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AFRICAN TRUTH COMMISSIONS AND SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE

Opportunities and Challenges for Greater Inclusion

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CSV
Centre for the Study of
Violence and Reconciliation

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EXECUTIVE SUMMARY

Within the international development and human rights communities, awareness of the use of conflict-related sexual violence (CRSV) as a tool of war has grown significantly over the past two decades. Truth commissions have emerged as a key response to support victims of CRSV and provide recommendations on how the state should provide assistance and avoid future violations. This report draws on an analysis of the final reports of truth commissions in four African countries—Sierra Leone (2004), Liberia (2009), Kenya (2015), and Tunisia (2019)—to explore the evolving nature of truth commission engagement with this specific mandate on the continent.

Truth commissions have noticeably responded to this challenge both through more targeted mandates and by investing in interventions and recommendations. This engagement with survivors of CRSV has, however, experienced significant gaps when it comes to inclusivity. While CRSV against women and girls has been highlighted and their needs increasingly incorporated into the work of truth commissions, male and non-binary survivors of CRSV have not been consistently included in such efforts.

Specifically, a lack of gender inclusivity in victim statement taking and reparations programs has been encouraged by gaps in international normative frameworks and by national-level prioritization of narrow constructs of gender and sexual violence. While there has been some notable progress, this report examines the exclusionary impacts that preferential language of norms and mandates can have on truth commission processes. The report concludes with suggestions for how this gap can be addressed by truth commissions and international norms.

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INTRODUCTION

Over the past decade, CRSV has become increasingly recognized in transitional justice mechanisms across the globe. Providing support for survivors, delivering justice, and building preventative legal frameworks are now recognized as key elements of broader post-conflict justice processes.¹ In particular, the international transitional justice community has evolved in its recommendations, definitions, and prioritization of reparative measures for survivors of CRSV. This relatively recent evolution is reflected in truth commissions around the world, particularly in Africa. CRSV and its survivors are increasingly prioritized in African truth commission mandates, final reports, and the mechanisms by which reparations are determined and disseminated.

Because many recent truth commissions are specific in the ways that they define, process, and ultimately aid survivors of CRSV, it is possible to identify clear normative shifts, not just in the prioritization of CRSV, but also in the way the world understands gender-

based violence more broadly. One of the most prominent themes is the evolution of who is recognized as a victim of CRSV.

CRSV is conventionally conceptualized as solely affecting women—an understanding that often manifests as an explicit exclusion or marginalization of men and non-binary persons from consideration, both by international norms and by truth commissions.² This mentality is reflected in international treaties, conventions, and other documents that limit their survivor groups to female-bodied people.³

Women and girls were and continue to be the group most affected by CRSV, and it is understandable that most resources are targeted at them. However, the danger of doing so to the exclusion of men and non-binary persons is two-fold.⁴ First, it can further marginalize and stigmatize these victims in societies where they already face serious barriers to sharing their stories. And second, the simplistic narrative that depicts men as perpetrators and women as victims serves to reinforce exactly the gender norms that fuel conflict and violence in many of these societies.

1 See U.N. Secretary General, *Conflict-Related Sexual Violence*, ¶¶ 7-8, U.N. Doc. S/2020/487 (June 3, 2020).

2 Non-binary in this context refers to those persons whose gender identity does not fit into the male/female binary, and the term encompasses a wide range of gender identities and expressions. See Walter Liszewski et al., *Persons of Nonbinary Gender – Awareness, Visibility, and Health Disparities* 379 *THE NEW ENGLAND J. OF MED.* 2391 (2018).

3 CRSV did not receive significant international attention until around 2008. Inspired by the Beijing Declaration and the “Women 2000” special session of the General Assembly, the Security Council passed Resolution 1820 on June 19, 2008 which not only brought CRSV to the forefront, but was the first to assert “that women and girls are particularly targeted by the use of sexual violence.” Resolution 1820 was followed by Resolutions 1888 (2009), 1960 (2010), 2106 (2013), 2242 (2015), 2331 (2016), and 2467 (2019), all aimed at reducing the impacts of conflict-related sexual violence on survivors.

4 This study searched for any mention of victimization of non-binary persons or victims from the LGBTQ community, but given the lack of information at both the local and international level, this report focuses on male survivors. There is no mention of non-binary or gender-nonconforming in any of the truth commission reports referenced in this study.

The narrow definition of survivor has changed significantly, and the international community now recognizes a broader conceptualization of CRSV that includes men and boys, as well as non-binary persons, to a lesser degree. However, this conceptual shift in the international community only became cemented in 2019, and the extent to which truth commissions will adopt this norm remains to be seen.⁵

The disconnect is due in part to the condition placed on the recognition of men and boys as victims in most United Nations and other international documents. While these documents do broaden the victim pool, they make sure to note the disproportionate effects of CRSV on women and girls.⁶ Although this statement is perfectly accurate, when used immediately preceding the relatively new recognition of men and boys and non-binary victims, it creates space for a dangerous loophole for truth commissions and other international efforts to sideline men and boys survivors of CRSV in contexts where social or political prejudices marginalize such groups' needs.⁷

The African Union Transitional Justice Policy (AUTJP), adopted in 2019, reflects international trends that highlight the importance of justice for victims of CRSV, but fails to explicitly highlight male or non-binary victims. However, the AUTJP does note that gender-based violence is a particular concern, and suggests a number of measures for truth commissions.⁸ Specifically, the policy recommends that

TJ commissions should pay special attention to sexual and gender-based violations, including harmful cultural practices, rape and sexual violence. Special hearings should be arranged, focusing on violations affecting women and girls. ... Special chapters on women and girls should detail issues of discrimination and inequality affecting them. Reports should include recommendations to advance women's and girls' rights.⁹

The AUTJP espouses a "holistic" approach to addressing gender-based violence, including the "societal structures and conditions that permit such violations."¹⁰

5 The narrow focus on women and children remained much the same until Resolution 2467 in 2019, which was the first UNSC Resolution to include a standalone paragraph recognizing that men and boys could also be victims of conflict-related sexual violence. There were a few prior inclusions of "men and boys" as victims in UN documents, but Resolution 2467 marked a clear and concrete acceptance of a permanent expansion of the victim terminology.

6 The inclusion of men and boys in the pool in Resolution 2467 followed the condition that "sexual violence in armed conflict and post-conflict situations disproportionately affects women and girls." S.C. Res. 2467, ¶ 32 (April 23, 2019).

7 The qualifying language is much less direct in the most recent U.N. Secretary-General Report (2019), *supra* n 2, but the emphasis on female victims remains. For example, though men and boys are included in the definition, the large-scale proposed solutions to CRSV are female-focused. *Id.* ¶ 3. *See supra* n 4, as well.

8 African Union Transitional Justice Policy ¶¶ (39)(i)-(ii) (Feb. 2019), https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf [*hereinafter* AUTJP].

9 ¶ 53(vii).

10 ¶ 66(iii).

AN ANALYSIS OF FOUR AFRICAN TRUTH COMMISSIONS

The purpose of this study is to examine the increased focus on CRSV internationally and within African truth commissions, and assess how the conceptualization of victim inclusion has evolved at both of these levels. This study examined the final reports of the truth commissions in Sierra Leone, Liberia, and Kenya, and the executive summary of that in Tunisia. These reports were chosen because they present both a geographic spread and a chronological range that spans most of the last two decades, the period during which CRSV norms have become critical in truth commission operations. All four final reports are substantial documents that engage explicitly with issues of CRSV, and thus give insight into how each commission conceptualized and operationalized its reparative efforts.

The study undertook a systematic review of the content of the final reports to note any mention of CRSV, specifically flagging their conceptualization of victims. The Appendix presents a collection of the most critical quotes from each of the four final reports. The data is split into four columns: terminology, international norms, statement taking, and reparations provisions. The terminology column presents survivor pool definitions, those that include male victims or those that explicitly focus on female victims. The international norms column consists of quotes in the final reports that mention international law utilized by each commission in its approach to characterizing CRSV. Many of the references in this column are general, but serve to demonstrate the strong relationship between the commissions and international norms. The statement taking and reparation provisions

columns are representative of the sections in each of the reports where there are references to men and boys victims of CRSV, or where reports notably neglect to account for male victims.

Overall, the truth commission reports demonstrate a theme of substantive and purposeful support for victims of CRSV. Engagement with CRSV is consistently present in the four reports, and has grown in scope over the period examined in this analysis. Even as early as 2004, African truth commissions were acknowledging and providing specific support for victims of CRSV. The Tunisian summary report in particular illustrates the immense progress toward inclusivity made in recent years. CRSV is clearly an issue that has been taken seriously by African truth commissions, and continues to a priority for the African development community as a whole.

Across all four final reports, it appears that there is a general understanding that men and boys can be victims of conflict-related sexual violence. Where the commissions diverge is the ways in which they supported men and boys as victims. Unsurprisingly, the bulk of the interviewing and reparation efforts in all four cases were designed to support women and girls. Specific provisions for the hiring of female statement takers (but not for male statement takers), reparations for survivors of sexually violent acts that assumed the survivor to have a female body, and female-centered submissions are some examples that speak to a wholly under-inclusive pattern that seems to leave male victims of sexual violence uninvolved in the process. Although technically men and boys were allowed to report surviving CRSV in each case, the mechanisms that

would allow them to do so were tenuous at best.¹¹ Resources, strategy, and mechanisms were focused on female victims of sexually based violence. While female victims do make up the vast majority, and do face extremely high obstacles to reporting, it is possible that the female focus of the international community¹² and consequently the truth commissions is excluding men from the process.

Sierra Leone

In 2004, CRSV had not yet risen to its present level of international priority. Yet, the Sierra Leone Truth and Reconciliation Commission took affirmative steps to provide reparative measures to victims. In the final report's introductory discussion sections, the commission even goes so far as to acknowledge that it may be possible for men and boys to receive reparations for sexual violence. However, the interview mechanisms and reparations provisions were clearly oriented toward female victims of CRSV. Female victims were afforded privacy and other protections during statement taking procedures, as well as comprehensive medical care. The same cannot be said for male victims, even though they were briefly acknowledged. Overall, the Sierra Leone report takes important steps toward inclusivity, but seems to falter when operationalizing that sentiment.

*Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*¹³ was in some respects ahead of its time when compared with the state of CRSV international norms of 2004. Even though CRSV was not an international priority at the time, there are mentions of men and boys as victims of CRSV in the report, such as, "To the extent men and boys suffered from sexual violence, they will also be beneficiaries of this programme."¹⁴ However, that is the extent to which

the report appears to take male victims of CRSV into consideration. The mandate required the commission "to pay specific attention to the experiences of women and children"¹⁵ and the report contains a list of victims of sexual violence. On that list, entitled "victims of sexual violence and forced conscription,"¹⁶ there are both male and female victims. The female victims are explicitly victims of sexual violence and the list succinctly describes them as victims of "rape," "sexual slavery," and "assault." The men on the list do not have any violations of an explicitly sexual nature attached to their names. For men, the list uses terms like "torture," "assault," and "stripped," but never "rape" or "sexual slavery."¹⁷ It is entirely possible that none of the men on the list was a victim of CRSV, but it is also possible that "torture," "assault," and "stripped" are indications of sexually violent acts. Sierra Leone very clearly took international legal frameworks into consideration during the truth commission process—the apparently progressive acknowledgment that men and boys can be victims of CRSV appears to have been little more than lip service.

In addition to a lack of recording sexually violent acts committed against male victims, the report also makes express provisions for "women and girls" testimony-taking, hiring female statement takers, and creating mechanisms by which male commission staffers could and should be excused from the process if it made female victims more comfortable.¹⁸ There are no explicit references to specific male victims of sexual violence in the report. If they were not categorized as such, it is then possible that male victims would not have been able to access the "free physical (and where necessary, mental) healthcare" promised to survivors of sexual violence.¹⁹ Furthermore, the physical implications of sexual violence listed by the report assume that the survivor has a female body;

11 In the majority of these cases, though the Tunisian truth commission is a bit of an outlier, in that it is more inclusive.

12 "Female focus" in this sentence refers to the perpetual couching of men and boys victims of CRSV behind language that women and girls are the primary victims of CRSV. See above paragraphs.

13 All volumes of *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission* are available for download here: <http://www.sierra-leone.org/TRCDocuments.html> [in this section, "the Report"].

14 Sierra Leone, "Terminology" (quote 1).

15 Sierra Leone, "Terminology" (quote 2).

16 Sierra Leone, "Terminology" (quote 2).

17 Sierra Leone, "Terminology" (quote 3).

18 Sierra Leone, "Statement Taking" (quotes 7-11).

19 Sierra Leone, "Reparations Provisions" (quote 12).

there is no parallel list of medical complications for male victims.²⁰ The report does, however, provide for medical care for the wives of *eligible* male victims of sexual violence.²¹ Overall, it is unclear whether or not male victims of sexual violence were counted in the report, or if they were defined under broader terms of “torture.” While it is possible that, on the ground, the commission staff were specifically counting and providing reparations to male CRSV victims, this is not detailed in the final report.

Liberia

Five years after the commission in Sierra Leone, the Liberia Truth and Reconciliation Commission published its final report. In the report, there is no general acknowledgment that men and boys can be and are victims of CRSV. However, male victims are included in a narrowly defined “sexual abuse” category of crime. The report also operationalizes a number of definitions of sexually violent crimes; some that are specifically gender-neutral, and others that reflect exclusively male perpetrators and female victims. There is a significant amount of international language reflected throughout the report that seems to promote a gender-neutral understanding of the CRSV victim pool. Yet, when it comes to providing mechanisms for statement taking or reparations, it appears that these measures were designed for women exclusively. Reading between the lines, it may be possible to infer that male victims were included in some capacity, but the report is obscure. Liberia is reflective of the international normative framework at the time, and represents comprehensive steps for bringing justice to female victims of sexual violence.

The *Republic of Liberia Truth and Reconciliation Commission Final Report*²² is similar to that of Sierra Leone’s in its treatment of male victims of CRSV (or lack thereof). It focuses on women victims when describing the atrocities of CRSV, but uses confusing language shortly thereafter, explaining that women victims are “overrepresented among rape victims” but that the commission encountered “relatively more male than female victims for sexual abuse,” which it defines as “stripping the victim naked” for the purposes of humiliation.²³ However, the report does not acknowledge any male victims of rape, sexual slavery, or sexual violence. Apart from this narrow definition of “sexual abuse” to which males were subjected, the report does little to acknowledge male victims of CRSV. It also includes two distinct definitions of rape: one that assumes the perpetrator to be a male,²⁴ and another “human rights definition” of rape that is not gender-specific.²⁵ It is unclear which one specifically the commission applied in its analysis of CRSV of either gender.²⁶

The commission’s report also makes note of its dependence on international law, including international human rights law and international humanitarian law, though not specifically with regards to conflict-related sexual violence.²⁷ The statement-taking process is described with similarly broad strokes: “victim friendly” and “gender sensitive” may be read as applying to male victims of sexual abuse, but in this context appears to be more exclusively understood.²⁸ It is also unlikely that male victims were considered under the “special consideration” for “vulnerable groups” during the interview process.²⁹ Furthermore, the reparations provisions for victims of CRSV appear to limit the victim pool to women. “Priority” is given to

20 Sierra Leone, “Reparations Provisions” (quote 13).

21 Sierra Leone, “Reparations Provisions” (quote 14).

22 All volumes of the *Republic of Liberia Truth and Reconciliation Commission Final Report* are available for download here: <http://trcofliberia.org/reports/final-report.html> [in this section “the Report”].

23 Liberia, “Terminology” (quote 6).

24 Liberia, “Terminology” (quote 3).

25 Liberia, “Terminology” (quote 4).

26 It is possible that the “human rights definition[s]” of both rape and sexual violence (Liberia, “Terminology,” quotes 4-5, and footnote 10) are there to acknowledge that the commission is taking international consensus on CRSV into account.

27 See Liberia, “International Norms.”

28 Liberia, “Statement Taking” (quote 10).

29 Liberia, “Statement Taking” (quote 12).

“victims of sexual violence,” but it has been established that men are victims of “sexual abuse” and the two are not necessarily included in the same category.

In addition, the report defines reparations for victims of sexual violence in a way that assumes the victims are women: “There should be specialized clinics for women to deal with the specific problems resulting from the [sexual] violence of the war.”³⁰ The report is in a similar situation to that of Sierra Leone: while it appears to recognize male victims of CRSV on the surface, the lack of statement-taking mechanisms or reparations for male victims clearly indicates a disconnect between stated commitments and how these are translated into action.

Kenya

The final report of the Kenyan Truth, Justice and Reconciliation Commission shows significant progress in the acknowledgment of male victims of CRSV. Notably, the report is explicit in its recognition that men and boys can and do suffer from CRSV. Furthermore, the report details the types of sexual violence suffered by men, and addresses the fact that male victims also face extremely high barriers to reporting CRSV. This represents a great leap toward inclusivity, concurrent with a broader conceptualization of CRSV victims by the international community. While the recognition by Kenya of male victims of CRSV is a considerable victory for inclusion, there appear to have been few steps actually taken to further that goal. However, many of the recommendations pertaining to sexual violence do use gender-neutral language. Although statement-taking and reparations provisions that affirmatively address male victims were not included, a shift toward predominantly gender-neutral language is significant. The commission’s explicit recognition of male victims of CRSV and utilization of gender-

neutral language in many of its recommendations demonstrate a more inclusive conceptualization of CRSV victims at the domestic and international levels.

The *Report of the Truth, Justice and Reconciliation Commission*³¹ of Kenya, while more recent than those of both Sierra Leone and Liberia, is also significantly more inclusive of male survivors of CRSV. It acknowledges the shifting international norms regarding definitions of victimhood: “Over time, there has been an acknowledgement that men and boys are also victims of sexual violence.”³² Also unlike those of Sierra Leone and Liberia, the report specifies the types of sexual violence and abuse that were suffered by men, in a structure parallel to the way sexual violence against women is detailed.³³ However, while the commission recognized that men are victims of sexual violence, the report uses almost the exact same qualifying language as the U.N. Resolutions and Secretary-General reports referred to above.³⁴ Specifically, it notes that “while both men and women may be victims of rape and sexual violence, in practice, women are the predominant victims of this kind of crime.”³⁵ The report further notes that sexual violence against men is “under-reported” and “under-investigated” as “compared to sexual violence against women,” but installs few mechanisms in its statement-taking strategy or reparations section to correct this imbalance.³⁶ Similarly, the report provides exhaustive and gender-neutral recognitions of the governing international legal norms, even going so far as to criticize the lack of inclusion of male victims in Kenya’s legislation.³⁷ For these reasons, Kenya’s truth commission represents a significant leap forward in acknowledging and providing for male victims of sexual violence.

The commission collected 1,104 statements regarding sexual violations, only 103 of which were from men.³⁸

30 Liberia, “Reparations Provisions” (quote 17).

31 All volumes of the *Report of the Truth, Justice and Reconciliation Commission* are available for download here: <https://digitalcommons.law.seattleu.edu/tjrc-core/> [in this section, “the Report”].

32 Kenya, “Terminology” (quote 1).

33 Kenya, “Terminology” (quote 3).

34 Kenya, “Terminology” (quotes 4 & 7).

35 Kenya, “Terminology” (quote 9).

36 Kenya “Terminology” (quote 5).

37 Kenya, “International Norms” (quote 12).

38 Kenya, “Statement Taking” (quote 13).

It noted that it had proof that there were many more male victims that did not come forward, but its report does not mention provisions for psychosocial or other support geared toward the needs of male survivors specifically.³⁹ Notably, in the “Recommendations” section, the medical and psychological reparations recommended for victims of sexual violence are almost entirely gender neutral.⁴⁰ And unlike the medical terms used in the Sierra Leonean truth commission’s reparations section, the Kenyan truth commission report lists physical impacts of sexual violations that are not limited to female-bodied individuals.⁴¹

Tunisia

The most recent and the most inclusive, the Tunisian Truth and Dignity Commission’s executive summary represents a marked difference in the way truth commissions and the international community conceptualize victims of CRSV. The summary explicitly recognizes that men and boys can be victims of sexual violence and rape, and provides specific mechanisms for statement taking that address the needs of both male and female victims. Additionally, the reparations provisions maintain gender-neutral language when referring to CRSV victims. The express inclusion of male victims at the statement-taking phase signifies that these gender-neutral reparations are addressed toward male and female victims, as opposed to Kenya where men were under-included in the statement-taking process but the report contained gender-neutral reparations. The Tunisian truth commission appears to have

affirmatively included male victims of CRSV at every step of the process, representing a critical shift in the way truth commissions define victims of CRSV. This trend is consistent with the international community’s express recognition and support for male victims of CRSV in recent years.

The executive summary of *The Final Comprehensive Report of the Truth and Dignity Commission*⁴² of Tunisia was made available in 2019. Unlike the Sierra Leone truth commission, the Tunisian commission explicitly uses the word “rape” and “sexual violence” when referring to certain experiences of CRSV perpetrated against men and boys.⁴³ While also referring to these abuses as constituting “torture” and “cruel or inhumane or degrading treatment,” the commission uses “rape” and “sexual violence” as distinct, gender-neutral categories of violence. It thus ensures that CRSV perpetrated against male victims is not collapsed into the broader category of “torture,” as was the case in Sierra Leone.⁴⁴ The Tunisian truth commission also relies extensively on the gender-neutral legal frameworks that apply to CRSV. However, there are a number of statements in the summary that give the impression that men were under-included in the interviewing and reparations processes, even in 2019. First, the summary notes that “access to rights has been easier for men.” While this is broadly accurate, it is not necessarily the case when it comes to CRSV.⁴⁵ Notably, the summary does then state that specialized procedures were applied to the interview processes for both men and women victims of sexual violence.⁴⁶ The commission’s reparations provisions are also particularly gender-neutral, and rely on

39 Kenya, “Statement Taking” (quote 14). Proof of more male victims is found in the quote “while some men actually testified about their ordeal with sodomy, many more women spoke about the sexual violence that their sons or husbands went through, reinforcing the existing view that sexually violated men find it extremely stigmatizing to report and talk about the violations.”

40 *Report of the Truth, Justice, and Reconciliation Commission*, Vol. 4 at 32.

41 Kenya, “Reparation Provisions” (quote 18). For example, references to sexually transmitted diseases, impotence, and feelings of humiliation and shame are attributable to all genders.

42 The executive summary of *The Final Comprehensive Report of the Truth and Dignity Commission* (May 2019) is available for download here: http://www.ivd.tn/rapport/doc/TDC_executive_summary_report.pdf [in this section, “the Summary”].

43 Tunisia, “Terminology” (quotes 1 & 2).

44 See *supra* n 17 and accompanying text.

45 Tunisia, “Statement Taking” (quote 7).

46 Tunisia, “Statement Taking” (quote 8).

terminology like “victims of rape” rather than a gender-based classifications.⁴⁷ Therefore, *The Final Comprehensive Report of the Truth and Dignity Commission* represents an explicit break from the

pattern of under-inclusion of male victims. The executive summary has specific provisions for both male and female victims, or an entirely gender-neutral approach, in all aspects of its text.

47 Tunisia, “Reparations Provisions” (quote 11).

CONCLUSION

International norms and truth commissions have an inextricable relationship, particularly when it comes to defining CRSV survivor pools and bringing justice to those affected. As such, the international community is in a unique position to use its normative frameworks to map certain avenues for truth commissions to improve inclusivity in their documentation of abuse and in making recommendations for reparations. Conversely, truth commissions are key instruments for creating awareness of the prevalence of CRSV and developing approaches and recommendations for addressing their needs, which can, in turn, guide international norms.

Truth commissions in Africa have increasingly demonstrated strong commitments to addressing CRSV in their mandates and in the operationalization of those mandates in the interventions and recommendations. This development has closely paralleled the evolution of international norms. The four commissions covered in this report demonstrated a substantive and purposeful engagement with CRSV, which grew in scope and depth over the last two decades, giving substance to the commitment to gender justice and inclusivity.

It is only relatively recently that truth commissions began demonstrating a conceptualization of a survivor pool that includes men and boys as victims of CRSV. By prioritizing female victims, the international

community provided implicit approval for truth commissions to do the same and exclude men, boys, and non-binary persons in practice. When the international community broadened its understanding of survivors of CRSV, truth commissions were slow in expanding the proposed scope of reparations to include men and boys as victims of CRSV.

Truth commissions can be both limited and empowered by their national legal and cultural contexts, as well as the mandate and composition of the commission. Depending on these local circumstances, international norms can serve to constrain or empower those seeking to build more inclusive approaches to CRSV. International norms can and have constrained truth commissions by implicitly approving a focus on only the largest and most obvious survivor pools. Equally, international norms can and should serve as an example of fully inclusive reparation schemes for survivors of CRSV. Recently, the scales have tipped toward more inclusive approaches at the international level, and truth commissions have demonstrated how such an approach can be put into practice.

The trend of growing inclusivity in truth commission practice in Africa holds promise for a more responsive and effective response to the needs of all victims and greater efforts to prevent CRSV in the future.

APPENDIX: FOUR AFRICAN TRUTH COMMISSIONS' APPROACH TO CRSV

Sierra Leone Truth and Reconciliation Commission Final Report (2004) – page 11

Liberia Truth and Reconciliation Commission Final Report (2009) – page 13

Kenya Truth, Justice and Reconciliation Commission Final Report (2013) – page 15

Tunisia Truth and Dignity Commission Executive Summary (2019) – page 18

Sierra Leone Truth and Reconciliation Commission Final Report (2004)

Terminology	International Norms	Statement Taking	Reparation Provisions
<p>(1) “Victims of sexual violence are defined as those women and girls who were subjected to such acts as rape, sexual slavery, mutilation of genital parts or breasts, and forced marriage. To the extent boys and men suffered from sexual violence, they will also be beneficiaries of this programme.” (Vol. 2, p. 250)⁴⁸</p> <p>(2) “The Commission has compiled two lists of victims based on the statements it collected. In line with the requirement in its mandate to pay specific attention to the experiences of women and children, the Commission has devoted its first list to victims of sexual violence and forced conscription.” (Vol. 2, p. 273)⁴⁹</p>	<p>(4) “Sierra Leone is a party to the seven major international human rights treaties within the United Nations system.” (Vol. 2, p. 138)</p> <p>(5) “The Commission recommends that the government work towards the harmonisation of the national laws of Sierra Leone with the provisions contained in the Rome Statute of the International Criminal Court in regard to the evidentiary burden, rules of procedure and evidence in respect of crimes of sexual violence.” (Vol. 2, p. 120)</p>	<p>(7) “The Commission decided not to follow the example of the South-African Truth Commission by limiting the beneficiaries of the Reparations Programme to those victims who co-operated with it. The Commission is fully aware of the fact that the limited time span allowed for taking statements and conducting hearings, as well as other logistical constraints, did not allow it to reach out to every victim who may have wanted to tell their story to the Commission.” (Vol. 2, p. 242)</p> <p>(8) “The Commission took testimonies from women and girls with an emphasis on the gender-specific nature of the violations and abuses they suffered. The Commission ensured that all its staff members were sensitive in their dealings with gender-based violence and that its statement takers, in particular, were properly briefed and trained. In conjunction with experts in gender-based violence, the Commission drew up a set of guidelines for dealing with victims of sexual violence in the statement-taking programme.”⁵⁰ (Vol. 1, p. 242)</p>	<p>(12) “With regard to certain categories of victims, such as amputees, war wounded and victims of sexual violence, the Commission recommends that they be given free physical (and where necessary, mental) healthcare for the rest of their lives or to the extent that their injury or disability demands.”⁵¹ (Vol. 1, p. 19)</p> <p>(13) “Victims of sexual violence suffer from various medical conditions. Such conditions include a prolapsed uterus, scarring, sexually transmitted diseases, amenorrhoea, vaginal destruction, foot drop, difficulties conceiving or carrying a child full-term, as well as experiencing complications during birth.”⁵² Therefore, the Commission recommends the provision of free primary, secondary, and tertiary physical health care for adult and child victims of sexual violence, on an as needed basis, depending on the degree of their injury.” (Vol. 2, p. 255)</p>

48 Definition under the “Reparations” section.

49 The list of forced conscription contains male victims. Placing them in parallel with “victims of sexual violence” appears to insinuate that those who were conscripted were also subject to sexual violence. The descriptions below in (3) are as close as the report comes to directly describing sexual violence suffered by male victims, whereas the report has no issue being explicit when it comes to female victims (see below).

50 There was no mention of testimony taking “with specific emphasis on the gender-specific nature of the violations” for male victims of SGBV.

51 But with no actual records of men surviving sexually based offenses, how do they access reparations?

52 Most medical conditions are based on the female body, except “sexually transmitted diseases” and “foot drop.”

Terminology	International Norms	Statement Taking	Reparation Provisions
<p>(3) Descriptions of male victims in the conscription list: "Tortured", "Assaulted", "Assaulted and tortured", "Forcibly conscripted and drugged. Assaulted.", "Stripped" "Assaulted, tortured, and stripped", "Assaulted and stripped". (Vol. 2, pp. 273-503)</p> <p>Descriptions of female victims: "Raped", "Sexually enslaved", "Assaulted and raped", "Assaulted and tortured", "Assaulted, stripped and raped", "Stripped and raped", "Tortured and raped". (Vol. 2, pp. 273-503)</p>	<p>(6) Volume 2: "Further, several international human rights instruments impose on States the duty to provide the individual with 'an effective remedy', 'effective protection and remedies', 'redress and an enforceable right to fair and adequate compensation'. Examples include Article 8 of the Universal Declaration of Human Rights, Article 2.3 of the International Covenant on Civil and Political Rights, Article 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Articles 7 and 21 of the African Charter on Human and Peoples' Rights. The Conventions and Charter have all been ratified by Sierra Leone." (Vol. 2, p. 230)</p>	<p>(9) "The witness shall be interviewed by female commissioners only. All male commissioners and other male staff shall be excused from the hearing."⁵³ (Vol. 1, p. 242)</p> <p>(10) "Statement-takers must be very careful when taking a statement from a victim of torture. ... The statement-taker should always be compassionate and attentive to the victim, and allow him/her to take breaks when the emotions seem too painful."⁵⁴ (Vol. 1, p. 190)</p> <p>(11) "In most countries around the world, sexual abuse and rape are socially attached to feelings of shame. According to some cultural values, women victims of sexual abuse or rape feel guilty about their experience and may be reluctant to speak about it. ... The Commission will allow for women victims of sexual abuse or rape to request that a female statement taker take their statement."⁵⁵ (Vol. 1, p. 190)</p>	<p>(14) "The Commission also recommends that ... the wives of eligible male victims of sexual violence be eligible for the provision of free physical health care as long as the direct beneficiary of the programme is continuing to benefit from the provision of free health care." (Vol. 2, p. 255)</p> <p>(15) "The Commission recommends that victims of sexual violence and his or her dependents be given at a three month grace period from when they are no longer eligible to be recipients of a particular health benefit to when all services permanently cease to be administered." (Vol. 2, p. 255)</p>

53 There are no parallel provisions for male victims of sexual violence having the opportunity to interview in front of only male commissioners.

54 The only language that can be construed as specific mechanisms for interviewing male victims of sexual violence is not specific, and includes both male and female victims.

55 Again, no parallel provision for male victims.

Liberia Truth and Reconciliation Commission Final Report (2009)

Terminology	International Norms	Statement Taking	Reparations Provisions
<p>(1) "All factions to the conflict systematically targeted women mainly as a result of their gender and committed sexual and gender based violations against them including, rape of all forms, sexual slavery, forced marriages, forced recruitment, etc." (Vol. 1, p. 5)</p> <p>(2) "According to TRC findings, various episodes of the armed conflict affected men and women differently. While men account for nearly 50% or half of all reported violations compared to one third or 33% from women, women were uniquely targeted because of their gender throughout the conflict and its different phases. Moreover, above 70% of all sexual based violations reported were against women."⁵⁶ (Vol. 2, p. 69-70)</p> <p>(3) <i>Egregious Domestic Crimes</i> (definition of "rape"): "A male who has sexual intercourse with a female not his wife has committed rape if:" (Vol. 2, p. 443)⁵⁷</p>	<p>(7) "All factions to the Liberian conflict committed, and are responsible for the commission of egregious domestic law violations, and violations of international criminal law, international human rights law and international humanitarian law, including war crimes violations." (Vol. 2, p. 17)</p> <p>(8) "The TRC must operate in accordance with international law binding on the Republic of Liberia." (Vol. 2, p. 50)⁵⁸</p> <p>(9) "In the final analysis, the TRC sought to ensure that the overall approach to carry out its mandate complemented Liberia's complex history while simultaneously comporting with domestic, regional and international norms." (Vol. 2, p. 56)</p>	<p>(10) "The statement forms were specifically designed to be gender sensitive, victim friendly." (Vol. 2 p. 66)</p> <p>(11) "The TRC recruited more women statement takers than male while women participated strongly in the statement-taking process as statement givers, accounting for approximately 47% of all statements given to the TRC." (Vol. 2, p. 66)</p> <p>(12) "Special considerations have been made to accommodate women, children, the elderly, handicap and other vulnerable groups." (Vol. 2, p. 67)</p>	<p>(13) "Reparation is a responsibility of the state and development partners as a long term peace investment to redress the gross violations of human rights committed against victim communities and individuals, especially women and children." (Vol. 2 p. 19)</p> <p>(14) "The TRC recommends reparation in the form of psychosocial, physical, therapeutic, counseling, medical, mental health and other health related services of all physically challenged individuals who were incapacitated as a consequence of the civil war." (Vol. 2, p. 378)</p> <p>(15) "The TRC also recommends that priority consideration be given to victims of sexual violence without delay irrespective of whether or not the reparation trust fund is fully established or operational. Even when that is done, the rehabilitation of victims of sexual violence should be a priority." (Vol. 2, p. 386)⁵⁹</p>

56 Unclear which groups compose the remaining 30 percent—men, children?

57 The commission provides both international and domestic definitions of crimes: "While the TRC mandate is preoccupied with IHRL and IHL violations, it also provides the necessary flexibility to consider other 'abuses' or crimes that are not of an international character but fall into the realm of domestic criminal law including sexual violations" (Vol. 2, p. 54). Rape and sexual violence as defined under "egregious domestic crimes" are expressly gender neutral.

58 Vol. 2, p. 29, also contains an extensive explanation of the international law schemes that affect the commission.

59 Under the heading "Recommendations Related to Women's Rights, Protection and Empowerment."

Terminology	International Norms	Statement Taking	Reparations Provisions
<p>(4) “<i>Gross Human Rights Violations</i> (definition of “rape”): “The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. ... The concept of ‘invasion’ is intended to be broad enough to be gender-neutral.” (Vol. 1, p. 70)</p> <p>(5) “<i>Gross Human Rights Violations</i> (definition of “sexual violence”): The perpetrator committed an act of a sexual nature against one or more persons or caused such persons to engage in an act of a sexual nature by force.” (Vol. 1, p. 70)</p> <p>(6) “The TRC also noticed that women are significantly overrepresented among rape victims and all victims of sexual slavery and sexual violence, as might be expected. ... However, we see relatively more male than female victims for sexual abuse. The definition of sexual abuse included stripping the victim naked and was employed by many perpetrator groups to humiliate the victim.” (Vol. 2, p. 272)</p>			<p>(16) “All women who suffered sexual violations must receive free medical services.” (Vol. 3(1), p. 86)⁶⁰</p> <p>(17) “Victims of sexual violence:] There should be specialized clinics for women to deal with the specific problems resulting from the violence of the war. Free and consistent healthcare must be provided for all survivors of rape and sexual violence medically and psychologically.” (Vol. 3(1), p. 87)</p>

60 In the section “Reparations.”

Kenya Truth, Justice and Reconciliation Commission Final Report (2013)

Terminology	International Norms	Statement Taking	Reparation Provisions
<p>(1) "For a long time, women and girls were believed to be the main, if not the only, victims of sexual violence. Over time, there has been acknowledgement that men and boys are also victims of sexual violence." (Vol. 1, p. xiii)</p> <p>(2) "A total of 1,104 statements from adults were received in regard to sexual violations, representing a victim count of 2,646 women and 346 men." (Vol. 1, p. xiii)</p> <p>(3) "Male detainees were often sexually abused through sodomy with foreign objects, animals, and insects, cavity searches, the imposition of a filthy toilet bucket system, or forced penetrative sex. Women had 'various foreign objects thrust into their vaginas, and their breasts squeezed and mutilated with pliers.' Variations abounded, with sand, pepper, banana leaves, flower bottles (often broken), gun barrels, knives, snakes, vermin, and hot eggs being thrust up men's rectum and women's vaginas. A common practice during interrogation was to squeeze testicles with pliers." (Vol. 2A, p. 14)</p>	<p>(9) "The Commission adopted a purposive and liberal interpretation of its objectives and functions; an approach that accorded with established principles and rules of international human rights law and best practices in the field of transitional justice." (Vol. 1, p. 39)⁶¹</p> <p>(10) "Various international human rights instruments define sexual violence to include rape, sodomy, indecent assault on the sexual and reproductive organs of any person, sexual slavery, forced marriage and sexual torture among others. Power, coercion, threat of force, aggression and domination have been recognised as being components of these violations. Sexual violence against women constitutes discrimination against women, as stipulated under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Kenya is a state party. The Convention provides a universal definition of discrimination against women. The Beijing Platform for Action expanded on this definition, specifying that discrimination against</p>	<p>(13) "A total of 1,104 statements from adults were received in regard to sexual violations. Of these, 103 were from men. ... Additionally, testimonies were heard from women and men in the public hearings, in-camera hearings and women's hearings." (Vol. 2A, p. 712)⁶²</p>	<p>(16) "The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law have distinguished five forms of reparations. Restitution: restores the victim to the original situation before the violation occurred. It includes restoration of liberty, enjoyment of identity and citizenship. ... Rehabilitation: includes medical and psychological care. ... Compensation: provides money for damage suffered. ... Satisfaction: includes official declarations restoring dignity and reputation, public apology, commemoration and tributes. ... Guarantees of non-repetition: includes structural measures that will prevent re-occurrence of the violations." (Vol. 4, p. 99)⁶³</p>

61 Chapter titled "Interpretation of Mandate."

62 The "women's hearings" as a type of hearing listed gives the impression that there were no parallel "men's hearings" and that male victims of CRSV either did not testify separately or were only able to testify in "public hearings" or "in-camera hearings" (see next point).

63 Gender-neutral language.

Terminology	International Norms	Statement Taking	Reparation Provisions
<p>(4) "In many cases, women and girls are the main victims of sexual violence, although men and boys are increasingly subjected to sexual violence too. Sexual violence occurs throughout the world, although in most countries (Kenya included) it is only in recent years that attention is being given to sexual violence as a serious human rights violation that affects millions of women and men, resulting in both short and long-term consequences for the victims."⁶⁴ (Vol. 2A, p. 707)⁶⁴</p> <p>(5) "Over time, there has been acknowledgement that men and boys are victims of sexual violence and as such, the definitions have evolved to include them and consequently, extended protection to them as victims. Still, sexual violence against male victims is even more under-reported and under-investigated compared to sexual violence against women."⁶⁵ (Vol. 2A, p. 708)</p>	<p>women includes violations of rights of women in situations of armed conflict, including systematic rape, sexual slavery, forced pregnancy, forced sterilisation and forced abortion amongst others. Sexual violence may constitute torture under circumstances in which it is used to obtain information, to punish, intimidate or coerce and for any other reason by a state official based on discrimination of any kind. The UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), to which Kenya is also a state party, defines torture as an act in which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person and the pain or suffering did not arise only from, and was not inherent in or incidental to, lawful sanctions."⁶⁵ (Vol. 2A, p. 708)⁶⁵</p> <p>11) "The Rome Statute of the International Criminal Court (the Rome Statute) includes mutilation as a war crime and describes it as 'permanent disfigurement or permanently disabling or removing</p>	<p>(14) "The Commission came face to face with the reality of the extent to which cases of sexual violations have continued to be unreported. It is very likely that the number of statements on sexual violence received, as indicated above, may be but a minute fraction of the actual number that occurred. ... While a number of women chose to give their testimonies in camera, many more women chose to talk freely in the women's public hearings. A few spoke openly at the public hearings. Men on the other hand chose to speak on camera only. While some men actually testified about their ordeal with sodomy, many more women spoke about the sexual violence that their sons or husbands went through, reinforcing the existing view that sexually violated men find it extremely stigmatising to report and talk about the violations." (Vol. 2A, p. 713-14)</p>	<p>(17) "The right to satisfaction for victims of gross human rights violations is internationally recognized by UN General Assembly Resolution 60/140 of 2005 on the right to remedy and reparation, which states under Article 22 that 'satisfaction should include any or all of the following: public apology, including acknowledgement of the facts and acceptance of responsibility; and commemorations and tributes to the victims.'" (Vol. 4, p. 115)</p>

64 Chapter titled "Sexual Violence."

65 The international community has female-specific conventions and treaties that Kenya is relying on here. The vast majority of those documents are gendered to the exclusion of males (or with a brief recognition that men can also be victims, but that the focus and purpose of the document is to protect women).

Terminology	International Norms	Statement Taking	Reparation Provisions
<p>(6) "The term 'sex' refers to the physical biological characteristics that differentiate and define females and males. Sex is natural, is not different from one community to another, is not learnt and does not change. ... That is not true of 'gender' which is a construct of society." (Vol. 2C, p. 15)</p> <p>(7) "There is no doubt that women and men alike suffer all the forms of violations listed in the definition of gross violation of human rights provided by the Act. The definition, however, provided two express entry points for specifically dealing with the plight of women. Firstly, the definition includes 'rape or any other form of sexual violence' as a form of gross violation of human rights. While both men and women may be victims of rape and sexual violence, in practice, women are the predominant victims of this kind of crime." (Vol. 2C, p. 17)</p> <p>(8) "The Commission finds that contrary to the traditional belief that women and girls are the sole victims of sexual violence, men and boys have also been targeted. Unfortunately, reporting on sexual violence against men has been low compared to that of women and girls. Further, persons with disability have also been targeted." (Vol. 4, p. 33)</p>	<p>an organ or appendage under circumstances that are not medically justified'. Sexual violence, particularly in the context of armed conflict or civil strife has been recognised as a tool of war and a crime for which there should be accountability at the highest level." (Vol. 2A, p. 708)</p> <p>(12) "Although Kenya has ratified international and regional instruments such as CEDAW and the African Women's Protocol, a law to comprehensively address sexual violence was only enacted in 2006: the Sexual Offences Act (SOA). Previously, offences relating to sexual violence were dealt with under the Penal Code. As demonstrated below, other domestic legislation provided for the definition and punishment of sexual violence. It is worth noting that the SOA marked a major departure from previous legislation that only recognised rape as a violation against women and girls, and also failed to define rape exhaustively. The SOA sought to comprehensively address all unlawful acts of a sexual nature. ... It also expanded and expounded the definitions of existing sexual offences. For instance, the S SOA defines rape to include penetration of 'genital organs' of women or men." (Vol. 2A, p. 709)</p>	<p>(15) "Although both men and women may be targets of sexual violence, it is an acknowledged fact that women are the predominant victims of this form of violence. As such, the Commission put in place mechanisms to ensure that sexual violence was appropriately investigated and victims or survivors were treated with respect." (Vol. 2C, p. 9)⁶⁶</p>	<p>(18) "The Commission finds that other than physical and psychological trauma stemming from being a victim of sexual violence, victims also suffered acute injuries; permanent disabilities; contracting, and in some cases spreading, incurable diseases like HIV/ AIDs and Hepatitis B; ostracism; unwanted and unplanned pregnancies; miscarriages and other health complications including incontinence, impotence and infertility; abandonment by their spouses and parents; loss of abode and income; as well as extreme feelings of humiliation and shame. In some cases, sexual violence resulted in the death of the victims." (Vol. 4, p. 34)</p>

66 The "mechanisms" for "appropriate investigat[ion]" are applied only to women victims in this context.

Tunisia Truth and Dignity Commission Executive Summary (2019)

Terminology	International Norms	Statement Taking	Reparations Provisions
<p>(1) Under “violations pertaining to Civil and Political Rights” there are the categories of “rape” (795 violations), “forms of sexual violence” (3,274 violations), “torture” (6,398 violations), “cruel or inhumane or degrading treatment” (15,713 violations). (p. 59)</p> <p>(2) “Added to this, the different recorded sexual violations practiced on men and women such as rape as well as sexual violence by abusing the genitals in an horrible manner causing impotence and physical fall by using electric shocks on intimate parts of the body, especially genitals, and by forcing them to sit on a broken bottle and deliberate cigarettes burns on intimate and hurting parts of the body, along with rape using batons, truncheons, and glass bottles.” (p. 164)⁶⁷</p> <p>(3) “It is not uncommon for police stations, Ministry of Interior headquarters, or prisons to commit sexual assaults, rape or threats of rape on women, men and young people, sometimes in front of family members, as many testimonies confirm.” (p. 377)</p>	<p>(4) “The concept of crimes against humanity was further consecrated within the Rome Statute of the International Criminal Court, which was ratified by the Republic of Tunisia. ... Article 7 [of the ratification decree] thereof stipulates that: ‘For the purpose of the Statute, any of the following acts shall constitute a crime against humanity’ when committed as part of a widespread or systematic attack knowingly directed against any civilian population ... (f) Torture (g) Rape or any other form of sexual violence ... ‘other inhumane acts of similar character which intentionally causes extreme suffering or hazardous harm to the body, mental or physical health.’ Besides, Articles 13 and 14 provided that each State party shall ensure that any individual has the right to complain to competent authorities, that the complainant is protected and that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation.” (pp. 82-83)</p>	<p>(6) The commission had statement taking software that is designed to accept all kinds of statements and then separates it into 32 categories, including “rape and forms of sexual violence” and “torture.” (p. 329)</p> <p>(7) “Access to rights has been easier for men,⁶⁸ given that women needs special measures. In this context, TDC has taken special measures that allows to sensitize, guide, dispel the fears, provide legal aid repeat some secret hearings for victims of sexual violations, protect privacy to avoid negative consequences such as divorce or violation of physical integrity, and promote positive discrimination that represents a gateway to achieve equity and overcome obstacles, break the silence, overcome feelings of shame and guilt complex, and achieve reconciliation with oneself.” (p. 371)⁶⁹</p>	<p>(9) “Although the Individual Reparation Program is aiming to provide the necessary medical, psychological and socio-economic support to help victims of sexual violence recover their lives, the absence of accountability for perpetrators of sexual violence crimes and the absence of effective non-recurrence safeguards are however nurturing a sense of mistrust in State institutions and their agents. Hence, this situation is defeating the purpose of transitional justice, which is national reconciliation.” (pp. 433-45)</p> <p>(10) “Concerns violations affecting the physical or psychological integrity of the victims, including rape, torture, injuries during protests that led to a permanent partial disability, sexual violence, and forms of inhuman, degrading or harsh treatment and punishments. Compensations will be different for each type violation according to the differential in the impacts suffered by the victims.” (p. 424)</p>

67 Section on “Types of Torture in Prisons” (which is where the majority of sexually violent acts were committed against men and boys).

68 It is unclear how the commission came to this conclusion.

69 These “measures” appear to be at the exclusion of male victims of CRSV because “access to rights has been easier for men, given that women [need] special measures.”

Terminology	International Norms	Statement Taking	Reparations Provisions
<p>(5) "It [political responsibility] specifically refers to inaction or omission on part of the officials in charge and police departments under the Ministry of the Interior. Institutional responsibility is manifested in the disregard for the obligations incumbent on the security apparatuses, whether intentionally or due to the ignorance of the provisions of the international conventions and charters and what the laws have provided in terms of measures aiming at respecting bodily integrity of arrested or detained persons. It is incumbent on these bodies to take the necessary preventive measures to thwart the despicable practices in breach of human rights, and to preserve the physical safety of the detained persons." (p. 84)</p>		<p>(8) "Protection procedures adopted particularly to the files of sexual violations victims: digitization, encoding and encryption of the file, identification and reduction of the sphere of interaction among TDC's specialists dealing with the file in order to stem any data leakage possibility. These procedures had been applied to files of victims from both sexes. TDC has also intervened to protect women victims in situations where they had been harassed by security services after testifying at TDC." (p. 372)⁷⁰</p>	<p>(11) "Victims of rape will benefit from the highest compensation rate in this category [70% of the unit] ... because of the severity of the impact it has on victims either physically, socially or psychologically in particular. ... Victims of torture and victims of injuries during protests leading to permanent partial disability will benefit from 60% of the measurement unit. Victims of sexual violence will benefit from 35% of the measurement unit. And finally, victims of inhuman, degrading or harsh treatment and punishments will benefit from 25% of the measurement unit." (p. 424)</p> <p>(12) "Therefore, TDC recommends that the State should [develop comprehensive and gender-neutral statutory definitions of sexual assault, rape, and sexual harassment] ... [and] coordinate judicial supervision on detention conditions between competent authorities, ensure thorough investigations into all allegations of sexual assault in detention centers, punish perpetrators and provide medical and psychological rehabilitation for victims." (pp. 433-35)</p>

⁷⁰ That it is explicitly noted that these procedures apply to both sexes gives the impression that the other protective procedures do not.



CSVR

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Violence and Reconciliation

ABOUT THE CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION

The Centre for the Study of Violence and Reconciliation (CSV) is a non-governmental organisation which envisions societies that are peaceful, equal and free from violence. CSV aims to understand and prevent violence, heal its effects and build sustainable peace at the community, national and regional levels. We do this through collaboration with and learning from the lived and diverse experiences of communities affected by violence and conflict to inform innovative interventions, generate knowledge, shape public discourse, influence policy, hold states accountable and promote gender equality, social cohesion and active citizenship.

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