



BRIEFING PAPER 2018



# Understanding and Addressing Conflict-Related Violence Against Women

Aisling Swaine

Political Settlements Research Programme (PSRP)  
Global Justice Academy, School of Law  
The University of Edinburgh, Old College  
South Bridge, Edinburgh, EH8 9YL

Tel. +44 (0)131 651 4566  
Fax. +44 (0)131 650 2005  
E-mail: [PoliticalSettlements@ed.ac.uk](mailto:PoliticalSettlements@ed.ac.uk)

[www.politicalsettlements.org](http://www.politicalsettlements.org)  
[@PolSettlements](https://twitter.com/PolSettlements)

This research is an output from the Political Settlements Research Programme (PSRP), funded by UK Aid from the UK Department for International Development (DFID) for the benefit of developing countries. The information and views set out in this publication are those of the authors. Nothing herein constitutes the views of the Department. Any use of this work should acknowledge the author and the Political Settlements Research Programme. For online use, we ask readers to link to the original resource on the PSRP website.

© 2018

Front cover images;  
[www.gettyimages.co.uk/jentakpictures](http://www.gettyimages.co.uk/jentakpictures)  
[www.gettyimages.co.uk/JoelCarillet](http://www.gettyimages.co.uk/JoelCarillet)  
[www.shutterstock.com/RobertPaulVanBeets](http://www.shutterstock.com/RobertPaulVanBeets)

# 01 About Us

The Political Settlements Research Programme (PSRP) is centrally concerned with how political settlements can be made both more stable, and more inclusive of those affected by them beyond political elites. In particular, the programme examines the relationship between stability and inclusion, sometimes understood as a relationship between peace-making and justice.

The programme is addressing three broad research questions relating to political settlements:

1. How do different types of political settlements emerge, and what are the actors, institutions, resources, and practices that shape them?
2. How can political settlements be improved by internally-driven initiatives, including the impact of gender-inclusive processes and the rule of law institutions?
3. How, and with what interventions, can external actors change political settlements?

The Global Justice Academy at The University of Edinburgh is the lead organisation. PSRP partners include: Conciliation Resources (CR), The Institute for Security Studies (ISS), The Rift Valley Institute (RVI), and the Transitional Justice Institute (TJI, University of Ulster).

Find out more at: [www.politicalsettlements.org](http://www.politicalsettlements.org)



## 02 Contents

Key Findings	04
Policy Implications	05
Understanding and Addressing Violence Against Women in Conflict and Post-Conflict Transition	06
Findings	07
Transformative Transition	22



A comparative study of conflict-related violence against women (CRVAW) in the case studies of Northern Ireland, Liberia and Timor-Leste.



## Key Findings

Women experience many different types of violence in conflict. Peace and conflict agendas tend to focus on preventing particular forms of violence (for example strategic rape). Increased recognition is required of the different forms of violence which women experience, the ways that they are linked across pre, during and post-conflict contexts and that the inter-relationship in forms of violence needs to be addressed.

Violence during conflict is linked to the position of women in society, and the forms of violence used against them before conflict.

But conflict also affects the forms and scales of violence in the following ways:



1. by presenting increased opportunities for state and non-state actors to enact violence;
2. through formal legal impunity associated with conflict, which can create a vacuum in legal and criminal accountability;
3. through implicit impunity due to the status of armed actors;
4. by attracting selective sanctions against some forms of VAW, which may then enable other forms of violence;
5. through access to resources and weapons, which will affect the forms and scale of violence;
6. through personal incentives linked to the new-found status of armed actors;
7. by the instrumental use of VAW which includes but also goes beyond an obvious military tactic.

## Policy Implications



Policy analysis of how to prevent or address violence against women during conflict should consider pre-conflict gender inequalities and pre-existing forms of VAW. These factors indicate tolerance and opportunities for violence that will come to bear influence during conflict.

Policy that focuses solely on distinctive conflict-time acts, without attention to their basis in pre-existing gender norms and harms, miss the key causes of VAW.

In post-conflict settings, policy approaches should be tailored to the reality of the forms of violence that are appearing, whether these are related or unrelated to the preceding conflict. Attention should be given to how violence is included and labelled within policy developed in post-conflict settings and how this responds to the reality of the violence experienced by women. This should include clear research that identifies the enduring impacts of the conflict-period violence, such as: the impact of rape on women's health; whether there are prevailing forms of violence relating to the conflict, for example threats from returning fighters; any emerging new forms of VAW, including SEA by international actors; and re-emerging forms of violence, such as domestic violence.

There is a critical need to address specific forms of conflict-related VAW for accountability purposes, but by doing so in ways that situates that violence within the broader universe of gendered harms and historic injustices that women experience. Transformational approaches within justice that include but go beyond law, are people-centered and focused on inclusivity and social transformation, are required. Justice should not just address the physical injury incurred on women, but the underpinning social inequalities that motivated those physical harms in the first place.

# Understanding and Addressing Violence Against Women in Conflict and Post-Conflict Transition

This policy paper presents a summary of the findings of a comparative study of conflict-related violence against women (CRVAW) in the case studies of Northern Ireland, Liberia and Timor-Leste. The study is based on detailed research interviews with service providers working with women who experienced violence during and after each of these conflicts. The full study is published as *A. Swaine, Conflict-related Violence Against Women: Transforming Transition, (Cambridge University Press, 2018).*

The study examines the relationship between women's experiences of violence during and outside of armed conflict. It is the first to trace in detail the forms of violence against women (VAW) that are evidenced in the 'pre', 'during' and 'post-conflict' phase of each conflict, and to assess collectively their relationship across time. The research highlights the variance in the types of violence women experience and the factors that may contribute to different forms of CRVAW. It also demonstrates how pre-conflict contexts contribute to the violence that occurs during conflicts resulting in forms of violence that are inter-linked with, as well as distinctive to, the ways that women experienced violence pre-conflict.

Additionally, the research demonstrates how the ways that policy processes label specific forms of violence and the use of transitional justice mechanisms may impact how societies understand VAW and the resources that are dedicated to addressing certain forms of VAW and not others. These findings aim to provide a framework for understanding violence in conflict settings and its connections to violence before conflict begins and after it ends. They also provide guidance for policy that will ensure all forms of CRVAW are addressed and that the process to move beyond conflict encompasses ways to transform the post-conflict setting and reduce overall VAW.

## Findings



The violence that women experience during armed conflict must be understood in more context-specific ways.



1. There is significant variance in violence that women experience within one conflict, and across armed conflicts.

First, with a central focus on the conflict-phase, the study finds that the violence that women experience during armed conflict must be understood in more context-specific ways. The study identifies seven different pathways and opportunity structures that enable different kinds of actors to enact different kinds of VAW while conflict is ongoing. These factors may be used as a framework for conflict analysis and, in particular, to help identify where and how increased vulnerability to violence may arise for women:

- Conflict may present **increased opportunity** for state and non-state actors to enact violence on a personal motivational basis, in the absence of or alongside ordered militarised violence. For example, in Northern Ireland and Timor-Leste there is evidence of armed and civilian actors enacting sexual abuse on children and women for personal motivations, enabled by increased risk factors and contact opportunities related to the dynamics of the conflict.
- **Formal legal impunity**, such as breakdown of the rule of law, creates a vacuum in legal and criminal accountability; while implicit impunity, such as through the status privileges afforded to actors on the basis of membership of armed groups, enable violence and provide protection where it is alleged. For example, accusations of sexual violence against paramilitary actors in Northern Ireland are alleged to have been covered up by these groups and protection afforded to members.

► **Selective Sanctions against VAW may enable some forms of violence** by armed group members. For example, while some armed groups discipline against VAW, others may only apply sanctions to some forms of violence. The Provisional Irish Republican Army (PIRA) in Northern Ireland dealt with some incidents of harm, such as sexual abuse of children, by banishing members from their communities, while other forms, such as domestic violence, were often ignored and perpetrators protected.

► **Access to resources**, such as group membership and guns, will influence proclivity of violence. In Liberia, women attested that men known to women prior to the conflict who were now part of armed groups, selected them for assaults because their possession of guns and status enabled access to these women in ways unavailable to them before.

► **Personal incentives linked to new-found power status by membership of armed groups**, regardless of presence or absence of political ideologies, may drive some acts of violence. In Liberia for example, fighters and those loosely affiliated with armed groups captured women in the same way they did physical commodities, the accumulation of women an indicator of personal 'wealth.'

► **The instrumental use of violence goes beyond armed group tactics.** In Liberia, sexual violence was accompanied by egregious physical violence and women were co-opted into ritualistic acts. These practices were not related to armed group strategy but rather were believed by fighters to enhance their individual virility, instrumental to their own power.



“

Even where mass public sexual violence by armed groups does not occur, women may still experience violence.

”

This lens of analysis helps to make visible a much broader range of VAW, motivations for VAW, and actors involved, across private and public spaces in an armed conflict. International laws and policies rely on definitions of 'CRVAW' to in turn define the scope of the violence they address. However, the nuance to the many different ways that women will experience violence that is first, directly part of armed conflict tactics, and second, that is indirectly enabled by the conflict, must become part of how these policies are implemented.

For example, the violence that women experienced in Liberia has been presented globally as in line with the idea that sexual violence occurred as a 'weapon of war'. In Northern Ireland, there is no evidence that cross ethno-national 'strategic rape' took place. This implies that across these two settings, assumptions may be made that international instruments on CRVAW that primarily focus on 'strategic rape' are applicable only to Liberia. But, through the framework applied in this study, it is evident that in Northern Ireland broader forms of VAW related to the conflict still took place. By applying the same framework to Liberia, the study also identifies forms of violence that occurred alongside and outside of strategic rape. A context specific analysis demonstrates that even where mass public sexual violence by armed groups does not occur, women may still experience violence; and where it does occur there are much broader forms of harm also occurring that require recognition.



“

The sustained presence of a range of gendered harms targeted at women is common across time from conflict to peace.

”

2. Policy and programming needs to concurrently address the ways that CRVAW is simultaneously connected to pre-conflict existing forms of VAW, as well experienced in distinctive ways during conflict.

Second, the study finds that the ways that VAW takes place during conflict is very much related to the ways that violence is directed towards women before and after conflict. At the same time, distinctive harms emerge during conflict that require understanding in and of themselves, as well as in how they also relate to pre-existing gendered harms.

The study assessed linkages in VAW across time. By mapping and parsing out evidence of forms of violence to the 'pre,' the 'during' and the 'post-conflict' period for each case study, VAW specific to context and time were identified. The linkages between forms of violence were then assessed accumulatively through analysing the patterns and relations in violence across these phases.

The study affirmed that the sustained presence of a range of gendered harms targeted at women is common across time from conflict to peace. The range and form of VAW mutates in response to contextual factors, such as new armed actors with the resources and power to enact violence on women (per the pathways identified in the previous section):

► There are connections in VAW across the stages of conflict. For example, many of the patterns of violence pre-conflict, such as sexualised assault by men known to women, or domestic violence, are sustained by the same or different actors during and after conflict. The levels of threat to women's safety, in private and public, are sustained or may fluctuate as they encounter different actors. For example, in a location such as Northern Ireland where domestic violence was experienced within the home before a conflict, even where husbands are then absent due to imprisonment for suspected political activities, threats are communicated through the armed group to those women to ensure they remain loyal to husbands. In Liberia, even where male partners were away or in hiding, armed fighters who controlled many communities became the regulators of women's mobility and safety and determined the sustained presence of violence in their lives.

► There are distinctions in how VAW is perpetrated during the conflict, but the violence is still grounded in societal norms that normalise VAW. Forms of violence targeted at women that existed before conflict, such as sexual assault by known and unknown men, become distinctive because of the way that it is used tactically or because it takes place collectively on a mass and public basis. In Timor-Leste, new actors such as Indonesian state forces and proxy militia, used sexualised assault, harassment and rape in attacks and during the detention and intimidation of women. In Liberia, mass public sexual violence took place that was distinctive from the ways that sexualised violence may have taken place before. At the same time, both of these forms of violence are still grounded in the normalised gendered and sexualised violation of women.





“

CRVAW is not  
solely episodic.

”

The current focus in international law and policy on specific forms and acts of violence, particularly ‘strategic rape’ by armed actors, tends to locate that violence as solely distinctive or different from the norm. Policy needs to move beyond addressing CRVAW as solely episodic. Some forms of violence (e.g armed mass sexual violence) may end, but their founding in earlier iterations of that kind of violence (e.g sexual assault of women in their relationships) and in prevailing gender inequalities that give power and meaning to that violence, does not end. Similarly, while connections and continuums in VAW from conflict to peace require engagement with, recognition of how the distinctive forms of violence will be enacted and will be understood and experienced by women themselves is required.

The starting point of conflict-time violence is the pre-conflict context where gender norms and inequalities enable women to experience physical, sexual, emotional and economic violence. Those issues need to be tackled as a means to prevent the same kinds of conflict-time VAW from appearing in similar or distinctive ways, by the same or by different actors.

# The Women's Quilt

The Lower Shankill Women's Group created this artwork using the theme of a traditional family quilt as their inspiration. The quilt idea was chosen as an item, which is often made together by family members and is ultimately passed down through the generations. The women decided to decorate their quilt with words that described themselves and their family members. Each member of the group contributed to the project, which were brought together to form the overall artwork. They also wanted to highlight that women have a pivotal role to play within the community and that their voices are as important as any one else's.

...Cherry worked with the women during this project, drawing out family stories of care, loss, remembrance and ultimately love, not only for their immediate families, but for their friends and the wider community.

The artwork was funded by the Housing Executive, working in partnership with the Lower Shankill Community Association. The artwork replaces a contentious paramilitary mural and an artwork depicting the burning of Protestant homes at the beginning of The Troubles.

**Housing**  
Executive

  
**LSCA**  
Lower Shankill Community Association

“

The sustained presence of a range of gendered harms targeted at women is common across time from conflict to peace.

”

3. The creation of new ways of labelling VAW as part of post-conflict transition influences how that violence is made visible, and in turn, influences what kinds of violence are reported.

Third, the study identifies that heightened attention to particular forms of during-conflict violence influences the ways that forms of violence receive attention in post-conflict transition. Specific forms of VAW, such as domestic violence or sexual violence, become subject to the adoption of new laws and policies through transitional reform measures and the work of international organisations. VAW becomes redefined through these labelling processes. New labels applied to forms of VAW inevitably determine a new meaning for this violence. This then influences familial, community, and societal understanding of that violence, as well as how policy and law, and associated services, respond to it.

This has three primary consequences:

- ▶ **The ways that labelling happens matters for how some forms of violence become visible over others.** For example, in Timor-Leste, international concepts of human rights brought in by international organisations redefined domestic violence as a 'human rights violation'. This was a new way of understanding something ordinarily prevalent in many women's lives, and prompted national attention to domestic violence. In Liberia, the term 'gender-based violence' became the new way to understand women's experiences of harm. Adoption of this term through the presence of international organisations was initially focused on the sexual violence of the conflict. In Timor-Leste, laws on domestic violence were adopted (the Indonesian forces had perpetrated public sexualised violence during the conflict, meaning that it was then relevant to consider sexual abuses in family and community spaces). In Liberia, laws on sexual violence were adopted (while many women's organisations noted to this study that issues like domestic violence received far less attention despite its very high prevalence). In the aftermath of each of these conflicts, specific forms of violence therefore became subject to legal and policy focus, while other forms did not as a result of these labelling processes.
- ▶ **Labelling violence matters for reporting and response services.** In all three case studies, the introduction of awareness-raising on specific forms of violence prompted reporting and demand for services for those specific forms of harm. While the reporting evidences and affirms the critical need for education and awareness raising on VAW in post-conflict contexts, it also points to how messaging around specific labels, such as 'domestic violence' influences reporting on that form of violence. For example, in Liberia, medical services found that when they encouraged women to come forward to report sexual violence, women who had experienced rape during the war some years earlier came forward to seek help at that point. But society's understanding of current day sexual violence, which determines that adult women or women whom are married cannot experience 'rape,' has meant that the majority of reporting of contemporary sexual violence is that perpetrated against children. Reporting of sexual violence against children is thereby very high in Liberia. This shows how context-specific and socio-cultural interpretation of labels will influence what violence is reported and becomes visible.

“

More attention is required to the role of labelling in approaches to VAW in post-conflict transition.

”

► Labelling influences perceptions of VAW, particularly the idea that there are increases in VAW after conflict. For example, in Liberia and Timor-Leste respondents to the research frequently conflated increased reporting with increased prevalence, establishing an alarmist or 'panic' understanding of what was happening regarding VAW. Following the peace agreement in Northern Ireland, women's organisations and policing data both observed increased reporting rates for domestic violence. More nuanced examination revealed that policing resources were re-focused towards domestic violence after the conflict ended; confidence in policing was growing in some communities which had disengaged from the policing services during the conflict; and general awareness raising and trust in services were all prompting women to respond. The labelling and redefinition of violence that takes place after conflict and the provision of adequate services may therefore have a greater influence on perceptions of rates of post-conflict VAW than is currently acknowledged.

This shows that more attention is required to the role of labelling in approaches to VAW in post-conflict transition. Redefining VAW and creating awareness prompts reporting, which is needed. But, a focus on some harms may occlude attention to other forms of harm. Not only does this institute a hierarchy of harm, it also sends signals to women about what the violence in their lives means and whether and how they can act to seek help for it.

Post-conflict policy processes on VAW need to consider the following:

- ▶ **What forms of harm are women experiencing – through what pathways, drivers, in what spaces and by what actors?** Research should identify the enduring impacts of the conflict-period violence, such as impacts of rape on women’s health; whether there are prevailing forms of violence relating to the conflict, such as threats from returning fighters; any emerging new forms of VAW, such as SEA by international actors; and re-emerging forms of violence, such as domestic violence. These range of harms require tailored responses.
- ▶ **What is influencing the ways that VAW is understood?** Policy and programming should use international standards and labels in ways that engage with existing understandings of VAW. In this way, the new meanings of violence that are being promoted can be understood in ways that generate an enabling environment to prevent and respond to VAW.
- ▶ **How can reporting of violence be met by appropriate response to the resulting demand for services?** If awareness-raising is resulting in increased reporting of VAW after conflict, then services need to be able to respond. This includes from policing and justice, to clinical services for sexual assault.





“

Transitional justice mechanisms have largely neglected to engage with the key characteristics of VAW in each conflict.

”

4. Post-conflict transitional justice mechanisms need to allow women to articulate their own experiences of harms, without requiring them to name and frame specific components of their experience within existing definitions and understandings.

Fourth, through examining post-conflict justice measures, the study found that transitional justice mechanisms have largely neglected to engage with the key characteristics of VAW in each conflict: the variances to violence in each conflict; the connections and distinctions in VAW across periods of conflict and peace; and the influence that labelling has on the forms of VAW that become visible in each conflict and post-conflict setting. Approaches to truth seeking for example, have:

- ▶ Reduced and compartmentalised women's experiences of harm, completely missing the variance to VAW and the ways that gender provides meaning to that violence in conflict contexts. This is most evident in the ways that Liberia's truth commission addressed monolith ideas of sexual violence and neglected their link with wider connected gendered harms;
- ▶ Failed to ensure that women participate, and that their participation and hearing of their experiences is linked to efforts to tackle the structural discrimination that causes the linkages in violence across conflict and peace. The Timor-Leste truth process missed opportunities to identify broader patterns of harm beyond distinctive sexual violence;





Frameworks for peacebuilding need to employ approaches that let women articulate their own experiences of conflict and harms themselves.



► Omitted women and their experiences by effectively labelling women out of the conflict, as if they were absent from or never existed in the midst of that conflict. This is most evident in Northern Ireland in the ways that the conflict and its events have been categorised in particular ways, excluding women and their experiences from nascent processes of dealing with the past.

The research undertaken for the study identified that there are tensions inherent in approaches to post-conflict justice that simultaneously *push open* space for addressing women's experiences, such as inclusion of *some* gendered harms in justice mechanisms, but also *pull back* and constrict how the issue is addressed, for example by narrowly framing its focus to specific harms that fit with existing policy definitions.

International policy approaches therefore need to pay more attention to the relationship between the potential for change in gender inequalities after conflict, and the actuality of change that occurs when the nuances to CRVAW are not made visible and addressed. Practically, this means that international, national and donor policy frameworks for peacebuilding, and particularly the mandates of justice mechanisms, need to employ approaches that let women articulate their own experiences of conflict and harms themselves, without requiring them to name and frame distinctive aspects of their experience in line with existing definitions and understandings.

## Transformative Transition

The study finds that there is a difference between facilitating transition and facilitating transformation. The 'past' that is ordinarily dealt with in transitional justice is generally taken to be the period of conflict-time violence. However, as evidenced by this research, past conflict-time harms are connected to past pre-conflict-time harms. They are also connected to present harms in the post-conflict context and to the enduring inequalities across time, from conflict to peace, that cause these harms.

Practically, this is the difference between modalities of justice that admit women and some of their concerns on terms defined by that process, and those that, through justice, attempt to uncover and set an agenda that will tackle the way that underlying inequalities give rise to gendered exclusions and harms. On the one hand, the post-conflict moment represents a move from conflict-violence to non-conflict-violence, the establishment of a new democratic order, and transition from conflict to a negative peace. On the other hand, it is a potential transformation process that views the cessation of conflict as only one aspect of the change needed, and rather changes to social and violent practices generally are central to an inclusive and a more positive version of peace. In transition, there is a move from high prevalence of CRVAW to a society in which the forms of conflict-time distinctive harms do not occur. In transformation, there is recognition of the history of oppression and resulting breadth of harms that persist in women's lives, their inter-relational connection across times of peace and conflict, and an attempt to create a longer-term aftermath that works toward eliminating gendered harm.



“

Transformational approaches within justice that include but go beyond law, and that are people-centred and focused on inclusivity and social transformation are required.

”

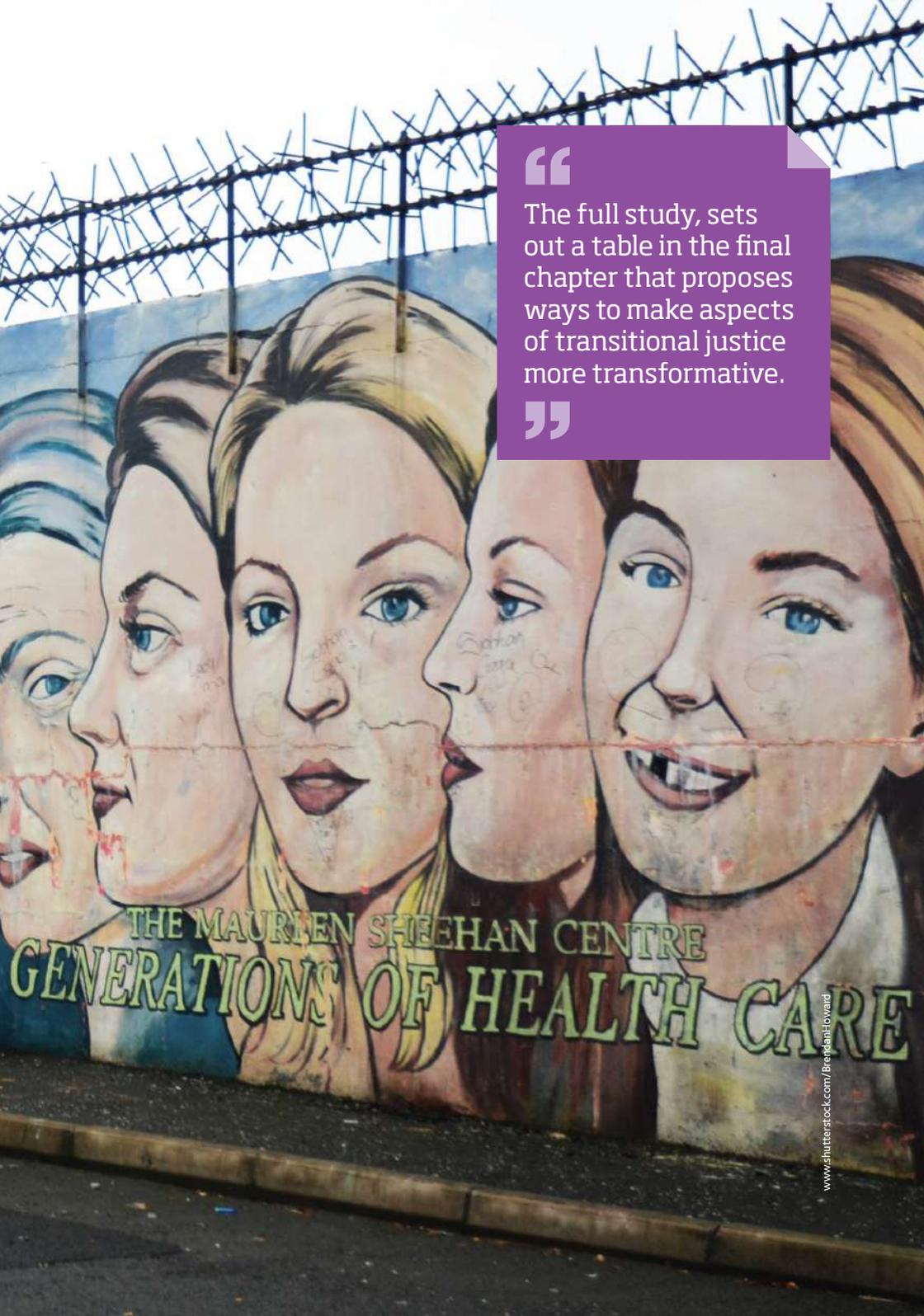
The full study, *Conflict-related Violence Against Women: Transforming Transition*, (Cambridge University Press, 2018) sets out a table in the final chapter that proposes ways to make



aspects of transitional justice more transformative. In summary, the study proposes that employing justice to promote transition and ultimately ensuring legal accountability for crimes.

Transformational transition should capture the relationship between the public and private, where the issues ordinarily understood as being within the private realm of women's lives are recognised as the determinants of much that occurs for women during and after conflict.

Transformational approaches within justice that include but go beyond law, and that are people-centred and focused on inclusivity and social transformation are required. Justice does not just address the injury incurred on women, but the underpinning social process that made those injuries have a meaningful effect in armed conflict. This research confirms that transitional justice measures need to go beyond facilitating political transition to prompting transformative change to the ways that CRVAW is understood and addressed, if political settlements are to enable gains for women and an end to violence in their lives.



“

The full study, sets out a table in the final chapter that proposes ways to make aspects of transitional justice more transformative.

”



