



The prevention of sexual violence against refugees



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Overview

The number of forcibly displaced have been rapidly increasing, reaching a record-high; surpassing 84 million, at mid-2021 UNHCR states. Sexual violence is considered a present threat during this forced displacement, and the search for asylum. Sexual violence is a violation of fundamental human rights and when committed in the context of armed conflict, a breach of humanitarian law. The physical and psychological trauma resulting from sexual violence can only add to the pain of displacement and exile. The UNHCR states refugees of all ages and genders face an increased risk of sexual violence, and the refugees that are at most risk include, unaccompanied women, lone female heads of households, unaccompanied children, children in foster care arrangements, and those in detention or detention-like situations. Yet, the true scale of sexual violence remains unknown, because many incidents are never reported.

Sexual violence against refugees is an ongoing and alarming, yet under-reported issue. The prevalence of sexual violence within refugees varies from each source, and it must be noted that the case numbers are underestimated, since many victims - especially men do not report sexual violence because of shame, threats of perpetrators, fear of being found guilty, or suffering from stigma and exclusion from their own community and family, with constant low demands for healthcare or case records. This also goes the same for females. Although most sources identified that there is a higher prevalence of sexual violence in females, sexual violence was also a serious issue in males as well as children. It is observed that sexual violence is perpetrated mainly by intimate partners, but also by military guards, and police. In a systematic review done for the prevalence of sexual violence, by the Rev Saude Publica, they compared the results of many studies and found that Africa was the most frequent continent of origin, with especially alarming frequencies in some refugee camps, such as in Uganda and Cameroon. However, it must be noted that this systematic review was done in 2019. Nonetheless, it is clear that protection measures are urgently needed, and further studies, as well as research with appropriate tools, are necessary to measure the current magnitude of the issue. Furthermore, the challenge of the culture associated with sexual violence leading to decreased accuracy of data, further emphasizes the challenges nations may face when combatting the issue. (1)

Situations in which sexual violence against refugees has been known to occur include, prior to flight, during flight, and in the country of asylum. Prior to flight, they may be subjected to abuse by the police, military, or other officials within their country. Individuals also may be targeted to be detained, which only heightens the risk of sexual violence occurring. Sexual violence also may occur at hands of the complicity of male leaders, in the form of bartering



women or girls for arms and ammunition or other benefits. During the flight, individuals may be subjected to be sexually attacked by pirates, bandits, members of security forces, smugglers, or even other refugees. Border guards may also detain and abuse, sometimes for long periods of time. Pirates may capture women as they often travel by boat and sexual coercion may occur for the exchange of safety, and to get to the country of asylum. Smugglers may assist female refugees across the border in return for money and valuables by the “buyers”. Even when they get to their country of asylum for safety, it does not ensure sanctuary from sexual violence. No matter where they live, whether in camps, or urban cities, they have the vulnerability to be subjected to sexual violence by persons in authority, or people in positions that could take advantage of their situation. In some situations, officials who determine their refugee status may coerce the applicant in exchange for positive determination. Many refugee women and girls may be approached in a variety of situations, including food distribution. Unaccompanied children, particularly girls placed in foster care may be easier targets for sexual violence even within foster family members. Refugees also may be sexually attacked by members of the local community, officials, including people responsible for their protection, police, military personnel, or even by international refugee workers. It is also important to note local prostitution rings that exist to target refugees. Forms of sexual violence often escalate and cause pressures to refugee life. Isolated areas make refugee women and girls especially vulnerable, with attacks being able to take place at night in the homes of victims, or at times an individual may be abducted and sexually violated away. There are also extreme situations where refugees that fled their home country go back to seek relief from insecurity living in the country of asylum.

Sexual violence can cause serious physical, psychological, and social harm to the victim. Often, professional medical, legal and psychosocial care is required, however, victims often do not receive this. Reactions are likely to vary depending on the victim's age, gender, personality, prior sexual experience, cultural background, and the availability of a support network. However, these main impacts can be pointed out. Regarding the physical effects of sexual violence, it is necessary to note how consequences can include, HIV infection, STDs, mutilated genitalia, pregnancy, miscarriage, abortion, menstrual disorder, pain, and self-mutilation due to trauma. Even if these physical injuries or consequences are minimal, all victims experience psychological effects. Victims may feel terror, experience physical and emotional pain, self-disgust, powerlessness, worthlessness, apathy, denial, and an inability to function in their daily lives. In worst cases, they may develop depression, leading to chronic mental disorders such as suicide, illegal termination of pregnancy, endangering their own lives, or abandonment of their babies (UNHCR). Social consequences also must be addressed. It can range from rejection by their spouse and family members, to stigmatization or ostracism by the community. They can also be deprived of education, employment, and types of assistance and protection. Therefore, it is extremely important to prevent these acts from happening at all.



The direct cause of sexual violence is rather unclear, however, it is necessary to note the role of society and camp design as well as location to be factors that cause this to happen. Sexual violence in the country of origin can be provoked by political motives, for example in situations where mass rape of populations is used to control and/or uproot, or where sexual violence is used for interrogation. Alcohol and drug abuse can also be a factor to result in sexually violent behavior within families and communities. Society can also cause sexual violence with the concept of vulnerability. Sexual violence during flight or in the country of asylum can occur due to the vulnerability of refugees, who have the need for safety. It is underlined with the common misconception that refugees are not legally protected outside their country of origin. Also in cases where foster care placement of children occurs without a proper screening of families or monitoring of the child's welfare, the refugee child may be exposed to sexual abuse as well. Camp design and location also plays a huge role in the causation of sexual violence. Firstly, the location itself can increase the likelihood of sexual violence, especially in cases where the area has serious crime problems or is geographically isolated from the locals. Many refugee camps are also often overcrowded. This leads to strangers, and unrelated families to be living in a shared space, and sleeping in the same space. Furthermore, poor design of services and facilities also contribute to these security issues. Communal latrines and washing facilities are also often placed further from living areas, and in addition, many camps are poorly lit, or even not lit which increases the risk of sexual attacks. Although night patrols do exist in some camps, they do not exist in others. Also, there are usually no locks in refugee centres, camps, sleeping rooms, and washing facilities. The lack of protection and general lawlessness in some camps is also a factor. It is clear that camp design and location also is a major contributing factors to causing sexual violence.



Definitions of important terms

Refugee:

For the sake of convenience in this case, "refugees" refers also to asylum seekers, returnees, and to internally displaced persons ("IDPs") protected or assisted by UNHCR.

Refugee camps:

Refers to reception centres or places of detention for asylum-seekers, or centres for IDPs.

Sexual violence:

Any sexual act or attempt to obtain a sexual act by violence or coercion acts to traffic a person or acts directed against a person's sexuality, regardless of the relationship to the victim.

Sexual exploitation:

Any act that takes advantage of another for sexual purposes, such as, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.

Sexual abuse:

Also referred to as molestation, is the infliction of sexual behavior by one person upon another, often perpetrated using force.

Sexual harassment:

Either explicit or implicit unwelcomed acts of sexual behavior that may be offensive, humiliating, or intimidating

Victim:

Although the term 'victim' is used frequently within this report, the stigmatization and perceived powerlessness associated with the word "victim" should be avoided by all delegates. 'Victim' refers to people that had suffered sexual violence.



Timeline of key events

Dec 1979 The Convention on the Elimination of All Forms of Discrimination against Women

The UN introduced the Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979. It stipulates that states should employ necessary steps toward eradicating the prostitution and trafficking of women. 189 countries have ratified or acceded to the convention. This norm should be applied to protect women in refugee and IDP camps from sexual violence.

Dec 1993 Declaration on the Elimination of Violence against Women

The UN introduced the Declaration on the Elimination of Violence against Women in 1993, among other rights. It is for women to have the right to “the highest standard attainable” of physical health and the right not to be subjected to “cruel, inhuman or degrading treatment”. Furthermore, the Declaration states nations have an obligation to protect women, including refugees, and enable them to enjoy the given rights.

March 1995 Guidelines on Prevention and Response Geneva

This guideline was presented by the UNHCR regarding gender discrimination, persecution, and sexual/gender-based violence for refugees. It was provided for preventing and responding to sexual violence against refugees and intended to promote more effective ways for all concerned parties to act and react. It was for the UNHCR, NGOs, and other field workers to have practical advice in areas of medical treatment, psychological support, and legal intervention. It was one of the first extensive, significant guidelines for sexual violence against refugees.

Feb 2002 Extensive abuse of West African refugee children reported

UNHCR and Save the Children UK released details of disturbing findings of a joint assessment team commissioned by the two agencies to look into sexual violence and the exploitation of refugee children in West Africa. It was based largely on children’s testimonies collected during a 40-day mission. The team reported evidence of “extensive” sexual exploitation of refugee children in Liberia, Guinea, and Sierra Leone. They also found that much of it was allegedly perpetrated by workers locally employed by national and international NGOs as well as by UN agencies, including UNHCR. The UNHCR followed with an assessment along with mission teams to address the issue. (2)

Jan 2008 UNHCR Handbook for the Protection of Women and Girls



The UNHCR Handbook for the Protection of Women and Girls, published in 2008, emphasizes the importance of putting in place norms of behavior to prevent sexual violence by humanitarian and authorized personnel. It also recommends that employees receive further training on how to prevent and respond to assaults, although in fact, just a few of the recommendations have been implemented. (3)

Feb 2015 Investigation on Nigeria sexual violence at IDP camps

According to a report published by Nigeria's Calabar-based International Centre for Investigative Reporting, there were extensive alleged abuses at refugee camps with those who fled their homes to escape Boko Haram's insurgency in the northeast. The report alleges that hundreds of young girls have been trafficked from IDP camps, many victims were from unregistered, makeshift camps established when official camps could no longer cope with the population. It also quotes a nurse saying how many children were brought to her hospital after being raped in the IDP camps. It also alleges refugees are being sold as unpaid domestic workers, raped repeatedly, and in some cases burned/wounded. In response, the country's National Emergency Management Agency formed a panel to investigate the abuses. However, internationally it is seen that Nigeria is still failing its fight to prosecute sexual violence in its country. Human Rights Watch said in a statement published in 2016 that 43 cases of "sexual abuse, including rape and exploitation", had been documented by its researchers. A Nigerian police spokesman flatly rejected the report, an army spokesman declined to comment on allegations of sexual violence related to soldiers and referred the matter to the defense ministry. (4,5)

Aug 2017 Rohingya Refugee Crisis

The United Nations (UN) and multiple human rights groups documented that Myanmar security forces committed rape, gang rape, sexual slavery, forced nudity, genital mutilation and other forms of violence targeting sexual organs, sexual assault, and threats and attempts at rape and sexual assault, followed by the killing of victims during the Rohingya refugee crisis. In numerous instances, survivors recounted being forced to witness the rape or sexual assault of family or community members. Following what the Myanmar government called "clearance operations," more than 720,000 Rohingya fled to neighboring Bangladesh. Analyses of these atrocities suggest that sexual violence is a deliberate strategy used by the Tatmadaw to intimidate, terrorize, punish, and forcibly displace the Rohingya civilian population from their land. The Rohingya survivors were also reported to have experienced sexual violence in the country they fled to; Bangladesh by the UN. (6)



Oct 2020 Refugee and Displaced Women Reported an Increase in gender-based violence due to COVID-19

A new report published by the International Rescue Committee detailed what violence against women looked like after COVID-19 was declared a pandemic, across 15 African countries. This was published in October of 2020, through interviews with more than 850 refugees and displaced women living within some of the most underfunded and forgotten humanitarian crises and post-conflict contexts in 15 countries across East Africa, West Africa, and the Great Lakes region. The IRC found that 73% of women reported an increase in domestic violence, 51% reported sexual violence, and 32% observed growth in early and forced marriage. The need for enhanced hygiene practices due to COVID-19 resulted in women and girls traveling more frequently to collect water, which exposed them to this violence. Of those surveyed, 31% reported harassment and sexual violence on the way to water points and 21% reported harassment upon arrival. When asked about why survivors would not seek help, 56% of women named the fear of being identified as a survivor of Gender-Based Violence (GBV) and the related stigma. This key report highlighting this event clearly shows how sexual violence is still prevalent in Africa, especially at times with the pandemic. (7)



Position of key nations

Greece:

Greece is one of the many countries accepting many refugees as well as a traveling route to other EU nations has been known to be the site of sexual violence to occur. In 2017, UNHCR received reports from 622 survivors of sexual and gender-based violence (SGBV) on the Greek Aegean islands, out of which at least 28 percent experienced SGBV after arriving in Greece. Women reported inappropriate behavior, sexual harassment, and attempted sexual attacks as the most common forms of SGBV. The government has welcomed many measures to reduce the risk of SGBV, and is open to addressing this issue. However its camp conditions do not allow for this, as many camps are overcrowded, and they lack safe access routes to food, water, and sanitation facilities. Some have said that the extent of the issue is such that they are afraid to leave their tents without their husbands. Therefore, even with their actions, there is still consensus as to how SGBV is widespread in Greece's camps today. Yet, in August the Greek government declared success in bringing the movement of asylum seekers and migrants into the country under control. This is as Greece states they are no longer experiencing a migration crisis due to reduced numbers of refugees in the camp and improving conditions. (8,9,10)

Myanmar:

In August 2017, the United Nations documented that Myanmar security forces committed rape, gang rape, sexual slavery, forced nudity, and other forms of sexual violence, followed by the killing of victims. Following what the Myanmar government called "clearance operations", more than 720,000 Rohingya fled to neighboring Bangladesh. Analyses of this atrocity suggest that sexual violence was a deliberate strategy used by the Tatmadaw to forcibly displace the Rohingya population from their land. Sexual violence against the Rohingya in Myanmar was widespread and followed common patterns, according to accounts by health care workers who worked closely with Rohingya refugees. However, in 2017, Myanmar state counselor Aung San Suu Kyi avoided discussing reports of Rohingya women and girls being raped by Myanmar troops and police when she met a senior UN official. After this, a Myanmar-backed inquiry was published in Jan 2020 that showed their findings on sexual violence of the Rohingya that was in stark contrast to the UN fact-finding mission. The Myanmar government still denies any responsibility. (11~16)



Colombia:

Human rights activists have reported a sharp increase in sexual assaults and human trafficking involving Venezuelan women and girls trying to reach Colombia ever since the border officially closed because of the coronavirus in March 2020. About 2 million Venezuelans have fled to Colombia since 2014, to escape food shortages, unemployment, hyperinflation, and authoritarian rule. They used to enter Colombia at official crossing points with immigration offices and tight security. However, due to all frontier posts being shut down, they must now cross on lawless smuggling trails where they are at risk of sexual violence due to gangsters on the site. When Jose Palomino, chief of police of Cucuta, Columbia's largest border city was questioned about the sexual assaults, he states how "We have received information about the problem but not criminal complaints." David Bernal, the city's top human rights official, says Pamplona is full of prostitution rings that force Venezuelan women and girls into the sex trade. On 8 February 2021, Colombia's President Iván Duque gave fresh hope to Venezuelan migrants by granting them temporary legal status for 10 years, at which point they can apply for residency. This allowed migrants to work and have access to health care - helping women to be able to report and get necessary assistance medically. In 2019, more than 350 women were trained as community leaders to identify and mitigate gender-based violence risks and aid in prevention and response. They were able to serve more than 4,000 women at high risk of gender-based violence. When the COVID-19 pandemic hit, all safe space activities went virtual. The Colombian government is willing to address this issue and find ways to prevent and respond. (17)

Libya:

Libya is another country where sexual, as well as gender-based violence, is prevalent due to its migrant crisis. Amnesty International published a report with evidence on July 15th of harrowing violations, including sexual violence, against men, women, and children intercepted while crossing the Mediterranean Sea and forcibly returned to detention centres in Libya was highlighted as one of the consequences of Europe's ongoing cooperation with Libya on migration and border control. There was alleged coercion into sex by guards in exchange for food or their freedom. The report also highlights the EU's role in continuing to enable and assist Libyan guards to capture people at sea, to forcibly return them to Libya, despite the horrors they know they will endure. The Libyan government has yet to respond to this ongoing humanitarian emergency. Although it has been seen to send armed groups to arbitrarily arrest and detain people without individual verification of immigration or asylum status, to migrant prisons, reports HRW. (18,19,20)



Members of the European Union:

Amnesty International called on European states to suspend cooperation on migration and border control with Libya due to its humanitarian crisis. Furthermore, the Human Rights Watch has also raised its concerns regarding the EU's involvement in the cooperation to scale up humanitarian evacuations. Since 2016, the EU has intensified efforts to prevent boat departures from Libya. EU policy-makers and leaders justify this focus as a political and practical necessity to assert control over Europe's external borders and "break the business model of smugglers," as well as a humanitarian option to prevent dangerous boat migration. Italy; the EU nation where the majority of migrants departing Libya arrives, takes the lead in providing material and technical assistance to the Libyan Coast Guard and abdicated virtually all responsibility for coordination of rescue operations at sea in a bid to limit the number of people arriving on its shores. Although there are EU-funded programs to help asylum seekers, and migrants safely leave Libya, increased interceptions by the EU-supported Libyan Coast Guard led to an increase in the number of migrants and asylum seekers detained in Libya, a place where sexual violence remains. The EU remains amid this crisis. (21,22)



Suggested solutions

Preventative measures that can be taken to, research combat sexual violence in refugees would firstly be careful design and location of refugee camps. As many faces these assaults in the route for access to water, food, and sanitary facilities, as well as locations that may be near-violent groups, and underlit. It is needed to ensure that the physical internal design of the camps and their location of them enhances rather than undermines the refugee's security. These steps are needed to be taken carefully due to how they are extremely difficult to modify later. Furthermore, another suggested step would be to encourage the integration of the refugee's voice within these steps of improving the design to identify and provide the appropriate solutions to issues they know best. For example, when regarding location, camps can be avoided in areas that are close to the borders of the country of origin for most refugees in that camp, as well as be avoided in areas known to have pre-existing violent groups. Regarding design, as aforementioned, consultation with refugees is key, and women must be in this voice of refugees. Another suggested design implementation would be that special accommodation is provided for unaccompanied women and girls and lone female heads of the household in full consultation with them. For instance, they could be grouped with adequate security. Although it is important to note that in many instances it is these guards that are the perpetrators of abuse, therefore it would be encouraged if the guard is perhaps a female. Another design enhancement would be an attempt to ensure unrelated families do not share communal living and sleeping space and to improve lighting where possible, particularly on the paths used by women at night for access to services and facilities. Furthermore, locks for sleeping and washing facilities should also be implemented as a preventative measure. These small steps can help prevent atrocities from occurring.

Other suggested solutions involve education and training. Measures such as implementing public information campaigns and training courses are essential to approaching sexual violence as a community. Information campaigns can serve as an important tool to educate the community on the issue of sexual violence, taking into account the cultural stigma, sensitivities, ethics, and the particular circumstances the camp is in. They can include information such as the statistics on sexual violence in that refugee camp, to help others become aware of this problem, causes and consequences of sexual violence, legal rights, and information on how to report if they have been assaulted, or have witnessed an assault. These campaigns can utilize forms such as pamphlets, newsletters, posters, information bulletins, verbal presentations by medical or psychological professionals, communal meetings, NGO networks, radios, and videos. The training courses for officials working on this issue as well as the refugees



themselves, can focus on how to respond to incidents of sexual violence, including immediate, long-term, and follow up response, as well as the causes and consequences of sexual violence, legal awareness, human rights and responsibilities, rights of personal security, and for officials, to include interviewing skills to the victims. In addition, community leaders and members with prominent roles may be provided with training in specific areas such as modifying the negative stigma towards the victims of sexual violence, reinforcing and fostering concepts of the community's responsibility of protecting and assisting vulnerable members, and being the reporters when they witness any sexual violence of any form. Informing the community about the cases resulting in conviction and the sentence can also be a form to prevent perpetrators from further exploiting other refugees.

When sexual violence is indeed occurring within camps, suggested solutions would be integrating the UNHCR, NGOs, police, military, government officers, and refugees including women in camp meetings and plans of action regarding sexual violence. These meetings happening within camps will help with analyzing problems that are specific to the camp, and strategies to prevent incidents from occurring again. Furthermore, ensuring that refugees and particularly representatives from refugee women's groups participate in discussions on this issue and have the opportunity to speak about any special needs they may have. Another solution would be that meetings can be held separately for male and female refugees if there are feelings of unease in each other's presence. This also raises another issue of when sexual violence occurs, in which leadership is dominated by male refugees. It is important that the involvement of more female leaders are encouraged in the community so that victims can come to them, and perhaps they can serve to be patrolling members of the community. A significant factor for when sexual violence against refugees occur, would be that the refugees are ensured protection and assistance after the assault has occurred. The UNHCR and relevant NGOs must be involved in the process that makes sure the individuals are not exposed to further risk, and that they are ensured access to necessary assistance if they report their assault to officials. Such assistance can include immediate protection, medical assistance, and psychological help. For example, counseling, close medical monitoring, possible resettlement if the refugee wishes to do so, are all essential. Furthermore, UNHCR and NGOs must collaborate to investigate what has happened, conduct extensive interviews, and according to their findings, appropriately take legal action. Although solutions for the issue does not directly resolve sexual violence, these all are valid focus points for nations to prevent and effectively respond to the rights of refugees. (23,24,25)



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