just and inclusive society.

In its efforts to work toward the prevention of human rights violations and realizing a just and inclusive society, HLC's documentation and memorialization work has played a crucial role in shedding light on the atrocities in the BiH context and assisting with the prosecutions before the International Criminal

Tribunal for the former Yugoslavia (ICTY). Since then, HLC has been engaged in monitoring and analyzing war crimes trials, thereby strengthening the rule of law and best practices to improve the performance of the judiciary, legislation, and procedures applied in war crime trials. The organization has developed an approach to documenting cases of CRSV that involves a database that contains information on victims of rape and other forms of sexual violence. Most cases in the database are covered by HLC's witness statements, while various secondary documents support others. HLC conducts interviews with family members and/or eyewitnesses in cases where the victim is deceased. Data collection on CRSV in this context is systematic, with HLC researchers having travelled across the region to conduct interviews since 1993. The ICTY prosecution used much of the information gathered during this time to build the *Kunarac* case<sup>10</sup> in which Dragoljub Kunarac was found guilty of crimes against humanity (torture, rape, enslavement), and war crimes (torture and rape) and, subsequently, sentenced to 28 years of imprisonment for his role in the commission of crimes against the Bosnian Muslim civilians between April 1992 and February 1993.

HLC ensures that access to certain data is limited in order to maintain as much confidentiality as possible, while ensuring that events and cases are appropriately linked to provide a comprehensive understanding of the situation. Any information obtained will only be used to draft criminal reports once consent is given freely by the victim/survivor or witness.

HLC has a judicial pillar that includes providing for legal representation for victims/survivors of war crimes before Serbian courts, monitoring all war crimes trials held in Serbia, and representing victims/survivors in compensation proceedings. Providing legal aid has helped avoid the secondary victimization that victims/survivors often face in the criminal justice context by providing them with information about their rights and options. This knowledge helps them to actively participate in the legal process, reducing feelings of helplessness and vulnerability. Legal aid therefore assists victims/survivors in understanding legal procedures, court processes, and their role in the proceedings. This guidance helps to minimize confusion and anxiety. Further, legal aid organizations often work to address systemic issues within the criminal justice system that may contribute to secondary victimization. This can include advocating for legal reforms and improvements in the treatment of victims/survivors. In addition, legal aid professionals may offer emotional support to victims, acknowledging the psychological impact of both the crime itself and this process. This holistic approach recognizes the interconnectedness of legal and emotional well-being. HLC also provides victims/survivors and witnesses with transport, accommodation, psychological support, and preparation for hearings. As a result, witnesses are never unsure about their rights, with HLC acting as a crucial intermediary to ensure that victims/survivors receive the support they need.

HLC established a Team of Victim and Witness Support in 2006 that offers psychological assistance. All witnesses for CRSV cases are referred to psychologists and therapists to assist them in preparation for trial.

HLC shares an area of interest with TRIAL International, an international NGO that operates in BiH and is committed to promoting human rights, justice, and accountability in conflict and post-conflict situations. TRIAL International focuses on fighting impunity for international crimes, including war crimes, genocide, and crimes against humanity. Its work includes investigations, legal actions, and advocacy to ensure that perpetrators of serious human rights violations are held accountable. It was formed in 2008 to provide legal support to victims/survivors on a pro bono basis. While court proceedings have decreased in number in the BiH context, TRIAL still supports victims/survivors in achieving their right to seek and secure reparations. Its primary objective is to ensure that perpetrators of war crimes are held accountable, while also supporting victims/survivors throughout the entire process of seeking justice, especially by assisting them in filing complaints and gathering evidence. TRIAL also collaborates with a psychologist who engages with victims/survivors to discuss the implications of legal proceedings, verdicts, and outcomes to help them understand and move forward with their lives.

## COLOMBIA: Ruta Pacífica de las Mujeres

The Ruta Pacífica de las Mujeres (Women's Pacifist Route), which was established in the late 1990s, is a network of feminist organizations that work for the negotiated resolution of the armed conflict in Colombia. The organization is known for its commitment to mobilizing women to actively participate in peace processes and promote dialogue. Its areas of focus include addressing issues related to violence, displacement, and the rights of marginalized communities affected by the conflict. The organization recognizes the specific impact of armed conflict on women and seeks to address issues such as gender-based violence and discrimination. It engages in activities to memorialize victims of the armed conflict, emphasizing the importance of remembrance as a tool for healing and reconciliation, while advocating for disarmament and the demobilization of armed groups, creating awareness of the need to create conditions for a lasting and just peace.

The Ruta has chronicled the plight of women subjected to sexual violence in Colombia, submitting reports to UN Special Rapporteurs (2002), the Inter-American Court of Human Rights (2006), and the United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (2012). These reports have garnered attention and recommendations from various state institutions due to the severity of CRSV against women in this context. Since the late 1990s, Ruta's documentation of SGBV and CRSV has led to significant developments in relation to justice and accountability for victims/survivors in their context. For example, in 2008, their documentation efforts under the Constitutional Court's ruling on displaced women led to the Court directing the prosecutor's office to investigate 183 cases of CRSV and prosecute those responsible. A year later in 2009, alongside the ongoing investigation of paramilitary groups, the Ruta documented 300 cases in four departments regarding the situation of women in the justice and peace process. In 2010, the Ruta established the Truth of Women Victims of the Armed Conflict Commission in Colombia after seeing how other truth-telling procedures failed to reveal instances of CRSV despite its prevalence during the Colombian conflict. The commission constitutes a collective effort to assemble a report of victims/survivors of the armed conflict.<sup>11</sup> The commission continued until 2013, documenting 1,000 individual and nine collective cases of violence against women. In the context of other truth commissions globally, this commission was formed in such a way as to make the victims/survivors the protagonists, placing their voices and experiences at the center of the process of building a collective truth about what had happened during the conflict.<sup>12</sup> The report tells the stories of victims/survivors in first person to amplify their voices in telling stories that have historically been silenced.<sup>13</sup> The report then addresses sexual violence as a "continuum of violence" against women, having both immediate and long-term impacts on the lives of victims/survivors.<sup>14</sup> The storytelling and remembrance in the report also captures the resistance of victims/survivors and their sense of solidarity in documenting their experiences. The commission has been innovative in its victim- and survivor-centered approach, creating a more meaningful experience for the victims/survivors who feel a sense of agency in the process.

The Ruta has guidelines for both individual and collective interviews for documentation purposes for their documentation work in general. The guidelines that are applied to the interviews include taking extreme care to ensure that they are conducted in an appropriate setting in order to foster a caring



and safe environment, ensuring that locations allow for absolute privacy during the interviews (adjusted as necessary for the sake of collective interviews), and providing transportation to survivors should they be unable to give the interview in their homes. Interviews approach the topic of CRSV sensitively. These guidelines reassure women that they are in a place of safety and that the interviewer believes them. This information is protected throughout the process, and psychosocial support is made available for women who most need it.

The Ruta also conducts focus group discussions with women who feel comfortable discussing sexual violence collectively, sharing their experiences and suffering. These are safe spaces where various methodologies are employed, fostering open dialogue. If requested by a victim/survivor, individual therapy sessions can also be arranged. The Ruta places women at the core of their operations as agents of political change, seeking to ensure the full exercise and guarantee of women's rights. It aims to promote cultural shifts that challenge patriarchal societies. The Ruta represents a diverse group of women from rural, urban, Afro-Colombian, indigenous, LGBTQI+, and other backgrounds, ensuring an intersectional approach alongside its victim- and survivor-centered focus. Further, the Ruta emphasizes taking protective measures due to the reality that women are highly vulnerable in a context where armed forces control the region. In this context, women are vulnerable to forcible recruitment under the threat of sexual violence, as well as domestic and sexual slavery. While the state should offer protection, the burden falls on women's organizations to maintain the safety and well-being of women. The Ruta works with female victims/survivors to develop protective strategies by assessing vulnerabilities, threats, and opportunities to avoid non-repetition of sexual violence. Non-recurrence is a vital aspect to justice and healing for victims/survivors, and these efforts are therefore innovative not only in documenting the violence that has occurred, but by actively working to protect victims/survivors from future harms.

### **SRI LANKA: The International Truth and Justice Project; Support a Survivor of Torture**

Founded by Yasmin Sooka, a human rights lawyer and former member of South Africa's Truth and Reconciliation Commission, the International Truth and Justice Project (ITJP) focuses on documenting human rights abuses and violations, particularly in conflict zones. The ITJP's mission is to investigate and document human rights abuses, with a particular emphasis on war crimes, crimes against humanity, and other serious violations. The organization aims to collect evidence and testimonies to hold perpetrators accountable. Additionally, ITJP seeks to provide support to victims by advocating for justice, truth, and accountability. The organization often collaborates with local and international partners, including human rights groups, legal experts, and other organizations working toward similar goals. Through its work, ITJP aims to contribute to the broader efforts of promoting accountability, reconciliation, and the establishment of truth in societies recovering from conflict.

ITJP and Support a Survivor of Torture (SAST) work together outside the Sri Lankan region to implement a holistic approach to documentation of crimes that have occurred there. While ITJP undertakes legal documentation work, collecting and preserving evidence for litigation in potential universal jurisdiction cases, SAST provides accompanying psychosocial support.<sup>15</sup> ITJP identifies victims/survivors from Sri Lanka in exile who have been referred to them via a network of independent doctors, lawyers, and other victims/survivors with whom ITJP has built a relationship over time. ITJP also provides other support

measures, such as witness protection, referral to SAST for psychosocial support, asylum support, and advice regarding threats of reprisals. Interviews are conducted according to the best international standards, observing the “do no harm” principle and the highest level of confidentiality and security. Great care is taken to avoid re-traumatization by allowing for breaks and ensuring continuous support. A Tamil-speaking counselor may, when necessary, conduct a follow-up interview for additional support at a later stage.

SAST provides physical assistance along with counseling and educational programs. English classes are offered because they also act as an acceptable cover for victims/survivors to share with their family members, as opposed to admitting to seeking psychosocial support in the aftermath of CRSV. These projects operate in tandem during the documentation process to ensure the victim/survivor receives holistic and comprehensive support. Psychosocial support is an essential accompaniment to the documentation project and an integral component of witness protection to address physical and mental damage to individual victims/survivors.

ITJP and SAST specialize in victims/survivors in exile who all come from one country only, providing a beneficial homogeneity for people targeted because of their ethnic identity. The deliberate specialization in one country enables staff to navigate the cultural nuances that victims/survivors employ in an oppressive political environment, such as veiled language. Because the staff are Tamil, they can detect sensitive and complex issues that non-Tamils would likely miss regarding the specific experiences of Tamil people in exile. If a victim/survivor has family members in trouble back home, ITJP also assists with legal support, livelihood support, and/or funeral costs. This is due to the understanding that what happens in the home country continues to affect the mental health of the victim/survivor when in exile.

SAST employs survivors who are themselves recent refugees and ethnically Tamil to run its psychosocial support program. This helps to establish trust. Staff members are also supported, psychologically and institutionally, to prevent the professional group from fragmenting. In the United Kingdom, SAST hosts various community events for Tamil victims/survivors in exile, which are vital in repairing social connections that have been severed by CRSV, thereby leading to social healing.

## **MYANMAR: Asia Justice and Rights**

Asia Justice and Rights (AJAR) focuses on promoting justice and human rights in Asia, particularly in regions that have experienced conflict, violence, and human rights abuses. AJAR often engages in documenting human rights abuses and advocating for accountability, which involves collecting evidence, testimonies, and other documentation activities to raise awareness and seek justice for victims. The organization works on strengthening the capacity of local communities, CSOs, and institutions to address human rights issues effectively. This may involve providing training, resources, and support to empower local actors in their pursuit of justice. AJAR is also involved in initiatives aimed at promoting reconciliation and healing in communities affected by conflict. This may include programs and activities designed to facilitate dialogue, understanding, and cooperation among diverse groups within society. The organization also offers legal assistance and support to victims of human rights abuses. This

involves helping individuals navigate legal processes, access justice, and seek reparations. AJAR often collaborates with other local and international organizations and governments to build partnerships and networks focused on addressing human rights challenges in the region. AJAR has been working in Myanmar since 2013, primarily focusing on empowering victims/survivors of CRSV through participatory action research that encompasses traditional and innovative documentation methods, healing, community-building, and skill-building, which leads to advocacy with relevant stakeholders. The aim is for solidarity to be built among victims/survivors through exchanges and storytelling.

AJAR uses the participatory approach to documentation that contains elements of healing, self-care, community-building, skill-building, advocacy, and livelihood support. This is known as the Stone and Flower method, which AJAR published in a manual available in Burmese. Incorporating trauma sensitivity and community-based psychosocial support is vital to its approach. The methodology was shared with AJAR's partners, particularly ethnic women's rights organizations, which incorporated it into their work with victims/survivors. Activities with victims/survivors under this methodology include body mapping to locate pain and joy and using a "memory box" to store happy and painful memories. These activities serve healing purposes in the community. In this context, documentation has been primarily used to raise awareness in the communities of those affected and within partner organizations. This is to combat stigma and to create awareness around gender equality and human rights and duties. The results of this documentation work were recorded across different forms of media between 2015 and 2021.<sup>16</sup> The publications, in the form of videos, books, photo journals, and pamphlets, share the stories of victims/survivors in a victim- and survivor-centric manner, affording the victims/survivors agency to tell their stories on their own terms while also playing a key role in spreading awareness around CRSV and its aftermath to communities. This helps to tackle barriers to access to support and care, such as social stigma caused by harmful patriarchal ideas.

AJAR works with local organizations, both in their general work and in the specific Myanmar context, to empower women victims/survivors and reduce human rights violations in their areas. AJAR implements small-scale projects with elements of trauma healing, self-care, documentation, advocacy, skills development, limited livelihood activities, and emergency assistance to build resilience that allows them to act within their communities. The organization also supports women in refugee camps by creating safe spaces for support groups and offering awareness-raising and capacity-building opportunities.

### **UGANDA: The Refugee Law Project; the International Justice Mission; the International Center for Transitional Justice**

The Refugee Law Project (RLP), based in Uganda, is dedicated to promoting and protecting the rights of refugees, asylum seekers, and internally displaced persons. Its mission involves providing legal aid and psychosocial support and conducting research to address the challenges faced by displaced populations. The International Justice Mission (IJM) is a global organization that focuses on combating violence and injustice. Its primary goal is to protect the poor from various forms of violence, including human trafficking, slavery,

sexual exploitation, and police brutality. IJM works to secure justice for victims through legal intervention, collaboration with local authorities, and advocacy. The International Center for Transitional Justice (ICTJ) operates globally and works in societies that have experienced mass atrocities, conflict, and/or authoritarian rule. Its mission is to address the legacies of human rights abuses and support processes of transitional justice. This includes seeking truth and accountability for past crimes, providing reparations to victims, and promoting institutional reforms to prevent the recurrence of abuses.

RLP uses the *International Protocol on Documentation and Investigations of Sexual Violence in Conflict* (PSVI Protocol)<sup>17</sup> in its documentation efforts. The organization trains and builds awareness among security forces, targeting the senior officers of the Uganda People's Defense Forces (UPDF) to build their skills in the documentation and investigation of CRSV. The training is critical to strengthening the capacity of senior officers in effectively and proactively documenting and investigating sexual violence to address the prevailing challenge of under-reporting and the under-documentation of CRSV cases in the region. RLP has also designed a tool for screening refugees seeking assistance for experiences of SGBV. This screening exercise connects a referral pathway to rehabilitation.

IJM runs the Spotlight Initiative, where survivor groups perform dramas to educate the community on violence against women and children.<sup>18</sup> There is an emerging acknowledgment and appreciation of survivor groups' role in catalyzing post-war physical and psychosocial rehabilitation as a pathway to justice and accountability. Efforts to engage and work with survivor support groups to document, preserve, and communicate their conflict experiences have resulted in the realization of social support systems for healing and being critical platforms for advocacy. With increased awareness of survivors' rights and growth in confidence levels, their ability to demand accountability as they journey toward achieving justice via formal pathways is enhanced. Engagement with survivor groups empowers them to engage in lobbying and advocacy by equipping them with the skills to actively participate with relevant stakeholders on accountability issues.

ICTJ has provided technical assistance, capacity-building, and, in some cases, partnerships with victim/survivor groups in northern Uganda. As a result, victims/survivors of CRSV have been able to engage and mobilize around different transitional justice issues and advocate for justice, thereby fostering much-needed individual and social healing in the aftermath of violent conflict. These initiatives also create and widen platforms for victims/survivors to interact with and voice their concerns to state actors. Training provided to victims' groups has helped to identify accountability issues while empowering members with lobbying and advocacy skills. Further, due to capacity-building, victims' groups become equipped with group dynamics skills to enable their active participation in engaging relevant stakeholders on accountability issues, as well as strengthen support networks across the region. These skills have allowed participants to present petitions to the government and demand justice and accountability. The petition by children born of war and their mothers, led by the Gulu Women Economic Development and Globalization (GWED-G), is an example of this.

In 2016, ICTJ, together with MediaStorm, released a short documentary film depicting the devastating effects of stigma and discrimination against children born of wartime sexual violence and their mothers in northern Uganda entitled *I Am Not Who They Think I Am*.<sup>19</sup> This video is important in raising awareness around these issues, especially since the conflict in northern Uganda led to the abduction of over 60,000 children and the birth of 8,000 children as a consequence of sexual violence. Children born of war face social stigmatization, and this initiative is important in taking steps away from this stigma and toward integration and acceptance.

While these organizations operate in the broader field of human rights, justice, and transitional processes, they have their own distinct missions and areas of focus. However, there are also potential areas of collaboration and overlap, especially in regions or contexts where their missions intersect. For example, in a post-conflict setting with displaced populations, RLP may collaborate with ICTJ to address legal and justice issues related to transitional processes. IJM might collaborate with both RLP and ICTJ in cases involving violence against vulnerable populations in such settings.

## **DRC AND CAR: The Panzi One-Stop-Center Model**

The Panzi Hospital and Panzi Foundation (collectively called “Panzi”) were initiated in the DRC in 1999 and 2008, respectively. Panzi is known as a center for holistic quality care for victims/survivors. It has developed its own model of care, known globally as the Panzi One-Stop-Center (OSC) holistic model and philosophy of care. This model includes medical, psychological, legal, and socioeconomic forms of support, meaning all four pillars of care are available under one roof as part of one system rooted in survivor-centered and compassionate care approaches. Victims/survivors who enter the OSC care program are not obligated to seek legal assistance or have their cases documented for prosecution purposes. Panzi rolls out this care model via hospitals, transit and safe spaces, legal clinics, mobile units, and various community engagement initiatives in the DRC. The Dr. Denis Mukwege Foundation, an international survivor-centered rights-based organization, works closely with Panzi and other partners to roll out this model and philosophy of care globally. In CAR, the Panzi model is the inspiration of the Nengo project, which has created an OSC with two entry points: a legal clinic and a public hospital.

Under the Panzi OSC model, informed consent is emphasized, and victims/survivors seeking care are given agency in the process. The survivor may then consent to having their personal information shared with other staff or service departments, depending on the individual care plan they had chosen for themselves. To protect their identity and privacy, each victim/survivor who receives care under this model is assigned a unique code that is used instead of their name within the data management system. Where applicable, national coding systems and methods are also used. In line with best practice for securing documentation and the management of data on sexual violence cases, the staff ensures that codes are not found in documents in which a survivor’s name or any other identifying information may appear. Medical examinations may occur as part of the medical pillar for the model, but only with each victim’s/survivor’s informed consent.

Within this care model, psychosocial assistants, case managers, and “Mamans Chéries” anchor this holistic model of care and are responsible for conducting initial intake interviews and completing identification forms. They ensure both intake and reception of a victim/survivor and inform the individual about their rights, available services, and options (as well as potential consequences/outcomes). Emergency needs are identified and the victim/survivor is treated with compassion and dignity throughout, always ensuring consent and confidentiality. Even Mamans Chéries maintain a professional relationship with the victims/survivors to monitor their well-being by making regular home visits. They are vital in ensuring that the victim/survivor feels safe, building emotional resilience and trust and helping them gain a sense of self-worth.

## Challenges Providing Holistic, Survivor-Centered Support to Victims/Survivors:

### 1. Geographic Limitations and Access Restrictions.

Geographic limitations may prevent victims/survivors from seeking documentation or other kinds of support for the effects of CRSV. Reaching victims/survivors is difficult in cases where they are dispersed across a region, such as in Syria. Several barriers to accessing holistic care for victims/survivors of CRSV exist, such as far distances to service providers, lack of information about available services, stigma, lack of financial means, and prevailing corruption within a given context. Fear of being identified as a survivor is also a barrier to accessing holistic care, as this may pose security concerns to victims/survivors. Further, services are often centralized in urban areas, which excludes victims/survivors living in rural areas from access to care despite such locations often being those with the people most profoundly affected by conflict.

There is a restriction on access to victims/survivors in certain contexts, such as in Myanmar, due to ongoing security concerns and difficulties with creating secure and stable communications channels. As such, organizations struggle to establish regular communication with victims/survivors and organize in-person activities. This may affect the trust-building process.

### 2. Personnel Limitations.

It takes a significant amount of time to train documenters, case workers, and outreach teams on the implementation of survivor-centered and trauma-informed approaches. Teams must be trained extensively and receive the necessary capacitation to provide ongoing follow-up and mentoring to support trainees as they take on complicated cases. The survivor-centered and trauma-informed approaches to victims/survivors are very time-consuming for documenters, as victims/survivors require much patience and frequent breaks to complete the evaluation. While completing the evaluation in one sitting would be more efficient, victims/survivors may need more time and sometimes require follow-up visits to undertake the entire process. Further, cultural views may not accept the principles that underlie trauma-informed and survivor-centered approaches, such as victim/survivor confidentiality, privacy, and agency. This may pose an additional challenge to the adoption of these approaches. Further, there may be a need for more female staff or staff who can respond to the specific case of SGBV.

Another challenge that those working in this field face is secondary traumatization they experience in documenting CRSV crimes. Many documenters have experienced traumatic incidents of arbitrary arrest, detention, disappearances of family members, and living close to conflict. In creating a survivor-centered process, documenters are naturally secondary to the needs of the victim/survivor, and the risk of burnout is high.

### 3. Discrimination and Stigmatization.

Victims/survivors often face various forms of stigma that can have profound and long-lasting effects on their lives. Stigma surrounding CRSV victims/survivors is a complex issue influenced by cultural, social, and institutional factors. Stigmatization can exacerbate the psychological trauma experienced by survivors. Feelings of guilt, shame, and self-blame may be intensified, leading to mental health challenges such as depression, anxiety, and PTSD. Victims/survivors may face blame and shame from their communities, families, or even themselves. Cultural norms and societal attitudes that place the burden of shame on victims/survivors can hinder their ability to openly discuss their experiences. Communities may distance themselves from them due to misconceptions and prejudiced beliefs, leaving victims/survivors feeling alone and rejected. Misunderstandings, cultural taboos, and the fear of tarnishing family reputation may lead to ostracization. As such, stigma can affect the victims'/survivors' willingness to report incidents of CRSV or pursue legal action. Fear of retaliation or disbelief, or the expectation of further stigmatization within the legal system may discourage victims/survivors from seeking justice. Stigma can also impact access to health care services, including reproductive health and mental health services. Health care providers may hold biased beliefs, leading to suboptimal care or judgment.

In contexts that discriminate or oppress members of the LGBTQ+ community, the silence around sexual violence is intensified. It is therefore difficult to have open discussions and refer to appropriate LGBTQ+ follow-up services due to the fear of stigma and even violence that survivors may face should confidentiality be breached. As such, these cases are often documented without reference to LGBTQ+ issues, which hinders the victims'/survivors' ability to recover and heal. Stigma silences victims/survivors, isolates them, and prevents them from accessing necessary services.

Structural gender inequalities and cultural norms associated with SGBV exacerbate challenges for women victims/survivors. Sexual violence is considered extremely sensitive in cultural contexts that place women victims/survivors under the weight of highly valued notions of chastity and virginity before marriage.<sup>20</sup> Children born of war are often rejected or neglected, perpetuating the trauma cycle. They face challenges such as identity issues, stigma, discrimination, lasting trauma, and marginalization.

In Sri Lanka, for example, NGOs cannot openly work on psychosocial support for victims/survivors of CRSV due to the stigma associated with sexual violence and mental health issues. As such, the extent of sexual abuse during conflict is highly underreported.<sup>21</sup> Further, many believe that sexual abuse of men is impossible and that a man who has been raped must therefore be weak or homosexual.<sup>22</sup> Fears of social stigmatization following sexual violence and of reprisals have therefore created a culture of silence in many contexts. In BiH, cultural and societal norms often discourage men from openly discussing their personal experiences, including traumatic events. The pressure to conform to traditional notions of masculinity can contribute to the reluctance of male victims/survivors to share their stories publicly. While some male victims/survivors have spoken before the ICTY about the sexual violence they have been subjected to, almost none have appeared before the domestic courts. In Uganda, a survey was conducted by BMC International Health and Human Rights, revealing that 6.7 percent of men reported being exposed to CRSV.<sup>23</sup> Uganda's RLP reported that male victims/survivors do not feel like men, affecting their identity and self-image.<sup>24</sup>

## 4. Legal Challenges

**4.1. Pathways to Accountability.** It is not often that pathways to accountability at the domestic or international level are available to victims/survivors. In many contexts, domestic prosecutions are not possible, such as in Syria. In these contexts, victim/survivor satisfaction is impacted, especially when they seek to secure justice and accountability for CRSV crimes via prosecution. In contexts where the only avenues for justice and accountability available are international pathways, the process of obtaining evidence for international criminal proceedings is very lengthy and may lead to disillusionment for the victim/survivor. This may impact their sense of hope and healing. It is important for organizations working in such contexts to manage expectations.

**4.2. Availability of Support.** Another legal challenge that victims/survivors face in seeking accountability is that there is often no support available to enable victims/survivors to participate in legal proceedings. In contexts where pathways to accountability exist at an international or domestic level, there is often a lack of familiarity with courtroom proceedings, which leaves victims/survivors feeling uncomfortable and fearful. It is vital that organizations play a role in ensuring that they are aware of their rights and know what the process will entail. Extensive support is often needed to ensure that testimonies are legally sound, particularly in cases of sexual violence where testimony may be the sole evidence of the crime. Further, victims/survivors may likely require much psychosocial support before, during, and after the legal process to avoid events of re-traumatization. The gap between victims/survivors and court proceedings means that CSOs must undertake considerable outreach to ensure public understanding of the process and its implications. The practice of holding trials in locations so distant from victims/survivors complicates the management of their expectations, as was the case with Dominic Ongwen's trial at the Hague.<sup>25</sup> It was never intended that the trial be broadcast in war-affected communities.

In contexts where the judicial system is functional or willing to hear such cases, when they do reach the courts, there may be chronic delays, failures in the recording of evidence, and/or a lack of support for victims/survivors of SGBV, such as is the case in Sri Lanka. Another example of the unreasonably slow process is the ongoing trial of Kwoyelo at the International Crimes Division of the High Court of Uganda. There is a growing frustration and feelings of deep betrayal among victims/survivors about the lack of accountability for gross violations committed during and after periods of conflict. They have reported feelings of abandonment because of this, as well as due to the perceived lack of interest on the part of the international community.

**4.3. Capacity of Judicial Systems to Hold Perpetrators Accountable and Deliver Justice.** Where organizations provide legal assistance for criminal prosecutions, such as in the BiH context, prison sentences for sexual violence tend to be relatively short, ranging from six to 10 years. However, it is noteworthy that victims/survivors have reported that a definitive verdict of guilt acknowledges their trauma under circumstances of general denial. Further, while compensation orders may not be substantial, victims/survivors again have reported on the symbolic value of such an order. Another significant challenge in contexts where criminal prosecutions are possible lies in the sheer length of the process of prosecuting war crimes. In BiH, for instance, this, along with a lack of resources and a limited justice system capacity, poses significant obstacles in the achievement of justice. As such, retributive justice alone is clearly insufficient, as punishment for the perpetrators does not necessarily equate to justice for the victim/survivor.



**4.4. Stigma and Reprisals.** In many contexts, victims/survivors are hesitant to seek legal justice due to fear of reprisals and the stigma they may face by society after revealing experiences of CRSV. This could lead to retraumatization and other adverse consequences, even leading to risks to their personal safety. Where there is inadequate support for victims/survivors during legal processes, these challenges may prevent victims/survivors from seeking justice altogether. Further, where judicial and related personnel are not adequately trained to conduct proceedings in a survivor-centered manner that ensures the safety of all witnesses, such proceedings are likely to become compromised and may indirectly uphold the culture of impunity for CRSV.

## 5. Funding Limitations

A pressing problem for organizations undertaking the work of documenting CRSV and providing various services to victims/survivors is the ongoing effort to obtain funding. Funding opportunities are often limited to one to two years. In contrast, three to five years would better provide organizations with the flexibility to monitor, evaluate, learn, and improve in helping survivors in a way that is responsive to their needs. Further, many large state funders prefer to work with international NGOs instead of local community-based organizations doing tailored survivor-centered work. Long-term funding is essential to ensure continued operations.

Donor reporting requirements put organizations in difficult positions due to the confidential nature of their work. Quarterly feedback requirements may be too intrusive for victims/survivors, and new ideas on reporting that capture psychological achievements as opposed to typical developments on project goals of numerical metrics are needed. Financial constraints also limit the capacity of organizations to provide holistic support to victims/survivors of CRSV.

## 6. State Repression

In contexts where state repression is still experienced, public outreach efforts may be impacted and, therefore, victim/survivor groups may be more difficult to reach. Censorship issues may arise, such as in northern Uganda where a documentary screening on CRSV issues was banned. Recently, the Office of the United Nations High Commissioner for Human Rights (UNOHCHR) ceased operations and exited Uganda following a refusal by the government to renew the agreement that allows them to operate in the country.<sup>26</sup> In Sri Lanka, organizations that work with victims/survivors fear reprisals from state authorities, and the support they can provide is therefore limited. In this context, despite the end of the civil war, there are ongoing allegations of widespread sexual violence committed by security forces against Tamils of all ages and genders, typically occurring during unlawful detentions.

Many countries are experiencing ongoing conflict, resulting in ongoing human rights violations. When victims/survivors live in an environment of continuous conflict and ongoing violations, this leads to a variety of difficulties in relation to disclosure, including severe stigmatization of sexual violence, distrust in institutions, and feelings of betrayal. The creation of safe spaces in these contexts is challenging.

## 7. Reparations

Monetary compensation affords funds the basic needs of victims/survivors. Based on the UN Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (UN Basic Principles), all war crime victims have a right to remedy and reparation. This is an important acknowledgement of the fact that many victims/survivors of CRSV also face economic and other human rights violations, such as being displaced from their home, losing a primary breadwinner for the family, and losing their job due to instability, trauma, or social stigmatization. Many contexts reflect the right to reparations in the national legislation, yet this right is not realized on the ground. For example, national legislation in BiH provides for the right to reparations.<sup>27</sup> Despite this legislative reflection, victims/survivors seeking this form of justice must rely on NGOs for support. Compensation is rarely awarded during criminal proceedings, with courts instead referring victims/survivors to civil proceedings to claim compensation. It is unlikely that CRSV cases will proceed on this basis, as the protective measures afforded to victims/survivors in criminal cases are not similarly provided in civil cases. Recent developments in the War Crimes Chamber, however, have led to an increase in frequency of compensation being awarded to victims/survivors. The Federation of BiH also provides reparations for victims of war, and victims/survivors of CRSV are recognized as war victims. But to obtain this status, they require a special certificate confirming that they have suffered sexual violence.

In Colombia, on the other hand, the Victims and Land Law (Law 1448) was approved in 2011 to regulate assistance to victims/survivors, provide humanitarian aid, and ensure reparation. This law gathered statements from over 9 million victims/survivors and established an institutional framework with their participation in the Victims Tables. Among these is a Table for Sexual Violence that enables women to have enhanced access to more speedy reparations, including housing, psychosocial support, recognition, and economic compensation. As of 2022, 13 percent of victims have been provided with reparations, amounting to 1.2 million compensations.

In the DRC, victims/survivors of sexual violence have a legal right to compensation and perpetrators have a legal obligation to remedy the harm suffered by victims/survivors. In addition to criminal proceedings, victims/survivors have the right to bring a civil action before the Congolese courts to claim compensation. Victims/survivors must lodge complaints with military courts in cases of genocide, war crimes, or crimes against humanity. In 2021, national authorities announced the creation of a national reparations policy. However, victims/survivors have not obtained reparation through judicial remedies due to several legal and procedural obstacles, including difficulty accessing judicial institutions in provincial capitals. Victims/survivors bear a heavy burden of proof, resulting from the lack of access to legal aid and the strict laws governing how evidence and testimony may be presented in court. The difficulty in identifying perpetrators exacerbates this. Procedures are prohibitively expensive, and even if an order is granted for a victim/survivor, perpetrators are often insolvent, and the state is either unable or unwilling to enforce payment obligations.

## Recommendations

### 1. COMMUNITY OUTREACH

**1.1. Combat Stigma and Raise Awareness on the Impacts of CRSV.** Increased and targeted community outreach efforts should be undertaken to raise awareness of sexual violence, its impact on victims/survivors and communities, and the importance of justice and accountability. Efforts should also include raising awareness about the documentation process, survivor rights, and available support services. This will require engagement with local community leaders, organizations, and networks to ensure comprehensive coverage and reach. CSOs that focus on CRSV can partner with community-based stakeholders to develop educational programs targeted at ending stigma and raising awareness on the impacts of CRSV. When the voices of victims/survivors are silenced, their pain and suffering disregarded, or their quest for truth and justice denied, a sense of injustice is felt, fostering a deep sense of mistrust in the system. By acknowledging and validating their experiences, providing opportunities for their voices to be heard, and promoting a comprehensive understanding of history, societies can work toward breaking the cycle of trauma and building a foundation of truth, justice, and healing that mitigates the risk of radicalization.

Outreach to combat the stigma of CRSV is important to create an environment in which victims/survivors feel safe to seek support, treatment, and justice. Such efforts should aim to increase receptiveness by communities to discuss difficult experiences of sexual violence to create a more supportive environment for survivors to embark on their healing journey. Multi-stakeholder participation across genders and throughout communities is crucial in reaching a critical mass of people who can diminish negative assumptions about survivors of sexual violence. Creating platforms for victims/survivors to share their testimonies, raise awareness, and acknowledge gender-based violence would encourage truth-telling and work toward reducing stigma.

**1.2. Ensure That Justice and Accountability Processes Are Inclusive and Accessible.**

Excluding groups perceived as more difficult has consequences. Views of all political groupings, including those of more radical groups, must be incorporated into national narratives of history and how to approach justice holistically. Further, while international bodies recognize historical CRSV attacks, some refuse to acknowledge CRSV that occurs today. In countries with ongoing low-intensity conflicts, recognition of the widespread and systematic use of CRSV as a weapon of war has yet to be acknowledged, such as in the case of Sri Lanka. It is important not to fragment survivor groups. A series of ongoing, in-person, confidential meetings between donors, UN agencies, special mandate holders, Geneva core group member states with victims/survivors (including recent ones), and excluded diaspora groups abroad (separately) to address this fragmentation may be helpful.

Given the social and legal constraints and difficulties around disclosure of experiences of sexual violence, allowing for a broader conceptualization of survivorhood has the potential to reach survivors of CRSV who would be barred from accessing support otherwise.

Community outreach is also vital to increasing awareness of the justice mechanisms available to victims/survivors, both locally and internationally. Outreach, in general, is important in building trust with the community so that survivors feel safe to come forward. Awareness campaigns that challenge harmful norms and attitudes are vital to creating a more inclusive and safer environment. An

intersectional approach to survivors is important, as understanding the contexts concerning survivors allows for a more customized intervention for each situation. Without accounting for women and their circumstances, interventions may re-victimize them. Using an intersectional approach allows interventions tailored to individual needs based on various kinds of oppression victims/survivors experience in different situations. This consideration fosters greater empathy and generates more trust in support and interventions.

CSOs and NGOs should consider the importance of awareness raising and outreach in their programming. Donors should also fund more work related to outreach and awareness raising to combat societal stigma related to CRSV. Policymakers should ensure that health and related professionals are adequately trained and educated so that people do not face stigma and secondary victimization when seeking professional support. Further, policymakers should stress that professionals follow protocols to preserve the absolute privacy of those seeking support after facing SGBV to enhance their feelings of safety and security without the fear of social stigma and alienation.

## **2. Provide Holistic and Continuous Support with Increased Access to Mental Health and Psychosocial Support**

Support services should be comprehensive due to the multi-dimensional nature of healing from CRSV. Wherever organizations cannot provide certain sought for services, they should establish referral pathways to service providers that are able to do so. Legal support services should have permanent staff to provide consistent assistance. Organizations must prioritize the immediate collection of statements from witnesses and victims/survivors in the interests of justice. By reacting promptly, vital evidence is preserved and a compassionate and efficient legal service is fostered.

Documentation must include psychosocial support in the design of all such efforts. Because documentation may be retraumatizing and stressful, it is crucial that Mental Health and Psychosocial Support (MHPSS) is available to survivors during such a process. Witness support services should be complemented with comprehensive MHPSS interventions, as doing so would benefit victims' well-being and emotional support during legal processes.

The incorporation of basic needs and livelihood support for survivors is essential, especially as victims/survivors tend to be further marginalized through their victimization. However, this support must take a form that offers long-term solutions for survivors fostering self-reliance that builds on existing skills. These restorative measures should operate alongside retributive measures and should focus on healing, reconciliation, and restoring victims'/survivors' dignity.

NGOs and CSOs should consider the need for holistic and continuous support in their program designs. Funders should also allocate more resources to enable NGOs and CSOs to provide comprehensive and continued MHPSS services. These resources should include the capacitation of personnel to be able to provide support in a survivor-centered manner. Personnel should also be capacitated to understand the importance of immediate documentation when providing legal assistance, as well as have referral pathways available should they not be able to provide MHPSS support along with the legal services. Donors and policymakers should also be aware that, should they provide financial livelihood support to victims/survivors, capacity-building that would foster self-sufficiency should be prioritized over providing them with a one-off lump sum. This would have a greater restorative impact on their lives.

### **3. Develop and Enhance Survivor-Informed Consent Materials**

Victims/survivors should be provided with easily accessible and understandable materials to ensure that they understand the information regarding their consent, avenues for justice, and options in terms of support. Efforts should consider the varying literacy levels of victims/survivors in a region and ensure that informed consent is always given freely. CSOs and NGOs should consider this in their material design.

### **4. Continuously Update Training and Documentation Practices**

Organizations should always remain guided by the latest developments in the international community (protocols, guidelines, and best practices for documentation) and regularly update internal training programs and practices to align with the current standards. Professionals who interact with victims/survivors should have continuous training, and donors should consider this need in their resource allocation to organizations. This may require long-term capacity-building programs to ensure the embedding of trauma-informed care within institutions. This also includes ensuring appropriate staff care and support for professionals who may regularly collect testimonies or otherwise engage with CRSV cases and survivors.

### **5. Ensure the Prioritization of Victims'/Survivors' Voices, Their Meaningful Participation, and Continuous Training of Practitioners to Ensure a Survivor-Centered and Trauma-Informed Approach**

Practitioners should prioritize victims'/survivors' voices and experiences in decision-making and program development. It is vital that victim/survivors (especially women) have trust in the interventions offered. Trauma sensitivity must be considered at every stage of program design from conceptualization throughout implementation to evaluation.

A survivor-centered approach means first securing their meaningful participation in all stages of the process of ensuring holistic care, including legal aid and access to justice and accountability. This includes the development of policies and procedures, the planning of programs, and the rollout of services, reparations, and assistance. As such, policymakers, donors, and organizations should take survivor-centered approaches into consideration in their design of policies, programs, and resource allocation. It is also vital that policymakers make survivor participation an integral part of their policy design on matters that concern victims/survivors. Survivor participation may take the form of consultations on laws, reforms, or other programs. Ultimately, consulting with survivors at the start of any process will inform what the survivor-centered approach will look like in that specific context.

For work to remain survivor-centered, efforts should include opportunities for victims/survivors to provide feedback on the services provided by organizations. Such feedback must be analyzed regularly to identify areas for improvement to enhance the survivor's experience.

## 6. Foster Local and International Collaboration and Partnerships

Partnerships are vital, especially for organizations that offer a single service, such as medical documentation, as this will enable them to create a referral system to ensure that the victim/survivor is provided with options for holistic and comprehensive support. This will create an environment in which responses to victims/survivors seeking support are coordinated. Partners should be carefully vetted to ensure that they, too, utilize trauma-informed and survivor-centered approaches in their work. Partnerships will also strengthen the broader efforts in addressing CRSV. Knowledge sharing and collaboration with other organizations working in gender-based violence and human rights contributes to the collective effort of supporting survivors and promoting justice.

Further, multi-stakeholder participation and the bringing together of diverse perspectives and expertise strengthens the pursuit of gender-sensitive justice. The involvement of victims/survivors, activists, legal experts, and various other stakeholders ensures a more holistic and inclusive response to gender-based violence. Again, policymakers must create opportunities for public participation for these stakeholders when considering decisions that would affect them. By encouraging collaboration and understanding among different actors, multi-stakeholder participation enhances the effectiveness of efforts to deliver justice in a gender-sensitive manner, ultimately fostering a more inclusive and compassionate society.

Engaging with international expertise through expert councils is also important to inform decisions and address systemic issues. Multi-stakeholder engagement also fosters cross-learning among professionals and stakeholders to enrich strategies and promote effective gender-sensitive approaches. Building up a peer support network among victims/survivors is key to future movement-building. This network-building must happen on different levels to support exchanges beyond local communities of survivors, creating a stronger foundation for future nationwide advocacy to help empower survivors in mobilizing for action.

## 7. Advocate for Universal Jurisdiction

In contexts where domestic prosecutions are not possible, the only option for criminal accountability is invoking universal jurisdiction. NGOs and CSOs should collaborate with international partners and legal experts to expand universal jurisdiction to countries that still need to be more open to using it. Engagement with governments and international bodies is necessary to encourage the prosecution of perpetrators and promote accountability. This is also an opportunity for donors to provide organizations with networking opportunities to enable such international collaboration.

## 8. Address Historical Memory

All stakeholders should recognize and acknowledge the experiences of marginalized groups in order to ensure a more inclusive representation of past events. Inter-generational trauma research is also vital in understanding the transgenerational transmission of trauma and its impact on subsequent generations. This should also consider the experiences of children born of war. Such trauma has an enduring impact on generations of people. In the absence of a truthful and comprehensive account of history, justice, and reparations, younger generations may become vulnerable to radical ideologies that offer simplistic narratives that validate their experiences of pain and victimhood. It is, therefore, necessary for NGOs and CSOs to conduct extensive research and remain mindful of the lived experiences of the people they intend to work with to ensure that their work remains victim centered with the appropriate understanding of the various manifestations of trauma that victims/survivors experience.

## 9. Policy and Legal Reforms

Some contexts do not take seriously the offense of sexual violence, such as in Uganda, which categorizes rape as “an offence against morality” against the “honor of a woman.” These understandings are problematic and exclude many victims of CRSV. Such categorizations must urgently be addressed by modelling domestic definitions of international law. However, it is important to promote survivor-centered approaches in policy discussions. The integration of victim/survivor views and experiences will be achieved by policymakers, allowing for public participation in their decision-making processes. Primary attention at higher levels of policymaking is often directed at documentation for legal accountability processes. Using the transitional justice approach to shift focus to reparation policies can help center attention on survivors of CRSV and create interim policies even in the context of ongoing conflict.

## 10. Offering Long-Term Funding

Securing funding is crucial to sustaining operations. Ongoing fundraising is also necessary to secure funding for three to five years, as opposed to the default period of one to two years. It is recommended that donors and policymakers create more opportunities for long-term funding, which would allow for more meaningful outcomes for projects with a longer timeline. Maintaining public awareness about the ongoing relevance of war crimes is vital to ensure continued support from donors.

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## Endnotes

- 1 Hybrid tribunals such as the ICTY recognizing rape as a war crime and incorporating special protections for CRSV survivors into its proceedings; the case of *The Prosecutor v Akayesu* at the International Criminal Tribunal for Rwanda ruling that rape and other forms of sexual violence could constitute genocide (with the case also handing down the first conviction of an individual for rape as a crime against humanity); the Hissene Habre judgment in the Extra-Ordinary African Chambers in Senegal where rape and forced marriages of women and girls in Chad was declared a crime against humanity; and the case of *The Prosecutor v Dominic Ongwen* before the International Criminal Court, where Ongwen was convicted of 19 counts of CRSV committed by the Lord's Resistance Army in Uganda.
- 2 In 2020, the Kenyan High Court found the Kenyan government guilty of failing to conduct independent and effective investigations and prosecutions in response to SGBV-related crimes during the post-election turmoil of 2007-2008. In Iraq, the Yazidi Survivor Law was passed in September 2021, which led to the establishment of the General Directorate of Survivors Affairs (GDSA), tasked with providing reparations to survivors.
- 3 The City of Joy, established by Dr. Denis Mukwege, and the Foundation Panzi as a leadership training program for CRSV survivors in the DRC, as well as the Women's Truth and Memory Commission, launched by Ruta Pacifica de las Mujeres in Colombia, are a few examples of initiatives that have advanced holistic support for survivors.
- 4 UNOHCHR (2010) Report of the mapping exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the DRC between March 1993 and June 2003. Accessible at [https://www.ohchr.org/sites/default/files/Documents/Countries/CD/DRC\\_MAPPING\\_REPORT\\_FINAL\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/CD/DRC_MAPPING_REPORT_FINAL_EN.pdf).
- 5 Global Initiative for Justice, Truth & Reconciliation (2024) Self-Assessment Toolkit: Analyzing Challenges and Opportunities for Providing Holistic Support to Survivors of Conflict-Related Sexual Violence.
- 6 Ibid.
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- 8 UNOHCHR (2022) Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Accessible at [Istanbul-Protocol\\_Rev2\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Torture/IstanbulProtocol_Rev2_EN.pdf) (ohchr.org); Institute for International Criminal Investigation (IICI) (2022) The Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-Related Sexual Violence (Murad Code). Accessible at [Murad Code](https://www.ohchr.org/sites/default/files/Documents/Issues/Torture/MuradCode.pdf); and Sara Ferro Ribeiro and Danae van der Straten Ponthoz on behalf of the UK Foreign and Commonwealth Office (2017) The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict. Accessible at [un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International\\_Protocol\\_2017\\_2nd\\_Edition.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Torture/InternationalProtocol_2017_2nd_Edition.pdf).
- 9 Kivlahan, AlSharif et al., Long-term physical and psychological symptoms in Syrian men subjected to detention, conflict-related sexual violence and torture: cohort study of self-reported symptom evolution. <https://doi.org/10.1016/j.eclinm.2023.102373>.
- 10 *Prosecutor v. Dragoljub Kunarac et al.* (Trial Judgment), IT-96-23 & IT-96-23/1-A, ICTY, 12 June 2002.
- 11 Ruta Pacifica de las Mujeres (2017) *The Women's Truth: Victims of the Armed Conflict in Colombia Summary*. Truth and memory commission for women in Colombia, p.13. Accessible at <https://rutapacific.org.co/wp/wp-content/uploads/2019/02/165x235-Resumen-Colombia-ingles-FINAL-FEB6.pdf>.
- 12 Ibid.
- 13 Ibid.
- 14 Ibid., p.14.
- 15 Universal jurisdiction offers an alternative route to pursuing justice and accountability by allowing national courts to exercise jurisdiction over individuals for certain serious crimes, regardless of which territory the crime was committed in, the nationality of the perpetrator or victim, or any other connection to the country exercising jurisdiction.
- 16 Asia Justice and Rights (2015) *Opening the Box: Women's Experiences of War, Peace, and Impunity in Myanmar*. Accessible at [Opening-the-Box-English.pdf](https://www.asia-ajar.org/wp-content/uploads/2015/10/Opening-the-Box-English.pdf) (asia-ajar.org); Asia Justice and Rights (2018) *Speaking Truth for Peace*. Accessible at [asia-ajar.org/wp-content/uploads/2021/10/Speaking-Truth-to-Peace-Report-lowres.pdf](https://www.asia-ajar.org/wp-content/uploads/2021/10/Speaking-Truth-to-Peace-Report-lowres.pdf); Asia Justice and Rights (2018) *Speaking Truth for Peace*. Accessible at [Speaking Truth for Peace \(Burmese Subtitle\) | Asia Justice & Rights](https://www.asia-ajar.org/wp-content/uploads/2018/10/Speaking-Truth-to-Peace-Report-Burmese-Subtitle.pdf) (asia-ajar.org); Asia Justice and Rights (2015) *Don't be afraid, We will be with you* (youtube.com); Asia Justice and Rights (2015) *Enduring Impunity: Women Surviving Atrocities in the Absence of Justice*. Accessible at [ENDURING-IMPUNIY-final-23-Nov-press.pdf](https://www.asia-ajar.org/wp-content/uploads/2015/11/Enduring-Impunity-final-23-Nov-press.pdf) (asia-ajar.org); Asia Justice and Rights (2021) *A life in between: Kachin women during the conflict*. Unpublished; Asia Justice and Rights (2022) *Decades of Conflict From Then till Now: The Story of Naw Po and her Village*. Trailer accessible at [TRAILER Decades of Conflict From Then til Now: The Story of Naw Po and her Village](https://www.youtube.com/watch?v=Q2RH8kxCTI&ab_channel=RefugeeLawProject) (youtube.com); Asia Justice and Rights (2022) *Survivors Finding One Another: Survivor Support Groups*. Trailer accessible at [TRAILER Survivors Finding One Another: Survivor Support Groups - YouTube](https://www.youtube.com/watch?v=Q2RH8kxCTI&ab_channel=RefugeeLawProject); & Asia Justice and Rights (2019) *Quilt Memory and Hope: Stories of Women from Rohingya Refugee Camps*. Accessible at [Memory-Quilt-Photobook-Compressed.pdf](https://www.asia-ajar.org/wp-content/uploads/2019/06/Memory-Quilt-Photobook-Compressed.pdf) (asia-ajar.org).
- 17 Ribeiro, Sara Ferro, and Danae Van der Straten-Ponthoz op cit note 7.
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- 26 The New Vision Newspaper (30 May 2023) UN Human Rights Office exits Uganda. Accessible at <https://www.newvision.co.ug/category/news/un-human-rights-office-exits-uganda-161557>.
- 27 The General Framework Agreement for Peace in Bosnia and Herzegovina. Annex 6: Agreement on Human Rights. Based on Annex 6 of the Dayton Peace Agreement, the European Convention on Human Rights and its Protocols as well as the International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel Inhuman and Degrading Treatment, are directly applicable in Bosnia and Herzegovina and so is the right to a remedy enshrined by them.



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