



The systematic use of sexual violence in genocide

**— understanding why women are being targeted using the
cases of Rwanda and the former Yugoslavia**

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Abstract

When describing sexual violence as a 'weapon of war' or as systematic in the setting of a conflict, many times there is no distinction between how it is used during different types of conflicts. Moreover, they are often discussed as either a crime against the "enemy" or a crime against women. This research seeks to describe sexual violence during the genocides of Rwanda and the former Yugoslavia and to find whether there is an underlying genocidal intent. It also aims to emphasize the intersectional nature of such crimes — the targeting of a woman on the basis of both gender and group belonging.

With the use of books, journal and research articles, reports and interview transcripts — this paper is based on a qualitative research method aiming to describe the underlying intent of the strategic use of sexual violence targeting women in genocide. It is the interpretation of the gathered material and theories which enables the discussion to take form. The genocidal intent behind rapes and sexual violence is not only to use women as reproductive vessels, prevent births within a group and inflict such injuries that would make a woman suffer and become less worthy in her community — but also to humiliate a group through sexual violence in a way that fragments it into elimination. By acknowledging the heightened effect sexual violence and its genocidal intent has on the intersection of group belonging and gender, women's suffering is not overshadowed by the atrocity of genocide. Women are often discriminated against on either the basis of ethnicity or gender; however, when one emphasizes both elements as reasons for women being targets of genocidal sexual violence, perhaps the crimes could be properly dealt with and responded to by the international community. The research concludes that the systematic use of forced impregnation, mutilation, sexual humiliation and targeting of female identity carries a genocidal intent — resulting in the fragmentation of cultures and communities and furthers female subordination. The crime of genocidal sexual violence is a crime against the individual woman and the group of which she belongs.

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Abbreviations

ICC	The International Criminal Court
ICTR	The International Criminal Tribunal for Rwanda
ICTY	The International Criminal Tribunal for the former Yugoslavia
OSAPG	The United Nations Office of the Special Adviser on the Prevention of Genocide
UN	United Nations

1. Introduction

After the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) were created, rape during conflict as "a weapon of war" was brought to light to a much larger extent than it ever had before. Not many perpetrators were brought to account for the horrendous rapes that took place during these two genocides — but the international community started to, to a larger extent, make a distinction between rape during times of peace with those happening during conflicts. In contemporary academic research one can read about how sexual violence is being used during war and conflicts — how it is being used as means of destruction. Often, the event of genocide is included but not always separated from other types of conflicts. Many scholars argue that there are specific patterns of 'genocidal rape' that has been reported from both the case of former Yugoslavia and Rwanda, which are not as prominent in other types of conflicts. Might there be certain characteristics that could help the international community to recognize a genocidal conflict occurring before it escalates further? Is there a way to discuss the patterns and systematic nature of mass rape — aimed to destroy a people as well as the individual women — without omitting one or the other? For the relation between female oppression and sexual violence is important to understand in the discussion about genocidal sexual violence.

1.1 Research objective

The aim of this paper is to gain a deeper understanding about the characteristics of rapes and sexual violence during genocidal conflicts — using examples from the genocides in Rwanda and the former Yugoslavia. By finding these characteristics, the aim is further to understand why acts of sexual violence have been committed so extensively in genocides and how they carry a genocidal intent — with feminist theory as foundation for its analysis. Additionally, the objective for this research is to simultaneously shed light on the targeting of women and for what reasons they become such targets — how the intent to destroy a group can be related to the violence against women.

1.2 Research questions

Finding answers to the following questions determines the focus of this paper, and they will be investigated throughout.

- What are some characteristics of sexual violence during the former Yugoslavian and Rwandan genocides and what are some indications of the underlying genocidal intent?
- What are the objectives behind especially targeting women with this type of sexual violence?

1.3 Previous academic research

Inger Skjelsbæk (2012, pp.77-78), a Research Professor in political psychology at the Center for Gender, Peace and Security, conducted a literature survey of 140 scholarly texts focused mainly on sexual violence during the Balkan wars and the Rwandan genocide. She concludes that these conflicts and their aftermath brought the issue of sexual violence during conflict to light and partly ended the surrounding taboo which had previously hindered the subject from becoming an object of research. It also became clear at this point that sexual violence was being used as a weapon of war — the use of rape had been too calculated and too frequent for this to be denied. Further she acknowledges that one cannot analyze sexual violence in war without analyzing gender relations. Skjelsbæk (2012, pp.81-90) found that there are three discourses through which to conceptualize sexual violence; essentialism, structuralism and social constructionism. These epistemologies argues that women become victims of sexual violence in war zones in order to respectively: enforce militaristic masculinity, attack certain groups of people or lastly to masculinize the identity of the perpetrator and feminize the victims. The current challenges to study focuses on establishing an understanding of trends and patterns of war-time sexual violence for higher policy-makers to take part of (Skjelsbæk, 2012 pp.133-136).

One can see that after the former Yugoslav and Rwandan genocides — after both their tribunals gained enormous international recognition — books and articles started to contain the testimonies and stories of survivors themselves. "Shattered lives" (1996, pp.

1-103) is a Human Rights Watch report based on interviews and research conducted by Binaifer Nowrojee and Janet Fleischman in Rwanda 1996, which thoroughly investigates and acknowledges the many elements of sexual violence that took place."Mass rape: The war against women in Bosnia-Herzegovina" edited by Alexandra Stiglmayer (1994, pp.1-232) includes chapters written by different authors, including Catherine A. MacKinnon and Rhonda Copelon, addressing different perspectives to mass rapes in conflicts and genocide. Not only does these chapters shed light on the crimes against women, but welcomes the discussion on both gender and ethnicity in genocide. Alexandra Stiglmayer, the editor of the book, was one of the first to interview rape survivors of the former Yugoslavian conflict — revealing the unthinkable violence which took place. "Tactical rape in war and conflict: International recognition and response" by Brenda Fitzpatrick (2016, pp.1-294) also studies the patterns of sexual violence in war and unravels the systematic nature of mass rapes.

Kimberlé Crenshaw coined the term "intersectionality" in her paper on the oppression of African-American women in 1989. She since has continued to contribute to the discussion of the intersectional nature of violence against women. Leslie McCall (2005, pp.1771-1800) too has brought perspective to how to study intersectionality in her article "The complexity of intersectionality" where she argues that feminist theory is disconnected from social reality and that it must look past the restrictions of different methods and instead embrace several approaches when studying intersectionality. Since the term is rather new in academia, and feminist theory is not based on a single definition but rather constantly is being reshaped in our ever so changing environment, the complexity which McCall highlights is indeed important to take into account in further study.

1.4 Relevance of this research

Recent academic studies tries to find patterns of systematic sexual violence during conflict, for the international community to understand it better — so this paper aims to contribute to this research and specifically in genocide. Rape in war and genocide are often merged together under the same category 'conflict', or separated but not in the

same study. This research will look at genocide separately to see whether there are genocidal intents behind sexual violence. The feminist and intersectional theoretical approach which will be presented in this paper, and which will influence its discussion, is intended to contribute to the part of academic research that highlights female subordination and the gendered basis of genocidal acts of sexual violence.

1.5 Research set-up

The structure of this paper will follow that of a typical research project writing. With the use of theories and a conceptual framework, together with the empirics, a discussion of the subject will aim to find answers to those research questions posed in the introduction chapter. The conclusion will summarize and concretize those answers (Habib, Pathik, Maryam 2014, pp.49-50). All in all, the paper has five chapters starting with an introduction to the problem and previous research as well as the objective and aims of the research. The theoretical chapter describes a conceptual framework that includes definitions of genocide and sexual violence, tactical rape, psychological warfare, feminist theoretical approach and intersectionality. The empirics present different acts of sexual violence which have been observed, survivor testimonies and explanations by scholars. The discussion uses the theories to describe what characteristics that the empirical findings show, the genocidal and intersectional nature of them and a shorter section on why it is important to the international community. Finally, the research questions are answered in a conclusion.

1.5.1 Research approach and methodology

The study of this academic research is qualitative and the secondary data collected is partly based on testimonies and stories of victims, and partly based on the interpretation of this material by academic literature, scholars and organizations. The material findings gathered from United Nations (UN) reports and other research reports are also qualitative since they are based on how the studied situation have been subjectively interpreted by those people who have had the chance to observe it. Furthermore, the research is also descriptive — it studies two cases to find characteristics of sexual violence and aims to describe the nature of such violence in genocide (Habib et.al 2014,

pp.8-9). The empirical section includes interpretations and victims statements from both the case of former Yugoslavia as well as Rwanda. The use of two cases is not for a comparative purpose but rather to include different perspectives and complete each other. Since the paper aims to find characteristics of the genocidal intent behind sexual violence and how it has affected women, it seemed important to take into account the different experiences of women. Feminist theory does just that, it constantly reshapes itself by taking various experiences into account — and a feminist theoretical approach is part of the conceptual framework for this research.

This paper is a desk study where the majority of the used material have been found through the library data base of Uppsala University and the material gathered for this paper is all secondary data which includes books, research articles and journals as well as reports (Habib et.al 2014, p.4). A major part of the material findings are transcripts of interviews done with rape survivors — interviews that have been conducted and published close to the time period of which the events occurred. The interviews with Rwandan genocide survivors, used as examples for this paper, have been conducted by Binaifer Nowrojee and Janet Fleischman; and the former Yugoslavian by Alexandra Stiglmayer. Both their transcripts and own interpretations are used in this paper.

1.5.2 Sources and their validity

The majority of the sources used to write this paper have been found through the Uppsala University library data base and physical libraries. Many of the scholars who have conducted the research and written the books and articles used in this paper have good reputation and have also been frequently cited in both other papers and each others work, such as the works of MacKinnon, Copelon, Stiglmayer and Nowrojee. There is a certain coherency observed with the used material where most information such as survivor testimonies often reoccurs — suggesting that it has been reviewed and proven legitimate by several scholars which was a criteria when selecting literature for this research.

1.6 Limitations

There are many more cases of different acts of sexual violence during both the genocides. The majority of the examples drawn from the former Yugoslavian genocide describes the crime of forced impregnation while many from Rwanda describes cases of mutilation. When taking into account the length of the paper and time of writing it, the examples had to be less detailed and fewer — but there are many more that could have been added in a further study.

A victim of rape can be of any gender and so can the perpetrator. Men too have been victims of rape during these genocides, although fact stands that women have been more extensively subjected to such crimes— in conflict as well as in peace-time. This paper focuses on female victims of rape for reasons that will be explained further — one example being forced pregnancy which for obvious biological reasons cannot be a motive for rape of male victims. Furthermore, "man" and "woman" are the genders used in this research although these are not the only existing genders. When speaking about sexual violence in conflict, the relation between man and woman is central for biological, social, cultural and structural reasons.

Every genocidal conflict is carried through differently, with different actors with differing incentives. The patterns seen in one might be different from another, and tendencies will most likely vary while conflicts are getting more complex. Research cannot function as a forecast for future genocides and how they develop, but understanding our history and present could help improve the international response.

2. Theories and conceptual framework

2.1 Sexual violence

Sexual violence is a broad term which refers to a variety of crimes including rape, sexual mutilation, sexual humiliation and forced pregnancy (United Nations, 1998).

The legislative definition of what rape implies varies depending on the region and there is no definition which is statutory in international law. The Furundzija judgment of ICTY stated that penetration could be by objects, not only by the penis of the perpetrator — and by coercion, force or threat of force. In the ICTR case of Jean-Paul Akayesu, the mayor of Taba commune in Rwanda, the Trial Chamber followed a view of rape which implied that aggression was the central element, not objects and body parts. Penetration and physical contact was not a requirement for a crime to be deemed as sexual violence (Eboe-Osuji 2007, p.252-254).

2.2 Genocide definition

The 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide states that a genocide "means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such":

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group

The two elements which must be proven when prosecuting the crime of genocide are the criminal act and the mental intent to commit the act to destroy a group. Regarding the "intent to destroy" a group — it does not require actual killing, but can also be done by purposely erase the culture and identity of that group (Rogers 2016, pp.270-271).

2.3 Sexual violence in international law

Stated in Article 7 of The Rome Statute of the International Criminal Court (ICC), crimes against humanity means a number of acts "when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack", a few of these being:

(g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity

Further, The United Nations Office of the Special Adviser on the Prevention of Genocide (OSAPG) describes different issues to be analyzed as 'genocidal acts' in its analysis framework — among those being:

- Involuntary sterilization
- Forced abortion
- Long-term separation of men and women — or other acts carried through with intention to prevent procreation

2.4 Tactical rape

Brenda Fitzpatrick (2016, p.5) looks further in to tactical rape in war and conflict, in the book of the same name, where she uses the term 'tactical rape' to describe when rape is being used as deliberate strategy — a tactic — by an actor to attack individuals, groups and communities which to the actor is their enemy. Before the two genocides in the former Yugoslavia and Rwanda, and also to a certain extent afterwards, rape during any conflict would often be dismissed as a by-product of the conflict. That there are military and political agendas behind mass rapes started to get recognized after the two genocides by the international community (Fitzpatrick 2016, pp. 234-235). 'Tactical rape', 'strategic rape' or 'wartime rape' implies that the rapes are coordinated and used as an ordinance instead of bombs and bullets — to pursue strategic objectives (Gottschall 2004, p.131).

Sherrie Russell-Brown (2003, p.350) describes how ethnic rape seems to be an official warfare policy to gain political control in a genocidal campaign — besides being a policy to torture, degrade and demoralize the 'enemy' as in most conflicts; and besides being a way for men to gain further power over other men by targeting the women of their community, rape in genocide is a controlled type of rape. It is not performed out of control but rather followed by strict orders.

2.5 Dehumanization as psychological warfare

Victims become objectified by their perpetrators during genocide through mechanisms of "othering". The human mind tends to categorize the own and other groups as "us" and "them"; this us-them thinking leads us to look at our group as superior to others. The mechanism of moral disengagement suggests that there is a process of detachment where perpetrators actively disengage to find a purpose for their crime which makes it justified. Particular language is a way of disengaging — using camouflaged vocabulary and calling the victims by inhumane names which objectifies them and tricking both the victim and the perpetrator to believe that they are not valued the same (Waller 2012, pp. 88-91).

2.6 Feminism

Feminist theory is non-static and based on lived experiences, human connections and behaviors within the political and social context of patriarchy — focusing on the obvious problems which women face like marginalization, oppression and violence. (Brabeck and Brown 1997, pp.17-18). The consciousness of a feminist, which shapes all of feminism, is characterized by women's awareness of their unnatural and socially constructed subordination. Feminist theory illuminates diversity — e.g. religion, ethnicity, disablements, language and sexual orientation — as a requirement and crucial pillar for theory to reflect the totality of human experiences (Brabeck and Brown 1997, pp.23-32).

Ruth Seifert (1994, p.55) describes that the reason why men are raping women has previously been argued to be founded in an unavoidable 'out of control' male drive; that

the perpetrators acted through their instinctive nature — a perspective which in academia is known as the theory of the "pressure-cooker". Seifert counter argues that rape is perpetrated neither because of sexuality nor nature, but instead because of acts of extreme and aggressive violence. The feminist theory opposes the "pressure-cooker" explanation. Every rape, regardless of the context of which it is perpetrated, expresses male domination and is used to subordinate women (Copelon 1994, p.213). Central to the act is not the perpetrators sexual drive but rather hatred and the wish of exercising power (Seifert 1994, p.56).

The intended destruction of a group, and the killing of women on a gender-basis, is a difficult distinction to make since they often occur simultaneously (Costantino 2012, pp. 120-121). The closely related term "gendercide", which started to be used as a way to describe gender-selective mass killing, is often used to discuss how women are being targets of sexual violence during genocide (Meger 2016, p.119).

2.6.1 Intersectionality

Kimberlé Crenshaw (1991, pp.1241-1299) explores the gendered and ethnic dimensions to violence against women of color. She describes the concept of political intersectionality where women of color fall within the two subjugated groups which frequently face conflicting agendas — she writes that "their specific raced *and* gendered experiences, although intersectional, often define as well as confine the interests of the entire group" (1991, p.1252).

Intersectionality has become a significant component to the study of feminist theory — defined by Leslie McCall (2005, p.1771) as "the relationships among multiple dimensions and modalities of social relations and subject formations". Patricia Hill Collins (2015, p.2) further states that "intersectionality references the critical insight that race, class, gender, sexuality, ethnicity, nation, ability, and age operate not as unitary, mutually exclusive entities, but as reciprocally constructing phenomena that in turn shape complex social inequalities". Intersectional knowledge assumes that by not isolating these categories but instead relate them to each other, they can be more accurately comprehended. By understanding that systems of power — like racism and

sexism — are interrelated, one can also understand the role of the underlying categories and how they shape these power systems (Collins 2015, p.14).

2.6.2 Criticism

Regarding the term 'genocidal rape' — scholars have argued that rape should not be described as an attack which targets both a group of people such as religious, ethnic or national, and women at the same time (MacKinnon 1994, p.188). It is argued that genocide is one atrocity that aims to destroy a group of people while rape is another atrocity aiming to destroy a woman on the basis of her gender identity as a woman. To merge the two, to describe rape as genocide, would emphasize the destruction of a group of people and risk silencing the voices of women as victims of rape — it would neglect women as targets because of their gender and instead focus on their belonging of a certain group (Copelon 1994, p.198).

To differentiate "mass rape" from "genocidal rape" — two widely used terms in academia discussing rape in conflicts — might result in the perception of rape being a crime committed against either women or an ethnic group, but not both (Meger 2016, p. 121).

3. Empirical findings

3.1 A brief summary

3.1.1 The former Yugoslavia

After both the Serb Republic and Bosnia were declared independent in 1992, conflict escalated involving Serbs, Croats and Bosnian Muslims — and the genocidal campaign led by the Serbs began (Fitzpatrick 2016, p.106). The Serbian military aimed to remove all non-Serbs from the area, particularly Bosnian Muslims (Salzman 1998, p.355).

Reports from Bosnian Muslim women began early in the conflict, when they arrived to Croatian refugee camps, on how Serbian men had raped them — later figures show that around eighty percent of these rapes happened in camps (Engle 2005, pp.784-785). The estimated number of rape survivors have been reported by the UN as 20,000, while the Bosnian government claims that the number lies between 50,000 and 70,000 (Salzman 1998, p.363).

3.1.2 Rwanda

The population of Rwanda consisted of a majority of Hutu, minority of Tutsi and even smaller group of Twa — ever since the 14th century. The genocide started in April 1994 when Hutu president Habyarimana was killed after his plane was shoot down; the genocide lasted for about three months and approximately seventy-five percent of the Tutsi population was murdered (Fitzpatrick 2016, pp.131-133). The widespread use of rape during the genocide resulted in an estimated 2,000-5,000 pregnancies — although it is impossible to know how many rapes that actually occurred, estimates ranges from 250,000 to 500,000 (United Nations, paragraph 16, 1996). Many testimonies of Rwandan rape survivors concludes that Hutus raped Tutsi women — or even Hutu women with relations to Tutsi men — with the specific intent to destroy the whole Tutsi population (Russell-Brown 2003, p.362).

3.2 Elements of sexual violence

3.2.1 Forced impregnation

”Because ethnicity in the former Yugoslavia was determined patrilineally, the purpose was to impregnate Bosnian women with Serbian children.” (Meger 2016, p.120)

Women have, during and after the Yugoslavian conflict, repeatedly reported on places they had been kept as prisoners together with hundreds of other women, mostly Bosnian Muslims — being raped and deliberately impregnated. There have been lists and documentations published of the locations of these alleged ’rape camps’ — in the shape of large areas, cellars or even café facilities — yet they are close to impossible to inspect since they were all dissolved upon discovery (Stiglmayer 1994, p.115). The term ’rape camp’ was coined at the time when Roy Gutman reported for Newsday - after witnessing what occurred in one of the camps in Bosnia — what type of abuse that took place there and how women were being routinely raped. International documentation started from thereon to describe the rape camps as an integrated, systematic use of violence in ethnic cleansing (Skjelsbæk 2012, pp.63-64).

According to the statements of three women who were interviewed by Alexandra Stiglmayer about their experience in one camp located in the northern Bosnian town of Doboj, somewhere between 2,000 and 2,500 non-Serb women were detained at that particular location. One women, called Ifeta in the interview, tells how she was arrested by Serbian soldiers who had been her friends from school and that she later was gang-raped by three soldiers when brought to the Doboj camp (Stiglmayer 1994, pp.116-117). During the rape they had told her that she ”was going to have a baby by them and that it’d be an honor for a Muslim woman to give birth to a Serbian kid.” (Stiglmayer 1994, p.118). Ifeta, together with many other women, were raped every other day at the camp and those who disobeyed were beaten or even killed — the same happened to those soldiers who refused to take part in the mass rapes (Stiglmayer 1994, pp.118-120).

The women held at the camps appeared to be used as reproductive vessels — where the children born would be considered to be ”Serbian babies” because of the perpetrator’s

ethnicity (Copelon 1994, p.206). The evidence of this type of deliberate impregnation became even more apparent when some reports included that the men who raped were indeed ordered to do so — they told their victims that they 'must become pregnant' (Fitzpatrick 2016, pp. 44-45). Reports suggest that several of the camps in former Yugoslavia let gynecologists or doctors establish a pregnancy after the women had been repeatedly raped — only to be kept in the camps until they were too far along into the pregnancy that an abortion was no longer a possible nor safe option (Diken and Laustsen 2005, p.112). By forcing Bosnian Muslim women to bear "Serbian children", it also meant that the same women had been prevented from conceiving and birthing a child of her own ethnic group because her body had been forcibly occupied (Engle 2005, p.794). Female rape victims and the offsprings have ended up being excluded from both family and community, and another common consequence shown is the abandonment of wives by their husbands (Meger 2016, p.120). A Muslim physician in Bosnia has said that a marriage would be over if a husband at all suspected that his wife had chosen to cooperate when raped — a woman would be divorced by her husband and maybe also be held accountable for the rape (Reid-Cunningham 2008, p.292).

There are no definite numbers of how many forced pregnancies that was inflicted upon women in former Yugoslavia. One UN team was sent in 1993, during twelve days, to investigate rapes for the goal of ethnic cleansing and discovered 119 pregnancies as a result of an estimated 11,900 rapes. Since they visited only six medical centers and seeing that women themselves induced abortions and were too scared to admit that they had been raped — the numbers are most likely higher (Salzman 1998, pp. 361-362).

3.2.2 Mutilation and sexually transmitted diseases

"I was given medical care from June 1994 to December 1994. I had to sit in medicated baths every day.... I have not had my monthly period." (Nowrojee 1996, p.45).

In many cases it has been reported that Rwandan women and girls — who have fallen victims of rape during the genocide — have suffered damage to their reproductive organs so extensive that they are unable to ever bear a child (Fitzpatrick 2016, p.135).

Nowrojee (1996, pp.62-63) describes how mutilation of both sexual organs as well as body parts with the typical features of the Tutsi group, such as long fingers, were common among rape victims. Perpetrators would slash the pelvic area or vaginas of the women they raped — boiling water would be poured into the vagina and one doctor recalls a young woman who had her vagina mutilated by acid. The patterns of severe sexual mutilation which more than often accompanied rapes during the Rwandan genocide, clarifies that this type of assault was likely not opportunistic. Evidence and testimonies of rape survivors shows that the perpetrators caused such damage with the assumption that it would further the destruction of the Tutsi ethnic group (Nowrojee 1996, p.35). Anne, a Rwandan woman and rape survivor, recalls how the Interahamwe Hutu militia "killed all my children in front of me and they slashed my right arm. The Presidential Guard was telling them to take all the property of the Tutsi and to do what they wanted. That included rape. ... While they were raping me, they were saying that they wanted to kill all Tutsi so that in the future all that would be left would be drawings to show that there were once a people called the Tutsi. After the rape, I was torn and was bleeding for almost a month." (Nowrojee 1996, p.52). Twenty year old Perpetue recalls from one of the rapes she suffered through that "...one of them sharpened the end of the stick of a hoe. They held open my legs and pushed the stick into me. I was screaming. They did it three times until I was bleeding everywhere." (Nowrojee 1996, p.44).

Rape survivors of the Rwandan genocide have also said to be concerned about not being able to remarry if they admit to having been raped because many people seem to assume that victims of rape have contracted diseases like AIDS. Not only does the stigma surrounding rape affect the relationship between woman and man, but the fear of being judged also keeps women from seeking medical help (Nowrojee 1996, p.72). It has been estimated that about 70 percent of the rape survivors of the Rwandan genocide tested positive for HIV (Hubbard 2012, p.101); although the HIV infection rate was very high even before the genocide in Rwanda, about 25 percent carried the virus, which makes it difficult to know if the rape survivors had contracted it before the genocide took place or not. However, doctors in Rwanda did note from the rape cases they handled that the

most common medical problems were actually sexually transmitted diseases such as gonorrhoea and syphilis — as well as HIV/AIDS, mutilation, psychological trauma and scarring of vaginal tissue which affects both sex life and the ability to give birth (Nowrojee 1996, pp.75-77). In a United Nations report (1996, paragraph 20), it is mentioned that the HIV infected militiamen used the virus as a "weapon" intending to cause death.

3.2.3 Humiliation

"Once she was forced to urinate on the Koran. Another time she and a group of women had to dance naked for the Serbian guards and sing Serbian songs. Sometimes the rapists put their cigarettes out in her hair. She has forgotten how many times she was raped." (Stiglmeier 1994, pp.118-119)

The telling of Goretti, a Rwandan woman who was repeatedly raped and severely injured, includes how she tried to escape the perpetrators and while walking had to stop and sit down whenever anyone passed by — she did not want them to know that she had been raped because she would then feel ashamed (Nowrojee 1996, pp. 28-29).

Ruth Seifert (1994, p.55) writes on the functions of rapes as "at issue is her degradation, humiliation and submission" and that rape is an attack on a woman's identity. Not only is the purpose of the act to degrade women, but also the whole ethnic, religious or national group of which she belongs. Raping women also aims to be, as Binaifer Nowrojee (1996, p.2) put it, "an assault upon the community through the emphasis placed in every culture on women's sexual virtue: the shame of the rape humiliates the family and all those associated with the survivor".

Another way of spreading fear and shame amongst a whole community is the execution of public rape. People within the targeted community are forced to witness the rape taking place. For this reason, many victims and other community members are forced to leave and are so scared or humiliated to ever return to their home again (Reid-Cunningham 2008, p.289). One report based on survivors stories from the former Yugoslavia noted them talking about 'rape on the front line', referring to public rape by

Serbian soldiers (Fitzpatrick 2016, p.59). Other types of public humiliation were also purposed to achieve the same outcome. The Rwandan woman Marie describes how she was held in sexual slavery and together with many other women were forced to, after being raped, walk naked like cattle along the road while singing militia songs in an attempt to humiliate and disparage them (Nowrojee 1996, pp. 53-54). Raping the woman of an enemy humiliates the woman as well as the enemy, because the woman not only is the enemy herself but she also "belongs" to a man who is (Stiglmayer 1994, p.84). As reported from former Yugoslavia, buses were sent back over enemy lines filled with women in their later months of pregnancy — with the statement that those unborn children would be of Serbian ethnicity as a way of humiliating the non-Serb communities (Seifert 1994, p.59). The rapes send a message to the male opponent — as a sort of "male communication" — that they have been unable to protect their women (Reid-Cunningham 2008, p.282).

The scarring that has been inflicted on rape victims during genocide such as genital mutilation and cut or severed breasts as seen in Rwanda, was not only to cause suffering and permanent damage to the reproductive organs, but also to unable women to hide what happened to them (Reid-Cunningham 2008, p.286). Humiliation and physical injuries seem to accompany most of the rapes which women who survived both the Rwandan and Yugoslavian genocide have spoken about. One Tutsi woman describes how the militia, men which she knew, came to the her house in April 1994 when the genocide was just starting. She recalls in the interview how she was raped by one of them and says that "he cut out the inside of my vagina. He took the flesh outside, took a small stick and put what he had cut on the top"; then he put it where people could see while telling her that now everyone could see what a Tutsi looks like (Nowrojee 1996, p.63). Many testimonies include this type of phrase, another woman recalls how the men said "We want to have a taste of Tutsi women" (Nowrojee 1996, pp.64-65).

3.2.4 Culture and identity — exclusion and isolation

"The systematic rape and torture were also meant to cause psychological harm; they were directed against the honor of the whole Bosnian nation, as well as Bosnian

traditions and culture. Moreover, the victim faced unavoidable personal issues of how to relate in society and within the family again after being humiliated and stripped of identity” (United Nations, 1994, paragraph 12)

According to Lori L. Heise (1998, pp. 277-278), the main macrosystem factor which foster violence against women is the one where the cultural definition of manhood involves behaviors such as dominance, toughness and entitlement. This female subordination seems to result in the women being blamed and feeling responsible over being raped; this along with the fear of being ostracized by their communities and women tend to be afraid of seeking support or at all talking about their experiences (Salzman 1998, p.370). When journalists, feminists and lawyers came to listen to rape victims and their stories in Bosnia-Herzegovina — they found that women would either not talk about being raped, or denying it. The shame silenced them, and the silence marked them as victims. Bosnian Muslim women became victims regardless of the actual truth — because of their unwillingness to talk about what had happened (Engle 2005, p.795). The social stigma surrounding rape in Rwanda have seen to isolate those women who survived the genocide — the fear of facing rejection if they openly talk about their experiences results in the women being silent instead (Nowrojee 1996, p.3).

Essential to the honor of a family is, in some cultures including many Muslim communities, is chastity — so by raping a woman of such a community, this chastity is taken away (Engle 2005, p.792). In several cultures, the family unit and other societal structures are held together by the woman as wife and mother — so in the effort of destroying the foundation of a community the main target becomes the women. As a consequence, women who have experienced rape are often looked at as ”spoiled” and less valuable as wives by the community (Reid-Cunningham 2008, pp.290-291). Thus; not only does a certain cultural perception of masculinity foster sexual violence — but sexual violence in genocide seem to aim to destroy the culture of a certain group. The identity of women in some patriarchal cultures is centered around her procreative abilities — and when these were compromised, as seen with the rape camps during the Yugoslavian genocidal campaign, the culture is compromised too (Skjelsbæk 2012, p.

62). As noted by the trial chamber of the Foča case in the ICTY, the presence of Muslims and their culture in the area of Foča, which was heavily targeted, was almost completely obliterated — they had been completely driven away from the area (Engle 2005, p.799).

The societal and cultural image of women in Rwanda have long been partly as child-bearers, and she must also know how to be reserved. It was the fathers, husbands and sons who were head of the households and in the 1980s, women were greatly underrepresented in education and politics — for every fifteen men in university, there was one woman. Furthermore, only men were eligible for obtaining credit, loans and land ownership (Nowrojee 1996, pp.20-22). A woman without a man faces many struggles which are born from female oppression. A Rwandan woman have said in an interview that ”You are nothing if you are a widow now. We have always been considered lower than a man. But now as a woman without a husband, a brother, a father or an uncle, you are nothing. The widows are isolated by the community. You don’t get invited to community events. ... You are alone. It’s a feeling of being really isolated.” (Nowrojee 1996, p.74). Josepha, another Rwandan woman, lives in a camp for widows instead of returning to her land and house. She have said that ”rape is a crime worse than death” (Nowrojee 1996, p.47).

Social exclusion, as noted by the UN (1996, paragraph 22), appeared to be the main psychosis among victims of rape. Many young women have left their home to go live somewhere else anonymously, partly because they are scared that they will never be taken as a wife after being raped — those who gave birth as a result of rape faced several issues such as accepting the child, and Rwandan society is usually not willing to accept unmarried mothers. Before the Rwandan genocide, it was the father’s ethnicity that was given to a child; thus creating implications for the recognition of children as well as inheritance laws (Fitzpatrick 2016, p.69). Furthermore, the United Nations (1994, paragraph 11) argues that women who had been gang-raped during the former Yugoslavian genocidal campaign would likely choose to remain childless due to the difficulties they would experience with relationships. As a direct consequence, the

biological cycle would be disrupted which the report of the UN concludes was the aim of the genocidal rape.

3.2.5 Dehumanized by people she knew

Chantalle was raped by a Presidential Guard soldier who told her that ” ’you Tutsi are *inyenzis* [cockroaches] with long tails. We must kill Tutsi women, we must rip them apart.’ ” (Nowrojee 1996, pp.48-49)

A way for the perpetrators to justify their acts of raping and killing have been observed to be the dehumanization of victims. During the Rwandan genocide, Hutus called the Tutsis *inyenzi*, translated to insects or cockroaches. By doing so, they removed the usual moral grounds which restrains us from acting aggressively. The empathy one can feel towards other human beings was erased and the victims were no longer perceived as human in the Hutus eyes — and so they did not treat the Tutsis and Tutsi-supporters humanely (Waller 2012, pp.89-90). This type of dehumanization takes away the identity of the woman and the community of which she belongs — and would often be intensified by the fact that the victims knew their perpetrators. For example, not only was it the Bosnian Serb forces and Yugoslav army who committed the atrocities of the genocidal campaign — but civilians too. Rape and public rape were common ways of terrorizing a community and the women who fell victims of the attacks more than often recognized their attacker as a neighbor, law enforcement staff or another community member which she had lived side by side with (Salzman 1998, p.360). That the rape victims often knew the men who raped them constantly reoccurs in survivor interviews. In the telling of Bernadette, she described how the Hutu militia Interahamwe came to where her family lived; killed the men of her family before six of the men raped her. Men which she knew (Nowrojee 1996, p.42). Perpetue describes how ”for two days, myself and eight other young women were held and raped by Interahamwe, one after another. Perhaps as many as twenty of them. I knew three of them” (Nowrojee 1996, p. 43).

3.3 The tribunals and international community

UN agencies, in 1993-1994, did acknowledge the systematic nature of rapes as used as a weapon of war and ethnic cleansing in the former Yugoslavia genocidal campaign (Fitzpatrick 2016, p.46). The widespread use of systematic rape in Rwanda was too recognized — yet only 10% of the 21 sentences handed down by the ICTR had any rape convictions included (Fitzpatrick 2016, p.150). In fact, it took a long time for the international community including the Security Council to investigate sexual violence in Rwanda as violations of international humanitarian law. It was not until in October of 1997, when in the trial of Akayesu, a Tutsi woman took stand and provided evidence of sexual violence. Several witnesses with similar testimonies was heard and so the issue of sexual violence became apparent (United Nations, 1998). The testimony of this Tutsi woman, Witness JJ, included detailed descriptions of how she was raped in public and how she witnessed the same happening to other women, many of them who were later killed — she shared details upon request even though she was embarrassed to do so. Witness JJ recalls how Akayesu encouraged the rapes, making a statement about "the taste of Tutsi women" and how she found her sister raped and cut with a machete. Another sister of JJ too described how she and a sister of hers were raped after Hutu neighbors killed her brother and father. She described how the rapists wanted to make them suffer, raping them next to each other while taunting them. Investigators then went to Taba, where the attacks on JJ took place, and found that Akayesu was involved (Fitzpatrick 2016, pp. 145-146). The case of Akayesu found that rape could be an act of genocide and that women were targeted both as women and as Tutsis or Hutus married to Tutsi men. It also recognized the serious harm that genocidal rape caused women, not only its intent of destroying the Tutsi group (Russell-Brown 2003, pp.371-373). Another important element of the ICTR Akayesu case was the fact that he was prosecuted for sexual violence not only as a crime against humanity but also as genocide (Rogers 2016, p.273).

As seen in Rwanda, information on rape was not collected by police inspectors in the way it should have, the focus have been on the killings and women who have been trying to report the men who raped them have been declined — many are even unaware

of that rape is a prosecutable crime (Nowrojee 1996, pp.89-90). The perception of rape being a "lesser" crime amongst ICTR investigators makes rape a non-prioritized matter. Further, this perception feeds on the the belief that rape victims in Rwanda did not live the same experience as those in Yugoslavia — such as forced impregnation (Nowrojee 1996, p.94). It might seem like the issue of sexual violence was therefore highly treated in the case of former Yugoslavia — yet in the ICTY, by August 2015, 161 persons had been indicted but reports show that only 28 of these included sexual violence (Fitzpatrick 2016, p.128). Both the ICTY and ICTR are partly built upon international law which states that respect for women and their protection against rape and other types of assault should be ensured (Fitzpatrick 2016, pp.10-11). However, Sara Meger (pp.133-134) argues that gender-based crimes have not been a priority of the courts and that sexual violence is only responded to by the international community when it is generalized and not gender specific.

4. Discussion

Simply looking at the numbers of rapes during the genocides speaks for itself — the Rwandan genocide lasted for three months and as many as 500,000 rapes were committed, and in the former Yugoslavia there are estimates of as many as 70,000 rapes. The testimonies and stories of rape survivors indicate that most of the rapes were perpetrated in similar ways and most likely under orders. The numbers and patterns indicate that rape and sexual violence were part of a strategy. However, the use of strategic or tactical sexual violence does not automatically mean that there is a genocide — it has to be used with the intent to destroy a group. The genocidal intent behind the type of sexual violence seen in the former Yugoslavian and Rwandan genocides will be discussed further.

4.1 Imposing measures intended to prevent births

The Genocide Convention (1948) states that one of the acts which could be committed with intent to destroy a group is 'imposing measures intended to prevent births within the group'. Although forced pregnancy is not stated as a genocidal act in the Genocide Convention, it is stated as a crime against humanity in Article 7 of the Rome Statute along with enforced sterilization — both acts that could, for obvious reasons, prevent births. Crimes against humanity and acts of genocide can be, and have been, closely related — sexual violence can be a crime observed as both, as was the case when prosecuting Akayesu in the ICTR. Furthermore, OSAPG includes involuntary sterilization and acts carried through with intention to prevent procreation as acts which should be considered as genocidal acts.

4.1.1 Deliberate reproduction

Forced pregnancy is a crime that can only be committed against women exclusively since the male sex cannot become pregnant — and if forced reproduction is used systematically to destroy a group, perhaps even as the primary means of a genocidal campaign, women will be the first ones to be destroyed. Physically, because the woman has to carry through a pregnancy regardless of her age or state of health, and mentally, because it was not her choice. As seen during the genocidal campaign run in the former

Yugoslavia, non-Serb women were held in camps to be repeatedly raped and told that they would make "Serbian babies" (Copelon 1994, p.206). The intent was arguably not to rape primarily for pleasure but rather in part to expand their own ethnic group (Serbian) and prevent any other from reproducing, and in part to subordinate women. Thus, there are some elements to these forced impregnations that demonstrates the underlying intent to destroy a group:

- (1) Reproduction within the ethnicity/nationality/religion of the father
- (2) To occupy the woman's body so that she cannot reproduce within her own group
- (3) Causing such harm to the woman that she becomes unable or unwilling to bear a child in her future
- (4) Stigmatizing the women so that they will be abandoned by their husbands

Reproduction and stigmatization can only be genocidal in a context where these premises are accepted by the community — it is the cultural and social environment which allows the perpetrators ethnicity to be transmitted to the unborn child. It is female oppression as such and female subordination within a culture — even in legislature as seen in Rwanda before the genocide — that fuels the perception that a child belongs to the father. For the Serbian perpetrators to be aware of this, and also use this fact to their advantage in a genocidal campaign, simply proves their intent of eliminating the non-Serbs through forced pregnancy. For the Serbians to create specific rape camps where an estimated eighty percent of rapes took place — as well as having gynecologists establishing pregnancies and hindering abortions — should be proof enough that deliberate reproduction and the means used to achieve it were done not only systematically and strategic, but also with genocidal intent. The intent was for the Serbian group to expand and for the non-Serbian to be reduced, as stated by survivors and perpetrators themselves and corresponds with Stiglmeier's coverage. When this crime is understood only as a crime of genocide without its gender based nature, the consequences women have to deal with in the aftermath of the genocide are not addressed. Medical issues, abandonment, childlessness or having to raise a child conceived by rape are consequences women are left with in the shadow of the genocide.

4.2 Causing serious bodily or mental harm

Looking at the physical and medical damage that accompanied the majority of rape cases, particularly in Rwanda where mutilation seems to be a part of every other testimony, many rapes have been reported to result in the woman being unable or unwilling to bear a child. They may not have been intended as 'enforced sterilization', although this was often the outcome – if the woman survived. When taking into account the patriarchal culture in Rwanda before the genocide as described by Nowrojee, where men were head of households and women were their subordinates and looked at as child bearers, it is not unlikely that perpetrators caused such damage to the women's sexual and reproductive organs for the purpose of making her less worthy in her community. Breasts would be cut and vaginas punctured with sticks — an attack on the female body. Perpetrators would also mutilate body parts with typical Tutsi appearance such as long fingers — an attack on the woman for belonging to the enemy group. Stated in the Genocide Convention (1948) as an act of genocide is 'causing serious bodily or mental harm to members of the group' — and mutilation could be considered both. Mutilation along with other medical issues directly causes bodily harm, and mental harm was inflicted on the woman because she would experience trauma, shame and isolation. The genocidal intent behind such damages can be recognized as:

- (1) The woman will either not survive, or;
- (2) Will never be able to become pregnant or give birth
- (3) Inflict visible damage so that people can see, judge and exclude the woman
- (4) Purposely spreading viruses such as HIV, which the UN have noted being used as a "weapon"

The Rwandan woman who had the inside of her vagina cut out and put on a stick for people to see, or the woman who had the sharpened end of a hoe pushed into her were clearly targeted because of their ethnicity, since many perpetrators stated that "we must kill Tutsi women" or "we want to have a taste of Tutsi women". They wanted to destroy the Tutsis, but as evidently stated also women. The majority of injuries inflicted,

reported by doctors and testified by victims, targeted sexual body parts and left the victims in life-long suffering. The frequency of such violence shows that it was what Fitzpatrick argues as 'tactical'; the nature of the crimes and statements when they were committed shows that women were targeted for being Tutsi women. Or – for being a Tutsi, and for being a woman.

4.3 Elimination through humiliation

The intent to destroy a group does not require the killing of group members; it can also be the elimination of their culture and identity (Rogers 2016, pp.270-271). Both the former Yugoslavian and Rwandan genocides took place in rather patriarchal cultures where the woman's place was as a wife and mother — something that has been widely argued to have contributed to the systematic use of sexual violence. It is possible to draw the conclusion that where women are valued for their maternal virtue during peace time, this same virtue is often targeted during a genocide. It is targeted not only through reproduction or physical damage, but through humiliation leading to exclusion and torn community bonds as argued by Nowrojee and Seifert among others. Women are ashamed to talk about the assault, they are being socially excluded by their own communities, they are viewed as spoiled after being raped. The result of the raping of women was as such not only physical, but mental. Sexual humiliation is sexual violence, even in the Akayesu case of the ICTR — sexual violence did not have to be physical for it to be prosecuted as sexual violence. Women are sexually humiliated in peace time too, but there are patterns of such humiliation that indicates that there is an underlying genocidal intent.

Firstly, since both the Tutsi and the non-Serb women often knew the perpetrators as former community members — as frequently stated in their testimonies — both the women and the perpetrators would have been very much aware of how the community treats women who have been victims of sexual violence. The fact that the perpetrators took advantage of the already vulnerable position of women and used such sexual humiliation (any sort of sexual violence aimed to humiliate) which they knew would cause harm — indicates that it was tactical and followed some sort of strategy, using

female oppression as a way to enhance the destruction. It is also likely that women who fled their homes have not dared to return because then they would have to live side by side with their perpetrators, causing a community to dissolve.

Secondly, displaying women like objects when forcing them to walk naked like cattle or calling the Tutsi "cockroaches", were ways of dehumanizing the victims. Through humiliation and "othering", basic human rights were taken away. This type of psychological warfare seems to be a common characteristic for genocidal sexual violence. It strips the woman of her identity as a human being and facilitates the further destruction of the whole group.

Thirdly, not only were women humiliated with constant degrading words and forced acts, like dancing naked in front of the perpetrators, but also with physical and visible injuries — used to bring shame upon them and stigmatizing them from the very beginning to long after the end of the genocide. They made sure that women would not be able to hide what happened to them, either through causing depression and trauma or visible injuries such as cut off body parts, often forcing the woman into isolation. With the way culture and communities are being torn by destroying family bonds, the targeted group of the genocide is affected long after the end of the actual genocide.

Fourthly, public rapes were usually done in front of family, friends and community members. Perpetrators humiliate the woman in front of her community and shame the male opponent for not being able to protect their woman. Public rapes make sure that the community knows about the sexual violence partly as a form of 'male communication'. Many women are forced to stay silent about their experiences because of the shame; but when there are witnesses to the rape, denial is not an option. Rape survivors have said that they are looked at as 'spoiled' after being raped and that they might not be able to remarry — forcing women into isolation or exclusion by their communities. The United Nations (1996, paragraph 22) have noted that social exclusion has been a particular threat to mental health among rape victims.

These patterns of sexual humiliation causes enormous destruction to the woman's life and well-being as well as to the cohesion of the community and culture. By every woman stripped of her identity, the culture slowly starts to diminish. The foundation of the culture is torn either by humiliating and scaring its members to the extent to where they flee and no longer are able to return, or by damaging the bond between wife and husband. Both outcomes result in the destruction of a community, of a relationship and of women. The acts stated in the Genocide Convention of 'causing serious bodily or mental harm to members of the group' and 'deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part', seem to apply rather accurately to the acts of sexual humiliation in genocide. Once again, the frequency and similarity of this sexual humiliation shows that it is done systematically; its severity and particular focus on the perception of womanhood shows the objective to tear apart a culture, starting with the woman and taking away her significance within that culture. Survivors are afraid to return to their homes, like the Rwandan woman Josepha who instead stayed in a camp for widows. In patriarchal cultures where women are subordinated to begin with, the very specific intents of sexual violence as a genocidal strategy seem to take advantage of this subordination in more than one way.

4.4 Genocidal and intersectional

When looking at sexual violence and all the acts it refers to, it is not genocidal only due to its presence during a genocide — but because it is frequent, widespread and aims to destroy a group or part of a group; and are not women part of a group? What if perpetrators recognize the subordinated position of women, the lack of international protection for women, and therefore purposely choose to destroy a group by destroying the women? How come that the number of rapes during these genocides were among the highest and most gruesome in history, yet the genocide tribunals and the international community do not seem to prioritize them, seeing as not many have been prosecuted or charged for these crimes? Yes, the ICTY did acknowledge the widespread use of sexual violence and forced impregnation, and some indictments did include such crimes, but they were not many. The arising question is how it was possible that the

international community started to describe mass rape as a 'weapon of war' even before the Rwandan genocide, yet it took rape survivors to take the stand in the ICTR for it to properly be brought up. That it took women to testify for sexual violence to be a part of the ICTR confirms the intersectional nature of sexual violence in genocide. Only the women could explain how they were targets of sexual violence in a campaign intended to destroy a whole group. Only women were told to give birth to "Serbian babies". Both non-Serb and Tutsi Women who chose to stay silent were victimized because of the preconceived idea that most women of a certain group had been sexually assaulted — without actually knowing their stories. Does that not point out the intersectionality of the crimes? One cannot solely look at these crimes through either the gender perspective or the ethnic and religious perspective — it would leave out the many layers of discrimination which women have faced during genocide. Maybe this is what has happened when the international community and tribunals handle crimes of sexual violence and talk about mass rape as a 'weapon of war' — one of the two perspectives is left out and so women continue to face some level of discrimination. Perhaps that is why crimes of sexual violence during genocide should be discussed separately from sexual violence in other settings — to enable the intersectionality of the issue to be better understood and addressed so that women can receive justness and fair treatment without being discriminated against.

Furthermore, talking about mass rape as a 'weapon of war' or 'tactical rape' does not accurately express how sexual violence is used in genocide — it is not used instead of bombs and bullets. The long-term suffering of those women who survived the sexual violence proves just that. Many women have begged for death instead of being raped but the perpetrators have insisted on inflicting as much pain as possible — physical destruction was not enough for them. They intended to destroy the complete foundation and identity of the targeted group — spiritually and mentally. Bombs and bullets kill the body while sexual violence and mass rape kill the soul. The difficulty which the international community has faced when trying to investigate these atrocities has made it difficult to protect women — difficulties such as the rape camps being immediately dissolved, the many rape reports which have not been taken seriously and a patriarchal

structure that silences women. Why the ICTY and ICTR have been able to prosecute, and why the cases have been able to be studied and researched by scholars and organizations, are mostly thanks to survivor testimonies and interviews – women who have decided to share their experiences with the world and to take the stand in the tribunals. If victims of sexual violence would have been heard earlier, perhaps the further escalation of the situation and use of sexual violence could then have been met with proper international initiative. By voicing women's suffering, investigating sexual violence and not generalizing it — maybe the international community could be quicker to respond to a potential genocide, the rights of all women could be better protected and proper justice would hopefully be served.

5. Conclusion

In the case of the former Yugoslavia, forced impregnation was an apparent and systematic use of sexual violence. In the case of Rwanda, rape was usually accompanied by severe mutilation and transmitting of diseases to inflict suffering to the highest degree. Humiliation through public rapes also characterizes sexual violence used during the studied genocides, and they were usually accompanied by hate speech and ways to dehumanize the victims. The tactic shown regarding the use of sexual violence, and the targeting of women with certain group belonging, indicates that it was part of the genocidal strategies — that it was controlled and deliberate. The genocidal intent behind the widespread use of sexual violence can be understood by looking at some elements:

- Forced impregnation in an effort to further reproduction within one ethnic group, and prevent the targeted population of reproducing;
- Raping and inflicting injuries so that women might not be able to reproduce or live a healthy life mentally and physically;
- Using sexual humiliation and public rapes to terrorize and scare women, their communities and cultures into fragmentation;
- 'Spoiling' women, thus making them less worthy as wives and mothers in certain cultural and social contexts;
- Fueling female oppression — shaming women into isolation and exclusion to disunite cultures

If these genocidal intents behind sexual violence becomes more recognized, then perhaps it would also become easier to recognize the severity and escalation of genocidal conflicts. It has been stated that sexual violence itself can indeed be an act of genocide, as shown when the ICTR was able to prosecute Akayesu for sexual violence as a crime of genocide. Seeing that women were the overwhelming majority of victims — targeted for their fundamental importance in family and community structures — and left to deal with the lifelong consequences, the time should be now for the international community to emphasize the intersectional nature of genocidal sexual violence. Therefore, further research beyond the scope of this paper could focus on the long-term

consequences women face, judicial aspects and improvement of international response to genocidal and gender-based sexual violence.

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