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Abstract

The phenomenon of male-to-male sexual assault undoubtedly occurs, both in domestic and conflict contexts. There is a small but growing discourse supporting the analysis of this phenomenon, however it remains significantly limited and its growth disproportionate to the concerns it warrants. The international law, NGO and State actors are largely responsible for this inhibition, predominately attributable to their intent in preserving the feminist and patriarchal values on which their institutions are founded. The strength with which the feminist discourse has embedded itself into the agendas of relevant actors is obstructing attempts at unbiased analysis of gender-based violence and the development of a discourse dedicated to understanding male sexual assault. It appears to be a prevailing sector-wide perception that females are the only victims of sexual violence and that creating space for a discussion on male-sexual assault will detract worth from the feminist discourse on female sexual assault. This paper discusses the means in which the sectors ignorance towards male sexual assault manifests and the harmful implications of ignoring this phenomenon. The author uses contextual analyses from development, international law, and cultural examples.

Zusammenfassung

Sexualisierte Gewalt gegen Männer existiert im häuslichen Umfeld ebenso wie im Rahmen bewaffneter Konflikte. Zwar wird dieses Phänomen zunehmend diskutiert und analysiert, doch ist der Diskurs nach wie vor begrenzt und seine Zunahme spiegelt nicht die soziopolitische Bedeutung des Problems wider. Neben dem Völkerrecht selbst sind auch NGOs und die Staaten für diese Begrenzungen verantwortlich, weil sie einerseits die feministische Sichtweise aufrechterhalten wollen und andererseits patriarchalische Strukturen nicht gefährden wollen. Eine unvoreingenommene Diskussion über geschlechterbasierte Gewalt ist aufgrund der Dominanz des feministischen Denkansatzes in diesem Bereich nicht möglich und das Verständnis für gegen Männer als Opfer sexualisierter Gewalt bleibt gering. Dahinter mag die Befürchtung stehen, das In-den-Blick-nehmen von Männern würde den weiblichen Opfern zu viel Aufmerksamkeit entziehen. Dieses Diskussionspapier geht der Frage nach, in welchen Bereichen sexualisierte Gewalt gegen Männer ignoriert wird und was die Folgen dieser Vernachlässigung sind. Dabei nutzt die Autorin Kontextanalysen aus den Bereichen Entwicklung und Völkerrecht sowie kulturelle Beispiele.

I. Introduction

The predominance of sexual violence is well documented, both in domestic and war-time contexts. Obtaining exact figures of sexual violence prevalence is difficult enough within domestic contexts let alone within a war context given the numerous barriers such as victim willingness to report and practical data collection. The earliest meta-study on the prevalence of sexual violence against either gender was that of Spitzberg in 1999 [secondary citation]¹. Spitzberg's meta-analysis estimated that 13% of women and 3% of men globally had been victims of sexual violence at some point in their lives. Given the age of this study and decade in which it was completed, these figures likely were and are much higher in reality.

The prevailing analytical approach to sexual violence has been virtually wholly focused on the female victim, and until recently generally exclusive of males. This has left an entire population extremely vulnerable to harm with virtually no support. This gap in discourse has only begun to be acknowledged within the last twenty years, resulting in a slow yet noticeable shift toward a more gender inclusive approach to sexual violence².

Evidence of this discourse shift is emerging. Changes in language and attitudes are acknowledgment that male sexual assault is a prevalent phenomenon and that male vulnerability to this threat is equal to that of females. This shift is particularly important with regard to sexual violence committed during conflicts. Changes are occurring across the international law, international criminal law, and human rights and humanitarian law sectors.

The international community has seen changes of this scale before, giving heart that efforts to catalyse change will not be lost. The evolution of gender discourse and emergence of the feminist movement throughout the 19th and 20th centuries juxtaposes this well. Early versions of United Nations (UN) instruments were constructed predominately by men and therefore were also chiefly from a male's perspective, neglecting for the most part the rights and perspectives of women. Beginning in the 70's the UN and many non-governmental organisations (NGO) began investigating violence against women. The findings were published in a multitude of articles, bringing the enormity of the problem to the attention of the international community for the first time. The result was an enormous shift in gender language and discourse, both within the UN and NGO sectors to focus on the specific rights, needs and vulnerabilities of females³. By 1979 the Convention of the Elimination of all forms of Discrimination Against Women (CEDAW) had been established and, in close partnership with the NGO sector, has since played an integral role in advocating for the rights of women around the globe⁴.

The strength with which the feminist movement and associated discourse has advocated for women's rights has arguably, albeit inadvertently, had the effect of overcorrecting the gender bias balance regarding gender based violence (GBV)⁵. Meaning the current hegemonic approach to analysing GBV, even more so sexual violence focuses almost completely on the female victim at the exclusion of males.

Despite the prevailing influence of the strong feminist discourse, clear evidence of change is emerging. The Rome Statute is the founding treaty of the International Criminal Court (ICC), enforced since 2002. It was the first UN instrument to utilise a gender definition inclusive of both genders. The Statute defines gender as “the two sexes of male and female within the context of society”⁶. The component referring to societal context was a matter of contention on creation. Contributing states with prominent catholic and Muslim values voiced concern that the definitions ambiguity may give license for an interpretation of sexual orientation against their ideologies. Redefining terms as integral to the conceptual structure of the human race as gender was the first step toward true reform. Unfortunately, resulting evidence of tangible impacts is yet to be demonstrated.

The International Criminal Tribunals for Yugoslavia and Rwanda (ICTY & ICTR) both produced landmark outcomes in international criminal law for human rights violations for both genders, but males in particular⁷. The tribunals saw the first successful prosecution of sexually violent crimes committed against males within a war context. Although these instances were few that there was recognition of even one mans experience is noteworthy. The successes of the ICTY and ICTR set a precedent for sexually violent crimes within international law, laying much of the groundwork for the progressive nature of the Rome Statute⁸.

Despite the necessary legal framework having been in place for the past 15 years, the proportion of successful prosecutions of sexually violent crimes toward men under this jurisprudence remain sparse. The question of why this trend is continuing remains a conundrum, the answer to which lies within a complex web of dominant discourses, traditional belief systems and steadfast societal values.

The current paper discusses the prevailing aspects of said phenomenon. Section two focuses on the discourse gap, consisting of two subsections: 2.1) The lack of academic literature on the phenomenon and associated service gap; and 2.2) on the exclusive focus of UN instruments on women. Section three discusses the prevailing misconceptions of male sexual violence as influenced by traditional patriarchal values, with two subsections: 3.1) on the manifestation of these values within international judicial contexts; and 3.2) the use of rape as a tool of establishing power dynamics. The fourth section of the main body discusses the ongoing implications of male sexual violence within two spheres, a subsection on each: 4.1) on the individual; and 4.2) on the wider community. The overall aim of the current paper is to highlight the problematic influence of feminist discourses and ingrained patriarchal societal values on attempts at an unbiased analysis of gender-based and sexual violence.

II. The gap

1. Research and services

Minimal literature currently exists investigating violence against men and boys, and even less on sexual violence. This is alarming when compared to the enormous body of knowledge and effort dedicated to understanding violence against women and girls. Although the human rights and international law communities have acknowledged that male directed sexual violence occurs, state and non-state actors continue

to largely ignore or minimize the phenomenon's existence⁹. Any mention of men or boys when referencing victims of sexual violence is generally relegated to an afterthought or a sentence at most.

At the time of publication, Del-Zotto and Jones¹⁰ reported 4,076 active NGO's whose focus issue was specifically that of sexual violence within war contexts. Of that total only 3% of those NGO's had released literature that touched on male victims and even then references were often only a passing comment. Moreover, the authors noted that some NGO's outright denied that males were, or could ever be, subject to sexual violence at all.

In 2004 a report by Amnesty International investigating reports of mass rape in the Congo focused entirely on females. That men and boys were victims also was mentioned however only briefly in a final sentence at the end of the report¹¹. The Centre for Post Traumatic Stress Disorder in Washington DC, released a report in 2000, which completely omitted any reference to male victims of wartime sexual violence and focused all treatment programs and solutions entirely on women and girls¹². Credibly the World Health Organization (WHO) appears a step apart from the others and does acknowledge that males are victims of sexual violence. A section of one of its publications offering guidelines for working with sexual violence victims includes a section specifically on males however women remain the primary focus of the document¹³.

This begs to ask the question as to why the global community is so eager to avoid acknowledging the male rape phenomenon. It appears to be the concern of NGO's and some human rights experts that a rise in discussion on male sexual violence victims would have the adverse effect of detracting the attention away from female victims. When male sexual violence is acknowledged, it is often followed by a justifying statement reasserting that females are the predominant victims and must therefore remain the primary target cohort for resources¹⁴. This concern is exemplified by the NGO sectors response to the 2009 documentary "Gender Against Men" produced by the Refugee Law Project (RLP)¹⁵. The films director, Dr Chris Dolan, reported that he received pressure from multiple NGO's not to release it for concern of how it may impact the distribution and flow of resources for female victims of sexual violence. The Dutch Oxfam branch allegedly threatened to cut funding completely from the RLP unless it could guarantee that 70% of its target cohort would remain female¹⁶. Such a response indicates recognition of the films validity coupled with a fear of upsetting political agendas.

Del-Zotto and Jones postulated that the strong-female focus of resource distribution is largely attributed to the humanitarian sector being dominated by patriarchal values¹⁷. Humanitarian NGO's rely heavily on a pool of funding controlled by private corporations and states, both predominately driven by males with hegemonic masculine ideals and political agendas alike. The authors argue that it is the perception of the sectors elite actors that when the male is not the perpetrator he is the protector, leaving only females with access to the victim category. This perception is enforced by monetary contributions being conditional and contracts specifying as to what causes funds can be allocated. As intended, such regulation perpetuates prevailing masculine ideologies of which can be harmful to those who attempt to deviate and explore alternatives out of line with the mainstream.

Further from Del-Zotto and Jones analysis, the actual motivation behind regional resource allocation becomes exposed. The authors discovered that funding distribution is less about recognizing a need and desire to help, than about strategic and geopolitical interests of donors. Indeed, of the 4,076 organizations in the study, 87% focused on women in the Balkans, a high profile region in diplomatic circles. Donating bodies understood that being active in this area would gain greater attention and boost credibility than activities in other less-visible areas¹⁸.

Del-Zotto and Jones's conclusion above is an exemplar of how the humanitarian sector is failing in best practice approaches. Dolan points out the sectors frequent misuse of the best practice golden principals, namely: use only interventions that are evidence based; and evidence is only as good as the questions asked to find it. Dolan draws attention to the tendency of the NGO sector to view the lack of available data around male rape as an indicator that it does not occur rather than due to a lack of reporting¹⁹. Clearly, this is a failure to ask the right questions (or even ask one at all) and an attempt at avoiding approaches that would force confrontation with a somewhat extraneous concept for the majority. Obviously this stance is highly problematic and inconsistent with standard deductive research practices.

Stemple's articulate analysis of male rape in conflict contexts concluded that "Male rape will only be curtailed when the perception of men broadens beyond one that sees men as a monolithic perpetrator class"²⁰. The resulting implications of allowing said phenomenon to prevail are that the issue will continue being swept under the carpet, key gaps in discourse will remain, the number of victims continue to rise and those already suffering will continue to do so alone.

2. United Nations instruments

A majority of UN instruments (i.e. treaties, resolutions) combating violence and sexual violence in wartime contexts are almost exclusively devoted to females. Males, for a myriad of reasons, are often either excluded or their vulnerabilities emphasized less. This is particularly problematic, when using the term "gender based" with regard to violence. UN bodies and NGO's alike tend to limit its use to references regarding violence against women and girls, rather than to reference violence against either gender as its purpose intends. This does not leave much flexibility for a gender analysis of male directed violence, sexual or otherwise²¹. Notwithstanding acknowledgement that violence against women to be a division of GBV, its interchangeable use with violence against women perpetuates the misconception that women are the only victims.

CEDAW defines GBV as "a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men."²². Similarly the U.N. Security Council Resolution 1325 states its concern for civilian safety in situations of conflict, emphasizing women and children²³. The resolutions primary purpose being to highlight the impacts of war on women, justifies the exclusion of men by stating that women and children are disproportionately affected by conflict. Whilst statistically accurate, it does not justify withholding attention away from male victims, on which the impacts of war are on par with that on women. Attention on one gender need not be at the expense of the other. The two former examples are typ-

ical of problematic language trends evident throughout a majority of UN and international law instruments.

Of further concern is the context in which males are spoken about when given mention. In 2009 the United Nations Action Against Sexual Violence in Conflict (UN Action) was established for the purpose of coordinating the work of the 13 UN bodies working on sexual violence²⁴. Notably, males do receive specific mentions in its documents however that females remain the primary focus was made very clear. Three of its six core principles are particularly relevant to the current argument, quoted below:

1. *“Gender-based violence, including sexual violence, is a violation of fundamental human dignity and rights”.*
2. *“Attempts to end sexual violence must address gender-based inequalities by empowering women, and protecting and promoting their human rights”.*
3. *“The constructive involvement of men and boys is vital”²⁵.*

The first quoted principle uses gender-neutral language therefore the reader may assume that GBV could refer to male or female victims. However the principal following it clarifies that its use of GBV refers specifically to women suggesting little to no efforts are being made to address GBV affecting males. The third quoted principle is rather vague however suggests that men and boys involvement is simply for the purpose of reforming their behaviour toward women. A promotional leaflet produced by UN Action demonstrates the bodies’ intent clearly by the use of the tag line ‘UN Action: making a real difference in the lives of women and girls during and in the wake of conflict’²⁶.

III. Misconceptions of male sexual violence

1. International law

The failure of international courts to achieve justice for male victims of sexual violence is one of the systems greatest disappointments. The implication being that victims are unable to access a system whose primary reason for existence is to protect their human rights is disastrous and unjust²⁷. What is more troubling is that continuation of this fault is unnecessary given the high capability of the current legal framework to achieve justice.

The definition of rape included within the Rome Statute is considered the most progressive out of those in current use. The definition states that “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity’ is considered a crime against humanity”²⁸. The range of acts which could constitute sexual violence is near impossible to list however types of acts which receive the most frequent mentions include anal and oral rape, enforced rape (prisoner-to-prisoner under duress), enforced incest, penetration by foreign objects, enforced sterilization by castration, mutilation of genitalia and enforced nudity. The deliberate breadth of this definition serves its purpose, that

being to ensure men and boys are indisputably recognized as being susceptible to sexual violence victimization²⁹.

The gender-neutral language used within the Statute is noteworthy, often credited to the International Criminal Tribunals of Yugoslavia and Rwanda (ICTY and ICTR respectively). Both tribunals have been documented to have each recognized sexually violent crimes against both male and females in a number of landmark cases, setting a precedent for future international tribunals. These victories were attributed to the development and consistent implementation of clear prosecution guidelines and the formulation of specialized truth seeking task forces charged with conducting detailed investigations³⁰. The Yugoslavian tribunal was reportedly particularly enlightening, revealing for the first time realistic indications of the prevalence of wartime sexual violence due to the large scale emergence of evidence from UN bodies, NGO's, individual states and independent research initiatives³¹.

Despite the progression in legal language, the number of successful prosecutions pertaining to sexually violent crimes perpetrated against a male is extremely small³². Sivakumaran argues that this lack of progress is attributed to there being limited positive traction in the GBV discourse as a whole. This argument is referring to the traditional notion that males cannot be sexually perpetrated against³³.

Evidence that this dated perception remains obstinate lies plainly within tribunal outcomes. Quite simply, the prosecution consistently fails to recognize the sexual nature of such crimes committed against males, instead choosing to classify charges under a general rubric thus overlooking any sexual aspect no matter how obvious. Examples of common incorrect classifications include castration as mutilation, rape as torture, and enforced nudity as inhumane treatment³⁴. The point here is that had the victim been female, feminism would have demanded that the acts of rape be recognized for what they are: rape, period. Notwithstanding the need to recognize rape as a general form of torture, however in the case of males it is often seen as appropriate to overlook the particular. If feminism is fighting so strongly for female victims, who then, is fighting for the male victims?

There is no shortage in critiques on international law, particularly regarding the current subject matter. Dunmore's thesis cites multiple examples from the ICTY and ICTR where charged crimes against males clearly of a sexual nature were not prosecuted as such³⁵. One such example is that of Prosecutor v Duško Tadić. Tadić was summoned by the ICTY on multiple charges of crimes against humanity, violations of the laws and customs of war, and grave breaches of the Geneva Convention. Victims were both male and female and crimes of a sexual nature. Dunmore specifically draws attention to an incident where two prisoners were forced to commit sexual acts on a third, including the grotesque mutilation of genitalia. This incident was believed to have resulted in the death of the third prisoner. Ultimately Tadić was sentenced for multiple counts of each charge type. The mutilation of genitals was described as "inhumane treatment and willfully causing great suffering or serious injury to the body or health"³⁶. Dunmore drew attention to the fact that despite acknowledging the sexual nature of the crimes during the trial, the Prosecutors final judgment omitted any reference to this. Similar to Sivakumaran, Dunmore highlighted that the tribunal should have acknowledged that oral sex and genital mutilation is sexual *as well as* cruel and humiliating rather than omitting the former. Further to

Dunmore's notes, was that similar crimes perpetrated by Tadić against female victims were classified under a sexual assault rubric³⁷.

The above example is typical of international tribunal outcomes on such matters. That the tribunal was in an ideal position to achieve justice for the male victims yet chose to withhold its judicial powers was a significant disappointment. The International Center for Transitional Justice consistently points out that inaccurate or incomplete classifications of crimes will exclude victims from accessing any reparation programs able to deliver crucial support³⁸. Furthermore, failing to recognize sexual violence for what it is limits the accountability of the perpetrator for their actions and justice cannot be reflected in retributions.

Further to this, the importance of accurately classifying sexually violent crimes is an integral step toward breaking down harmful gender stereotypes. Sivakumaran highlights the unique dual power of legal languages to "reinforce world views" and to "silence alternative meanings"³⁹. It is here that Sivakumaran warns that the law should not be used to suppress certain meanings so as to fit a particular worldview. Overlooking the sexual nature of these crimes limits the capacity of gender-based discourses to comprehensively analyze violence during conflicts and combat future occurrences.

2. Rape as a tool of power

The use of wartime rape as a display of victory and means of destruction is by no means a new concept. The construct of the rape concept is one of a power struggle, ending with one exerting power over and dominating another. Rape being an extremely powerful tool of control as a highly prudent means for establishing and maintaining power is often used as such during times of instability. During conflict, the power dynamics become vulnerable to reconfiguration, therefore the likelihood of rape occurring significantly increases⁴⁰.

In many cultures, women are considered the centrepieces of communities, representing the wholesome warmth of family and stability. Complimenting this, men are viewed as the protectors of the community, representing security and strength via masculine traits. Accordingly, targeting women during conflict, as is often the case, is an extremely effective tool for community destruction. It is also an indirect attack on men and a form of communication between men. It strips one man of their reputation as protector and showcases the power capacity of the other⁴¹.

From this perspective, the sexual assault of males within conflicts sends arguably a significantly stronger message than female assault. Violating male members of a community not only disempowers the individual but the entire household and community⁴². Sexual violence from one male to another is less about the perpetrators sexual gratification than it is about establishing and enforcing a power hierarchy⁴³. It is not an uncontrolled outburst of perpetrator anger but a calculated tactic for victim submission, and in wartime contexts its use is highly systematic. It is a highly effective means for efficiently dismantling and establishing power hierarchies to minimise prospects of a community taking back control⁴⁴.

The rape culture prevalent within prisons demonstrates this dynamic well. It is not uncommon for prisoners with effeminate features to be 'purchased' for sexual exploi-

tative purposes by another. Such relationships often resemble a business transaction whereby one receives protection from other prisoners at the expense of forfeiting his body for the sexual use of the other. The submissive is often also expected to perform domestic chores, effectively assuming a traditional 'housewife' role. The dominant partner preserves his masculine identity through mechanisms such as the status of being in control and assuming penetrative positions during intercourse⁴⁵.

In a conflict context, such dynamics are also present. The perpetrations of sexual assaults in conflicts are often purposely conducted within public arenas. With regard to women, it is often her children and other women who are forced to bare witness to the event. In these instances the perpetrators intent is likely to traumatise the child as well as their parent, and to force other women into submission with threats of a similar fate⁴⁶. For men, the intent is similar however the impact on the individual male and their community is arguably far greater. His assault publicly strips him of his reputation and he cannot conceal his experience. His personal vulnerabilities are showcased, indicating an inability to defend himself to those whom he was charged with the responsibility to protect⁴⁷.

The long-term consequences for male victims are often disastrous and life-long. For male victims there is often little chance of redemption to their former reputations, their integrity eternally compromised. The implications of this will be discussed further in the following section.

IV. Implications

1. The individual

It is a common misconception that any male on male sexual contact is indicative of homosexuality. This is highly problematic for male sexual assault victims, particularly in societies where homosexuality continues to be criminalised. Here in lies a primary incentive for victims to keep their assaults secret. Dolan recorded 67 states in which homosexuality remains a criminal offense, a high proportion being prone to conflict⁴⁸. Prevailing gender ideals in many societies, conflict prone or not, paint "men as sexually dominant and women as submissive"⁴⁹. From this perspective, any sexual contact between males, regardless of any element of coercion, is perceived as homosexual. This stigmatises the victim and leaves them vulnerable to prosecution⁵⁰. As mentioned previously, this stigma does not appear to extend to the perpetrator who is allowed to retain his masculine identity through establishing a power hierarchy with himself at the head.

When males do report assaults, responses tend to be negative, compounding the foundation trauma further. WHO's publication 'Guidelines for medico-legal care of victims of sexual violence' states that males generally experience the same PTSD symptoms as women. However, in addition males are also more likely to also be concerned about "their masculinity; their sexuality; opinions of other people (i.e. afraid that others will think they are homosexual); and the fact that they were unable to prevent the rape"⁵¹.

A common misguided response to male disclosures of sexual assault is the assumption that the victim provided consent. Again, this perpetuates the prevailing notion

that males cannot be victims of sexual violence. Stemple cited an example in Romania where a man who reported being raped by two other men was sentenced to 18-months imprisonment for consensually engaging in homosexual behaviour. The alleged rationalisation by the presiding judge was that because the victim identified as gay this translated to automatically assumed consent. Furthermore, the known prevalence of prison rape culture raises concern for the implications of confining an already traumatised man to an environment where he will be constantly at risk of further abuse. This will serve only will only re-traumatise the person and inhibit recovery⁵².

The added impact of homosexual stigmatisation is that of the victim having his sexual identity questioned, both by himself and his community. This state of internal crisis stems from the ingrained societal misconception that only homosexual men can be raped and that heterosexual males do not engage in sexual behaviour with each other⁵³. As it is not uncommon for males to experience arousal during an assault this often leads to further feelings of guilt, shame and confusion. By logical deduction using this flawed theory male victims assume that they must be homosexual. This is particularly problematic for young boys, whom were still developing and undergoing self-discovery processes at the time of assault⁵⁴.

Signals of abuse in males are not always clear and manifest differently to that of female victims. First response medical staff and humanitarian workers are often not trained to recognise key indicators of abuse in males⁵⁵. What is of further concern (and disappointment) is the attitudes of staff to disclosures often being somewhat sceptical⁵⁶. WHO emphasises the importance of adopting a trauma-informed approach when working with male victims and need for added consideration regarding cultural elements that make reporting a difficult decision and process⁵⁷.

Considering the consequences of coming forward, it leaves little question as to why men and boys are so reluctant to report their experiences. Sivakumaran, (2007) argues that tainting victims as homosexual appears to provide the international law and humanitarian communities with a justification to ignore the problem⁵⁸.

2. The community

In many cultures the impacts of male rape extend well beyond the individual, it has the capacity to affect an entire community. This is undoubtedly a known impact and primary intention of the perpetrator, particularly during times of conflict. As mentioned previously, public rape sends a powerful message to the community as to who sits at the top of the hierarchy. By ensuring assaults are community witnessed, any possibility for the victim to deny or hide their experience is eliminated and ensures the perpetrators intent to cause destruction is achieved.

The relationship between the victim and his family is also often severely impacted as a result of assault. The external manifestation of trauma often inhibits emotional connections with family members, intimacy with partners in addition to the usual obvious trauma signs⁵⁹. Common misperceptions are that a man should have the strength to protect himself from being attacked as well as being able to withstand any consequential follow-on effects from an assault, namely maintaining emotional composure. Failure in fulfilling either of these two expectations is viewed as a sign of

weakness. The wives of such men frequently take the viewpoint of 'if my husband is unable to protect himself, then how can he protect me and our family'. Expressed feelings around experiences commonly use phrases such as 'Now I feel only half a man' and 'I have lost my identity'⁶⁰. Families have been known to completely disintegrate as a consequence of a husband's sexual assault, leaving both spouses with fractured identities and diminished significance of support figures⁶¹.

The relationship between the man and his community is also severely impacted. Male victims of rape often report being ostracized as a result of the stigma attached to male rape. They are given derogatory labels such as "bush wife" and stripped of official titles and privileges⁶². In this way the sexual violation of male members of patriarchal community structures challenges the integrity of the protection offered by male's masculine identities, undermining any sense of security previously in place. From this perspective, that male rape can have such powerful impacts on the "markers of gender identity"⁶³ means it also has the power to dismantle the entire political structure of a community⁶⁴.

V. Conclusion

There is clear evidence of an emerging discourse of male directed sexual violence. This movement, in the wake of the progressive Rome Statute, is being led by a small selection of independent academics and NGO's. The relevant UN bodies are slowly adjusting to a recognized need for inclusive language within instruments, however this continues to be partial at best and a somewhat begrudging compromise in response to persistent pressure from relevant human rights and international law actors.

Following the compelling recounts of male victims of sexual violence within the ICJ and ICTR, regardless of the final judgments, left the international community with no choice but to accept that men and boys can and are subject to sexual violence, just as are women and girls. However, the acceptance of this phenomenon on paper by the UN and some state bodies has not translated into tangible change for male victims on the ground. The NGO sector at large continues to operate under the ignorant guise of hegemonic masculine ideals and feminist discourses that continue to push females in the centre of the GBV debate. Whilst the international law, humanitarian aid and development sectors alike will most definitely align at some point with the current marginal gender-equality perspective it does not appropriate the sexual victimization of males in the interim. That the necessary legal framework and guidelines already exist to obtain justice for male victims whilst concurrently dismantling widespread harmful belief systems and hegemonic ideologies around gender based and sexual violence, yet when the moment presents the room remains silent, is disappointing and unacceptable.

Stemple eloquently states "No one benefits from a picture of rape in which perpetration is painted as masculine and victimization as feminine"⁶⁵. Stemple argues that the continued emphasis on female victims of violence and sexual violence at the exclusion of males within human rights instruments, literature and services harmfully sensationalizes female victimhood. As men are unjustly excluded from the victim category this approach also excludes women from other categories. Further to the

harmful effects of pigeonholing by feminism discourses is viewing female rape victims exclusively through a sexual assault lens, minimizing other types of traumas she may have experienced and that could have been equally as harmful⁶⁶.

The above assumptions made by discourses assume that male power is somewhat automatic rather than the socially constructed concept that it is. It refuses to consider the reality that male vulnerabilities exist, just as on the converse female matriarchies exist and which can also be harmful in their own right⁶⁷.

VI. Moving forward

In moving forward, the scholarship offers logical instruction in creating space within the current GBV discourse for a gender inclusive analysis. Stemple argues that an entire new UN instrument dedicated to the protection of men is necessary for an equal gender analysis, citing concern that to adapt current instruments would “artificially sex-bifurcated treatment of rape”⁶⁸. Hennessy and Gerry concur with this view, reasoning that male victims require a specialized approach given the need for added consideration of cultural expectations and stigmas attached to male rape⁶⁹. The current author also agrees with these sentiments. Continuing with the present trend of developing instruments for specific cohorts requiring specialist protection (i.e. children, people with disabilities) the same rational applies to the case of male sexual assault victims. Moreover, as demonstrated in the above discussions, the current framework is presently failing to serve male victims justice, albeit not for a lack of institutional capacity. Therefore a specific instrument could reduce opportunities to misinterpret at the exclusion of males of the law and therefore a more accurate representation of male victim prevalence.

On a final note, the author of the present paper would like to acknowledge the limited yet growing number of NGO’s and independent academics willing risk reputations and partnerships to advocate for the rights of male victims of sexual violence. Speaking out to a silent room about a subject as taboo as male rape only to be met with more silence, or worse denial, takes courage and unwavering dedication.

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