

Sexual Violence: The Male Perspective Unseen, Unheard, Unspoken

2nd Annual Conference Report



Conference Report

‘Sexual Violence: The Male Perspective Unseen, Unheard, Unspoken’

Organised by Centre for African Justice, Peace and Human Rights (CAJPHR) in partnership with Maastricht University and Feminists of Maastricht

Maastricht, Netherlands | February 15, 2019



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FOREWORD

Occurrences of sexual violence against men and boys are prevalent in situations of armed conflict, yet they remain largely invisible. In the recent years, the issue has increasingly attracted a discourse between academics, policymakers, NGOs and civil society. Nonetheless, very few organisations have taken the initiative to deal with sexual violence perpetrated against the male gender. Organisations that attempt to address sexual violence against men often lack financial support and resources. Against this backdrop, Centre for African Justice, Peace and Human Rights (CAJPHR), a non-profit Foundation based in The Hague, collaborated with Feminists of Maastricht to organise its second Annual Conference titled “Sexual Violence: The Male Perspective – Unheard, Unspoken and Unseen” with the vision to raise awareness on the realities and effects of sexual violence against men. It is time to speak out for sexually abused male victims.

Among the distinguished speakers were:

Mr. David Okwor, Advisor CAJPHR, representing Ms. Sophia Ugwu, Founder, CAJPHR,

H.E. Mirsada Colaković, Ambassador of Bosnia and Herzegovina, The Netherlands,

Mr. Kazi Russel-Pervez, Counsellor at the Embassy of Bangladesh, The Netherlands,

Ms. Rachel Ploem, Rutgers, SRHS and Gender Advisor,

Ms. Gloria Atiba Davis, Head of the Gender and Children Unit (GCU), Office of the Prosecutor, International Criminal Court, The Netherlands,

Mr. Abeka Abdallah, Anchor of the Conference,

Ms. Stephanie Ere Tobi, Legal researcher at CAJPHR.

The speakers gave an insight into the issue of sexual violence against the male gender during and post armed conflict and highlighted the societal and legal perspective.

OPENING SPEECH

Mr. David Okwor, representing Ms. Sophia Ugwu - Founder of CAJPHR

The Founder of Centre for African Justice, Peace and Human Rights, Ms. Sophia Ugwu, was represented by Mr. David Okwor. In her written statement presented on her behalf by Mr. Okwor, Ms. Ugwu kindly welcomed distinguished speakers and all guests attending the conference.

In her statement, Ms. Ugwu explained the theme of the conference “Unseen, Unheard, Unspoken”, by highlighting the fact that sexual violence against the male gender is largely undiscussed, unreported and undocumented. This has also been acknowledged by the World Health Organization (WHO), which in 2002, identified sexual violence against men and boys as a “significant problem” that has been “largely neglected”.

In agreement with Lara Stemple, Ms. Ugwu stated that even though men have characteristics that make them particularly vulnerable to violence, they are consistently and unfortunately excluded from some human rights instruments that ought to protect them.

She further explained that due to the reluctance of many men and boys in reporting sexual violence perpetrated against them, it has become very difficult to accurately assess the scope of the menace. Recognising the role of non-governmental organisations, Ms. Ugwu noted that there are very few non-governmental organisations working on sexual violence perpetrated against the male gender, and most of these organisations that have made efforts to reach out to male victims are often faced with diverse barriers, including lack of funding – which limits their efforts in reaching out to male victims and creating more awareness about the problem.



On the visibility of male rape in the definitions of rape, Ms. Ugwu pointed out that, although international courts and tribunals have a gender-neutral definition of rape which includes males and females, domestic criminal laws of many countries do not have a gender-neutral definition of rape. Male victims are not included in their definitions of acts amounting to rape and only female victims are recognised.

The overall impact of this gender gap cannot be overemphasised bearing in mind that rape and other forms of sexual violence is perpetrated against men and boys in all cultures and

geographic regions. To buttress this further, Ms. Ugwu gave clear examples of how men and boys are vulnerable to sexual violence in peace situations, detention camps, refugee camps and internally displaced settings. Moreover, according to Chris Dolan, sexual violence is a market feature of many of the recent and ongoing conflicts in Africa, including but not restricted to Sierra Leone, Somalia, Liberia Côte d'Ivoire, Mali, Central African Republic, Chad, Sudan, Kenya, Uganda, Burundi, Rwanda and, notoriously, the Democratic Republic of Congo.

Ms. Ugwu expressed concern that having left sexual violence against the male gender legally, medically and socially unattended over the years, our collective neglect may have contributed to collective lack of awareness, lack of socio-medical assistance and justice for many male victims of sexual violence. Unfortunately, we are still unaware of the actual scope or nature of sexual violence perpetrated against men and boys. We lack knowledge of the psycho-social consequences of sexual violence for male survivors. There is a great uncertainty whether 'untreated' sexual violence against the male gender leads to domestic violence; increased sexual violence against men and boys in our society; other acts of violence against women and children; sexual violence against refugees; child soldiers and internally displaced persons, both during and after conflicts.

Concluding, Ms. Ugwu expressed hope that the conference will contribute to breaking the silence surrounding conflict related sexual violence against the male gender and suggest effective measures for justice/redress that will ensure a better protection of male victims of sexual violence in international and domestic jurisdictions.



SEXUAL VIOLENCE AGAINST MEN DURING CONFLICTS FROM A SOCIETAL PERSPECTIVE

H.E. Mirsada Colaković, Ambassador of Bosnia and Herzegovina, The Netherlands

H.E. Mirsada Colaković explored sexual violence against men during situations of armed conflict from a societal perspective. She highlighted how gruesome conflict-related sexual violence can be and in fact has been in the conflicts in the Democratic Republic of Congo (DRC) and Sudan. She warned that sexual violence is not limited to African countries only; instead, it is a crime that transcends geographical location. For instance, in the former Yugoslavia, at the doorsteps of Europe itself, sexual violence against men occurred during the war, where countless men were sexually abused in detention camps at that time.

While highlighting some of the effects of sexual violence against males, H.E. Mirsada Colaković expressed concern that many male victims of sexual violence are afraid to report that they were sexually abused due to fear of repressive laws and concerns of losing their masculinity. Due to gender stereotypes and the social presumption that men are the dominant gender as well as the strong, protector of the family, when sexually abused, male victims express a lack of identification with their gender. They often doubt their masculinity and feel that the sexual abuse has “feminised” them. Hence, they believe that men reporting rape or any other forms of sexual abuse leads to stereotypical presumptions around their gender linked homosexuality and femininity.



As a result of such underlying stereotypes, many of the victims are driven into psychological problems, isolation and suicide attempts.

H.E. Mirsada Colaković emphasised that even though the international community has failed to consider male victims to date, there are methods in place that can be taken to assist them. The recognition of male victimhood should not stand in opposition to female victims. Instead, it should be understood that sexual violence against the male gender is just as serious, thus deserves the same amount of attention. What is required is a wholesome and inclusive recognition that will ensure support for male victims of sexual violence too.

PROTECTION OF VICTIMS OF RAPE UNDER THE LEGISLATION OF BANGLADESH

Mr. Kazi Russel-Pervez, Counsellor at the Embassy of Bangladesh, The Netherlands

Mr. Kazi Russel-Pervez explored the definition of rape under the domestic laws of the People's Republic of Bangladesh with an accompanying assessment of the extent to which men and boys are legally protected and recognised as potential victims of rape in Bangladesh.



The definition of “rape”, according to section 375 of the Bangladesh Penal Code stemming back to 1890, provides that: “A man is said to commit rape who except in the case hereinafter excepted, has sexual intercourse with a woman under the circumstances falling under of the five following description: against her will; without her consent; with her consent, when her consent has been obtained by putting her in fear of death or hurt; with her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes to be lawfully married; and with or without her consent, when she is under fourteen years of age”.

In light of this provision on sexual violence, Mr Pervez highlighted that the Penal code refers solely to women as the exclusive victims. By general belief, men are only considered to be the perpetrators of the abuse, an assumption that leads to a legal gap in regards to the protection of men victims in comparison to women.

However, the Prevention of Oppression Against Women and Children Acts of 2000 focuses on women and children regardless of their gender. The Act does not distinguish between a female or a male child, presumable because of how the terms “rape” and “penetration” are interpreted. Therefore, at least in the context of children, the law opens up the scope to include the protection of male children. Section 9 of the Act states that anyone who rapes a ‘child’ shall be punished.

Mr. Pervez concluded that Bangladesh is yet to effectively improve its laws to address sexual violence perpetrated against men. It is a pressing time for the legislatures to amend the laws on sexual violence, to make them inclusive, and to reconfigure the purpose of the law to allow male victims in particular of same-sex rape to seek redress.

INVOLVING BOYS AND MEN IN GENDER EQUALITY BY RECOGNISING MALE VICTIMS OF SEXUAL VIOLENCE

Ms. Rachel Ploem, Rutgers, SRHS and Gender Advisor

Ms. Rachel Ploem explored one way of involving boys and men in gender equality by recognising male victims of sexual violence. In particular, Ms. Ploem examined the resemblance of sexual violence to gender-based violence. Ms. Ploem emphasised that documentation circulates predominantly on sexual violence against women and girls. By contrast, documentation of sexual violence against men is vastly scarce. As a result, male victims are much more reluctant to disclose their victimisation. One of the reasons to why some male victims do not report their victimisation is due to internalisation of the feelings of shame and fear. Only a few decide to come forward, and when they do, they face some barriers. Firstly, more often than not, male victims meet with an inadequate legal framework to grant them protection. Secondly, humanitarian and medical services have not been adequately adapted to recognise that male victims can also be subject to sexual violence, which results to their exclusion from full protection.



Thirdly, deeply-rooted gender assumptions creep in. For instance, there is a dichotomy that presumes women are victims and men are perpetrators. Men are traditionally expected to be strong, invulnerable and in control. Hence, when a man reports his experience with sexual abuse, it is assumed that he was engaged in a same-sex act that was consensual.

Ms. Ploem continued to expound the coping mechanisms that victims take refuge in to avoid and reduce the feelings of vulnerability. These include, among others, drinking/drugs to forget, sex, violence/arguments with other men and not opening up about their suffering. In an attempt to provide a clear and correct understanding of sexual violence against men, Ms. Ploem provided a concept of the presumptions of what gender entails.

MYTHS/PERCEPTION¹

FACTS

Gender is about women	Gender includes men and women, gender and sexual diversity
Gender is a concept that does not fit in African Culture	Gender is constructed in cultures all over the world
Gender is meant for NGO's work with women on social issues	Gender is a characteristic of people, communities, sectors, society



To demonstrate a true story of victims of sexual violence, and how the gruesome crime affected them and those around them, Ms. Ploem displayed a short film titled “Living peace: The story of Abby and Kyalu”. This film was shown to demonstrate not only the effect of this sort of crime on men, but also to illustrate how an immediate society can be of assistance to overcome victims' traumatic experiences.

Ms. Ploem concluded her presentation by saying “A gender transformative approach seeks long term changes in gender relations and power dynamics at all levels of society”. Hence, it is important to “be aware of your own gender biases, be curious and open-minded, be brave and work with compassion.”

¹ Disclaimer: This table was made to highlight the points made by the speaker, but not how it was presented.

SEXUAL VIOLENCE: THE MALE PERSPECTIVE

Ms. Gloria Atiba Davis, Head of the Gender and Children Unit, ICC

Ms. Gloria Atiba Davis set the stage for her presentation by emphasising that victims of sexual and gender-based violence are not only limited to men and boys, but also include women and girls. Similarly, perpetrators of this heinous crime are both male and females, and are not excluded to men alone.

Ms. Atiba Davis stressed the lack of accurate statistics surrounding sexual violence against men and boys. A prominent issue is under-reporting which highly stems from the feelings of shame, fear of societal stigmatisation, fear of recurrence of victimisation, and limited possibilities for victims to be believed. Often, the victims are presumed to have brought the victimisation upon themselves. Thus, instead of reporting the sexual abuse, male victims of sexual violence tend to choose suffering in silence.

Looking at it from an international perspective, Ms. Atiba Davis stated that the Rome Statute was the first international treaty to recognise a range of sexual and gender-based violence crimes as amongst the most serious crimes of international concern. As a result, charges can be brought against perpetrators in cases where the victims are both male or female. The Rome Statute defines rape inclusively: "Where 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 invasion was committed by force, or by threat or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of



power against such person or another person, or taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent" [Article 7(1)(g) - 1 & - 6 of the Elements of Crimes].

In Resolution 21/06 (2013), the UN Security Council was the first to recognise men and boys as special victims in armed conflict. The resolution set a preventive role which many international organisations, including the International Criminal Court, successfully implemented through an effective investigation and prosecution of sexual violence against men. For instance, the ICC

through its investigation and prosecution has set a strong message to perpetrators that the international community will not tolerate the commission of such crimes, but will uphold to account those who are to be found responsible. The case of Prosecutor V. Jean-Pierre Bemba Gombo serves as an example where the accused was charged for rape both as a war crime and as a crime against humanity. Even though in the end the accused was acquitted of the charges against him, during the trial two male victims were called by the prosecution to testify of the nature of their victimisation.

Ms. Atiba Davis further informed the audience on open-sources information. Such information showed that between 1998 and 2008, sexual violence against men affected 25 countries where conflict took place. These include Rwanda, Former Yugoslavia, Cambodia, Liberia, Burundi, Central Africa, Syria, Congo and several others.

Furthermore, a study conducted by the Refugee Law Project of Uganda in partnership with John Hopkins, screened 447 male refugees ranging between the ages of 18 years and 78 years residing in a settlement in Western Uganda. The study found that 13.4% of the screened refugees had experienced sexual violence. The forms of sexual violence against men and boys included rape, anal penetration, oral rape, forced sterilisation and genital torture. Research also showed that 1 in 6 men have been sexually abused or assaulted in childhood or as an adult in conflict and peacetime.

Ms. Atiba Davis' esteemed position, expertise and contribution added a great value to the second conference video. Her presentation greatly informed the audience on the efforts of the international community in bringing justice to male victims of sexual violence.



HELP BREAK THE SILENCE – SEXUAL VIOLENCE AGAINST MEN IN NIGERIA

Ms. Stephanie Ere Tobi, Legal Researcher at CAJPHR

It is well known that perpetrators utilised sexual violence as a weapon to abuse and dominate the targeted victims. Thus, in many armed conflict situations across the globe sexual violence creeps in as a means and method of warfare to demoralise and demean the victims. Similarly, methods of sexual violence are deployed during peace time. In effect, victims are left with long-term psychological effects that impact their day-to-day lives.



Ms. Stephanie Ere Tobi, a legal researcher at CAJPHR, presented her research on the topic ‘Help Break the Silence – Sexual Violence Against Men in Nigeria’. Stephanie specifically looked at various legal provisions under domestic Nigerian law and the major challenges they present in practice. In her findings, she highlighted that Nigerian

laws on rape and sexual violence are drafted with a focus on protection of female victims. This stance has been challenged and reformed with the establishment of the Violence Against Persons Prohibition Act of 2015 (VAPP). The VAPP is constituted to grant inclusive protection of the male gender subject to sexual abuse of any kind. This reform has made it more accessible for male victims to file a report of sexual violence perpetrated against them.

However, albeit the VAPP Act indicates development in Nigerian law in terms of acknowledging male victims of sexual violence, it nevertheless is constrained by formal restrictions. The prominent caveat of the VAPP Act lies in its limited scope of jurisdiction by way of which the VAPP Act finds applicability constrained to the Federal Capital territory of Abuja and in comparison, does not extend to the remaining 36 states within the Federation.

Ms. Ere Tobi further concluded that thus far, there is a lack of accurate statistics on sexual violence against men in Nigeria. This is largely due to under-reporting as various driving factors prompt male victims to remain silent and not to report their victimisation.

CONCLUSION

Sexual violence against men and boys is an issue of paramount importance that often goes unheard, unseen and unspoken. Men experiencing sexual violence both in conflict and during peacetime are prompted by various reasons to remain silent and to not disclose their victimhood.

The symposium served as a platform to inform about the various forms of sexual violence perpetrated against the male gender, the possible positive shift that can be initiated and created for the prevention of this crime, and methods that can assist the victims who have experienced sexual violence.

Against this backdrop, it is crucial that the international community strives to reach a clearer understanding of the intensity of sexual violence against men and boys. This requires a collective effort from all levels of society.



ANNEX I: EVENT PROGRAMME

SYMPOSIUM ON “SEXUAL VIOLENCE: THE MALE PERSPECTIVE”

**TURNZAAL, GROTE
GRACHT 90-92,
MAASTRICHT
UNIVERSITY,
MAASTRICHT, THE
NETHERLANDS 15TH
FEBRUARY, 2019**

13:00 – 18:00

Time	Activity
12:00 – 13:00	Registration, Meet and Greet
Anchor	Mr. Abeka Salmin Abdallah
13:00 – 13:10	Opening Remarks by Ms. Sophia Ugwu (Founder, Centre for African Justice, Peace and Human Rights) Represented by Mr. David Okwor (Advisory Council Member)
13:10 – 13:25	Presentations by Members of Centre for African Justice; Ms. Janine Adamu Ms. Stephanie Ere Tobi Ms. Augusta Alele

13:25 – 13:30	Presentation by Feminists of Maastricht and We Care
PANEL DISCUSSION	
13:30 – 14:10	<p>Presentation by The Ambassador of Bosnia and Herzegovina to the Kingdom of the Netherlands, H.E. Ms. Mirsada Ćolaković</p> <p>“Sexual Violence against men during conflict from a societal perspective”.</p>
14:10 – 14:50	<p>Presentation by Mr. Kazi Russel Pervez (Counsellor of The Embassy of Bangladesh, The Hague)</p> <p>“The definition of rape under the domestic laws of the People's Republic of Bangladesh: To what extent are men and boys legally protected and recognised as potential victims of rape in Bangladesh”.</p>
14:50 – 15:05	Coffee Break
15:05 – 15:45	<p>Presentation by Ms. Rachel Ploem (Rutgers, SRHR and Gender Adviser)</p> <p>“Involving boys and men in gender equality by recognising male victims of sexual violence”</p>
15:45 – 16:15	<p>Presentation by Ms. Gloria Atiba Davis (Head of the Gender and Children Unit (GCU), Office of the Prosecutor, International Criminal Court)</p> <p>The Impact of Sexual Violence on boys as Child Soldiers: Child Soldiers as perpetrators and Victims.</p>

16:15 – 17:15	Question & Answer Session / THE WAY FORWARD
17:15 – 17:45	WORK THE TALK by Mr. David Okwor
17:45 – 17:55	Closing Remarks by Feminists of Maastricht Dr. Sumaiya Musharraf (Centre for African Justice, Peace and Human Rights Focal Point & Sexual Violence Team Leader)
18:00	Reception

OUR PARTNERS:

A big thank you to our partners for collaborating with us in organising the second conference 2019. It is only with our partners that we will achieve the change that needs to be made.

1. Maastricht University



Maastricht University is a public university in Maastricht, Netherlands. Founded in 1976, it is the second youngest of the thirteen Dutch universities. Maastricht University regularly ranks as one of Europe's leading universities. The University has been placed in the top 300 universities in the world by five major ranking tables. Interested in studying at Maastricht

University? Contact them by phone at +31433882222.

2. Feminists of Maastricht



Feminists of Maastricht is a group of Maastricht University students who are passionate about fact-based gender equality education. They campaign on issues such as reproductive rights, violence against women, body-positivity, gender identity and freedom of choice. Feminists of Maastricht aim to promote and raise awareness of intersectional feminism on

the political, economic and social level in Maastricht. Interested in learning more about feminism, the impact of patriarchal structures on women and men, and all things related? Contact them if you have any questions, collaboration suggestions or want to join. You can do so by email at feministsofmaastricht@gmail.com or find them on Instagram @FeministsOfMaastricht.



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