



# Noref Report

## Sexualised violence in war and conflict: a qualitative mapping study of Norwegian capacities, potential and challenges

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### Executive summary

This report addresses the challenges and opportunities facing Norway in relation to the combat against sexualised and gender-based violence (SGBV) in war and conflict situations. In presenting a map of Norwegian actors and agencies in the field, it constitutes a critical resource that both emphasises Norway's potential to contribute and recommends proposals for improvement.

The context of the report is international commitments to address, prevent and limit sexualised violence (SV) in conflict, as embodied in UN Security Council Resolutions 1325 (2000) and 1820 (2008); the efforts of relevant actors in Norway to work towards fulfilment of these goals; and the current limitations in the way of these actors achieving best practice.

The content of the report is based on a qualitative mapping study conducted in Norway during spring 2010. This collates some of the work and research being done in Norway across the spectrum of issues that SGBV raises. The people interviewed represent ministries and other government institutions, the academic sector and/or civil society in various parts of Norway.

The main findings are threefold. First, research on the subject is in several important respects incomplete and unsystematic. The gaps relate to the number and type of cases analysed, and the scholarly discipline that is brought to bear in this analysis. Second, although Norway's condition is one of peace, equality and relative prosperity, including a well-functioning police and justice apparatus, it still faces a major challenge in combat various forms of sexualised violence. In meeting this challenge, the focus of argument should perhaps shift from the smooth running of the security apparatus to questioning and affecting social attitudes. Third, the lack of attention towards

men in all areas (research, treatment, policy, empowerment projects) is alarming. In a conflict or post-conflict setting, men and boys' disempowerment and alienation from society should be of high importance at the international agenda to combat SV. There is a real need to have men on board, in order to avoid further gender stereotyping that (for example) perceives the concerns around SV as "women's issues" and men as inherently violent.

These findings are in turn the basis of three recommendations. First, the term "gender approaches" in peace operations too often is taken to mean simply increasing the number of women in the police and army, or increased attention to women's situation and problems. Instead, the focus should be to assess security challenges for the population under threat. If, for example, fear of rape is a daily concern, then this is a security threat with an equal status to combat wounds. Second, there is a need to apply context-sensitive approaches, including humility and understanding towards the society in need, and asking questions about what has worked previously in the relevant setting to curb the level of SV and why these mechanisms are not currently functioning. Third, there should be greater attention to the armed forces and their understanding of SV, amounting to a debate on the very nature of conflict-related violence and relational violence.

There is vast knowledge and experience among Norwegian professionals from different sectors. In the ongoing efforts to design new projects or strive for best practice in the field, they should be consulted. At the same time, we strongly encourage better transparency, cooperation and information flow among these actors in Norway to advance the international agenda to end the scourge of sexualised violence in war and conflict situations.

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## Contents

	Page
<b>Executive summary</b>	1
<b>Acknowledgments</b>	2
<b>Introduction</b>	3
<i>Methodology and limitations</i>	3
<i>Why focus on sexual violence in war and conflict?</i>	5
<b>Main findings</b>	5
<i>Findings presented in thematic approaches</i>	7
<b>A. Parties directly affected by and involved in sexual violence</b>	7
<i>Surviving victims of sexual violence</i>	7
<i>Perpetrators and potential perpetrators</i>	7
<b>B. Interlinked approaches</b>	8
<i>Sexual violence as a security concern</i>	8
<i>Addressing impunity</i>	9
<i>Training</i>	10
<b>Conclusions</b>	12
<b>Appendix 1: Mapping of Norwegian Capacities</b>	13
<b>Appendix 2: Bibliography and Resources</b>	16
<b>Appendix 3: Rome Statute and Sexual Violence</b>	18

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## Introduction

This report identifies and systematises some of the existing capacities and resources in the research, practice and policy areas in Norway concerning sexualised violence (SV) in war and conflict. The purpose of such a mapping process is twofold.

First, we want to advocate for greater transparency and better information flow between capacities and across relevant fields. This is more easily achieved once the relevant actors have been identified. A more dynamic and stable flow of information regarding efforts, writings, research and projects on the topic, and updates on organisations, institutions and people involved in work on this area, may strengthen the knowledge and oversight of the various actors, and be of mutual benefit to all.

Second, this report offers critical perspectives on the current efforts and knowledge base, by identifying limits and gaps that have future potential for purposeful development that may enhance our prospects to prevent, limit and (the ultimate ambition) end sexualised violence in war.

SV in war and conflict situations may constitute a war crime, a crime against humanity or a constitutive act with respect to genocide.<sup>1</sup> For the purpose of this report, “sexualised war violence” is understood as an umbrella term, covering all forms of physical and psychological violence committed during or in the aftermath of war, with special emphasis on sexualised violence committed by members of armed forces. The term “sexualised violence” includes vaginal, anal and oral rape, but is not restricted to this conservative definition of what constitute perpetrations of a sexualised nature. Other sexualised actions – such as forced fellatio, forced nudity, and genital mutilation – are also included.<sup>2</sup>

The way SV is used in war and conflict situations by an armed group varies across time, place and armed

groups.<sup>3</sup> It can be an integral part of a war strategy where soldiers are permitted and even encouraged to rape or sexually humiliate a targeted population in order to manifest superior power. More often, perhaps, SV is not outlined as an explicit war tactic, but for various reasons and contexts is a part of the war, conflict and post-conflict situation. Soldiers can commit SV independently or even (counter-intuitively) as an outcome of military goals or ideology. If conflicts are prolonged and living conditions continue to deteriorate, increased violence among civilians may be a result. However, we cannot say whether this is due to better reporting mechanisms as conflict protracts or greater violence, or both.

In addition, SV is also found to varying extents in refugee camps committed by other refugees, by the population of the host communities, by security personnel (police, army) and/or aid workers.

## Methodology and limitations

This report is based on desk-studies and semi-structured and open-ended interviews with relevant individuals in Norway. Our mapping has included visits to, or telephone interviews with, capacities at institutes outside Oslo; these have been essential in order to provide a more complete view of the resource environment in Norway.

Sexualised war violence is a form of violence that can be interpreted and challenged from a variety of approaches – war tactics, gender roles, group psychology, and impunity regimes among them. This has led us to speak with informants from a wide variety of backgrounds and institutional affiliations. Some of the informants may have worked with issues such as security and international law rather than directly with sexualised war violence, but these issues may also be highly relevant for dealing with aspects of SV (eg, impunity or security-sector reform).

How were informants selected? We chose to speak to researchers and other academics on the basis of their publications, whose credentials varied from an award-winning master thesis to senior positions and authorship of numerous scholarly works. Some of the informants

1 UN Security Council Resolution 1820 (2008), “Women Peace and Security”, 19 June 2008, <http://daccess-ods.un.org/TMP/4130733.html>, accessed 16 October 2010.

2 On the ICC Rome Statute definition of SV, see for example: A.B. Houge, “Wartime Rape and Sexual Violence: A qualitative analysis of perpetrators of sexual violence during the war in Bosnia and Herzegovina”, University of Oslo: Department of Political Science, 2008, p. 12 and annex 2 on p. 27, <http://www.duo.uio.no/sok/work.html?WORKID=81012>, accessed 16 October 2010.

3 R. Solhjell, “Sexual Violence in War”, University of Oslo: Department of Political Science, 2008, <http://www.duo.uio.no/sok/work.html?WORKID=78731>, accessed 16 October 2010; E.J. Wood, “Sexual violence during war: toward an understanding of variation”, in I. Shapiro et al (eds) *Order, Conflict and Violence*, Cambridge: Cambridge University Press, 2008.

were already known to the team, other names were suggested by our initial informants (ie, the “snowball method”). This method also revealed that different informants often referred to the same individuals.

The annex of the mapping study contains a list of the informants who participated in it, with the exception of a few individuals who did not wish to be mentioned by name. In addition, some individuals who were in the end unavailable for various reasons are not included in the annex.

The government ministries were chosen on the basis of three criteria: their involvement in the action plan for the United Nations Security Resolution 1325 in Norway; being the most politically explicit in working to combat SV at both Norwegian and international (UN, Nato, European Union) levels; and their record of funding national or international programmes against SV.

In our initial project description, it was anticipated that Norway’s development aid and charity NGOs were the core organisations working in the field of SV. However, we found that there were other highly relevant organisations in the country with a track-record of important work in the field, so we decided to include them as well.

Before presenting the findings of this mapping study, four limitations of the exercise should be mentioned.

First, this study cannot be said to represent a complete mapping of all the resources, capacities and work done in Norway related to SV. This is due partly to constraints of time and resources, but also to the lack of previous comparable mappings. Accordingly, the findings in this report should be seen as a pilot project for systematising the existing networks and human resources available in Norway. As such, the annex of individuals and institutions is not comprehensive, and will need to be updated in the future.

Second, we have not had the capacity to study in depth all the research and projects that our informants have undertaken; nor has it been within the scope of this study to evaluate the work these informants have initiated or contributed to. The study is a qualitative mapping exercise. We strongly encourage policy-makers and implementers of Norway’s efforts in this field abroad to follow up the individual expertise according to their own needs.

Third, we have focused only partially on the defence sector. For instance, the team did not interview Norwegian soldiers with recent experience of an international mission, even though the (admittedly very limited) involvement of Norwegian soldiers on the ground could have generated beneficial feedback. Instead, the team chose to focus more on the police sector, as we perceive this as a crucial and long-term investment in dealing with SV that extends beyond the intense but more time-bound period of actual war. The fact that the Norwegian police have made notable contributions within the UN system in providing gender-sensitive training and international cooperation, particularly with African countries, is also relevant to this choice of emphasis. The team did not have a chance to interview current Norwegian police trainers based in (for instance) Nairobi. The author’s background from the Training for Peace programme at NUPI, as well as previous studies undertaken by colleagues at NUPI, has provided some inputs. Nevertheless, better mechanisms to ensure feedback from the training centres back to Norway might be a goal worth pursuing.

Fourth, certain areas directly relating to SV are not discussed in this report: among them child-soldiers as perpetrators, and children born as a result of rape. We did not have the opportunity to conduct interviews at the Bergen-based Centre for Crisis Psychology, which has (including through the Children and War Foundation) undertaken significant studies of children in war situations. In addition, there is a lack of research and information on the topic of men as victims and survivors of SV; it has been only briefly mentioned in the Norwegian context, though even less so in conflict and post-conflict settings. More research is needed on this neglected area.<sup>4</sup> Thus, we chose instead to concentrate on the importance of creating a more inclusive environment by involving men in the fight against SV.

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4 See for example A.B. Houghe, “Wartime Rape and Sexual Violence”, University of Oslo, 2008, and A.B. Houghe, “Subversive Victims? The (non) Reporting of Sexual Violence against Male Victims During the War in Bosnia-Herzegovina”, *Nordicom Review* 29 (1), 2008, pp 63-78, [http://www.nordicom.gu.se/common/publ\\_pdf/264\\_houge.pdf](http://www.nordicom.gu.se/common/publ_pdf/264_houge.pdf)

### **Why focus on sexual violence in war and conflict?**

***Rape is never inevitable. It is a crime of concern to the international community.***

Margot Wallström, 10 March 2010<sup>5</sup>

The mid-1990s saw an upsurge in local, national and international commitment to change the then common view of sexual violence as being an unfortunate but inevitable side-effect of war and conflict. This came about largely because of the brutal war in Bosnia-Herzegovina and the genocide in Rwanda, both of which were characterised by alarmingly high levels of sexualised violence.<sup>6</sup>

The four UN Security Council Resolutions (UNSCRs) on Women, Peace and Security have all been significant formal achievements in bringing attention to wartime sexualised violence, as well as important tools in the efforts to combat these crimes. Norwegian efforts in this field have been closely tied to these resolutions. The first of these resolutions – UNSCR 1325 (2000) – broke new ground in establishing that the needs and rights of women must be a component of the UN peace and security agenda.

UNSCR 1325 was the result of the combined efforts of advocates within the UN system itself, a group of engaged member-states – but perhaps most significantly, of the various women’s activists and organisations that initiated the process.<sup>7</sup> The resolution contained three important emphases:

- on women’s right to representation in conflict prevention, peace negotiation and peacebuilding efforts
- on the importance of implementing a gender perspective in all stages and branches of peacekeeping operations
- on the need for protection against sexual and gender-based violence, and the need to end impunity for these crimes.

But in the years after UNSCR 1325 there were continued reports of severe cases of sexual violence, especially from the Democratic Republic of Congo (DRC); and the need for specific measures to combat sexual violence became increasingly urgent. An awareness of this led to the passing of UNSCR 1820 (2008), which has the stated goal of ending conflict-related sexual violence; it denounces sexual violence as a war crime and a crime against humanity, outlines country-specific sanction regimes, and calls for the training of troops and the coordination of UN efforts.<sup>8</sup>

There followed UNSCR 1888 (2009) which actuated UNSCR 1820’s goals by mandating more specific tools for addressing sexual violence, and outlining plans to strengthen and unify the UN’s efforts on the issue.<sup>9</sup> UNSCR 1889 (2009) then further reaffirmed the aims of UNSCR 1325, in part by specifically highlighting the importance of the UN member-states fully implementing the resolutions.

As a part of the unifying efforts outlined by the instructions in UNSCR 1888, the Security Council mandated the UN to establish a Special Representative to the Secretary General (SRSG) on Sexual Violence in Conflict, charged with leading and coordinating the efforts of the various UN agencies involved in work to end sexual violence, as well as promoting this agenda among the UN member states and other important stakeholders. In early February 2010, Margot Wallström was appointed to this position for two years. SRSG Wallström made a clear statement saying that “sexual violence against women is not cultural, it’s criminal. It’s not a women’s issue, it’s a human rights issue.”<sup>10</sup>

### **Main findings**

This section presents four of the principal findings and suggestions of this study, before turning more explicitly to the efforts and challenges for Norwegian actors and institutions working to mitigate sexualised violence in war and conflict situations.

5 First speech by UN Special Representative Margot Wallström to the Commission on the Status of Women, 19 March 2010. Accessed 18th October, 2010 at <http://www.fokuskvinner.no/no/Nyheter/Arkiv/2010/It-is-not-mission-impossible--but-mission-irresistible/>

6 S.N. Anderlini, *Women Building Peace*, Boulder, Colorado, Lynne Rienner, 2007.

7 T.L. Tryggestad, “Trick or Treat? The UN and Implementation of Security Council Resolution 1325 on Women, Peace, and Security”, in *Global Governance*, No. 15, 2009, pp. 539–557.

8 R. Solhjell, “Combating Sexual Violence in the DRC: Towards a Comprehensive Approach?”, Oslo: Norwegian Institute of International Affairs (NUPI), 2009, <http://english.nupi.no/Publications/Books-and-reports/2009/Combating-Sexual-Violence-in-the-DRC.-Towards-a-Comprehensive-Approach>, accessed 16 October 2010.

9 UN Action/WHO, *Conflict-related Sexual Violence: Implementing Security Council Resolutions 1820 & 1888*, Geneva, World Health Organisation, 2009, unpublished.

10 UN press conference with Secretary-General Ban Ki Moon, 10 February 2010. Available at <http://www.youtube.com/watch?v=fIrnXh6sLU>, accessed 16 October 2010.

**First**, several of our informants underlined the lack of systematic approaches to SV -internally in their organisation, across institutions, and among and between personnel/institutions at the operational level. At UN headquarters level and in the 1820 policies of UN peace-keeping missions, it is often argued that SV should be dealt with comprehensively. Strategic plans, and joint programmes and initiatives are part of the UN missions in Darfur, Liberia, and the DRC. Further, informants stated that Norwegian and nationally-based capacity on SV often depends on one or two key individuals. This indicates the need to institutionalise and systematically use different personnel and capacities relating to programmes for reducing SV. In our opinion, the lack of systematic and cross-institutional work limits the prospects of Norwegian engagement in the field, as knowledge is dependent on a few individuals.

**Second**, research on sexual violence in war and conflict situations is limited and not systematic. It is limited in the sense that it is often based on a few cases where SV has appeared to be a massive and/or visible part of the war strategy; and by the lack of comprehensive studies on the perpetrators in the war/conflict situations.<sup>11</sup> It is unsystematic in the sense that it lacks three important ingredients: an overall mapping of SV in different war and conflict situations, studies of SV integrated in security analysis, a lack of coordination and information flow across and between institutions. Available research on SV during war and conflict settings largely emerged from case studies from the former Yugoslavia, as well as partly Rwanda and more recently Liberia and the Democratic Republic of Congo, alongside policy and advocacy work.<sup>12</sup>

**Third**, several informants underlined the fact that even Norway – which ranks second on the Gender Empowerment Measure of the Human Development Index and whose legal framework and media attention have targeted sexualised violence – has great challenges in the case of impunity for rape and sexual violence, low levels of reporting, shaming, myths and taboos. To take one

example, the ad-hoc commission concerning rape found that 90% of rape cases in Norway are never reported to the police.<sup>13</sup> Out of the 10% that were reported, in 80% of the instances, the cases were dropped, due to, among other things, inadequate evidence and/or that victims filed their reports too late.

There are obvious methodological challenges in making such research applicable to war and conflict situations, but there are some lessons to be noted. For one thing, if Norway's police and justice apparatus is not responding adequately to the needs of Norwegian citizens, then building up a well-functioning police and justice apparatus and empowering women cannot be the sole answer to combating or mitigating SV in war and conflict situations abroad. Of high importance must be affecting and changing attitudes, although that is a long-term and difficult process.

**Fourth**, although SV is specifically mentioned as a security concern among the political leadership in the departments addressed in this study, resources appear to be directed especially through development and humanitarian aid. Some of the aid goes to women's empowerment initiatives, both in conflict/post-conflict and non-conflict settings. Male empowerment is largely absent. Empowering exclusively members of one half of the population, based on the single criterion of gender, may lead to hostility, envy and discontent that in turn may affect the level of gendered violence committed by male civilians in a post-conflict setting.

The disempowerment and alienation of men and boys from their communities in conflict and post-conflict situations is real and highly relevant for efforts aimed at reducing the level of violence against women. Accordingly, the (female) gender of participants should not be the sole relevant criterion when initiating and establishing empowerment efforts. It is simply not possible to end SV without having men onboard.

**Fifth**, one of the strengths concerns the capacity-building programmes such as police training for African police staff developed and run in collaboration with Norwegian police personnel in west and east Africa. Combined with the capacity-building of civilian, police and military personnel, an important sense of ownership is fostered in efforts to solve the problem of SV among the population subjected to the conflict and post-conflict settings.

11 It is worth noting the present post-doctoral project by Inger Skjelsbæk, focusing on perpetrators from the war in Bosnia-Herzegovina; and the SVAC project at PRIO, also headed by Skjelsbæk.

12 Most Norwegian research on the subject has focused on intimate partner violence, child abuse and legal procedures for perpetrators of sexual violence in Norway, as we struggle to mitigate these forms of violence in our own society. Scholars, practitioners and researchers in this area are found especially in criminology and in the health sector, eg, doctors, psychiatrists, nurses and psychologists.

13 *Voldtekstutvalget*, 2008, p.10. Available only in Norwegian at <http://www.regjeringen.no/nb/dep/jd/dok/nouer/2008/nou-2008-4.html?id=497659>, accessed 22 October 2010

Norway or Norwegian actors – be they NGOs or government agencies – have no moral authority or right to simply project their own goals and ideals of gender equality onto other countries. If change is to be lasting and perceived as legitimate, it must come from within the local society itself. The great challenges still facing Norwegian society with regard to preventing, protecting and responding to instances of SV further demonstrate the need of showing deference towards other societies and other cultures.

### ***Findings presented in thematic approaches***

The findings from the study are presented under two main headings. The first section discusses the two parties most directly involved in and affected by SV: namely, the victims and the perpetrators, and how these generally are addressed in the war, conflict and post-conflict settings by Norwegian actors. We recognise that entire communities are affected by such violence, but have narrowed our findings due to the study focus and the areas addressed in the interviews.

The second section outlines three interlinked approaches to mitigating SV in war and conflict situations as practised by Norwegian actors: through providing security (protection), fighting impunity, and training police and military staff.

## **A. Parties directly affected by and involved in sexual violence**

### ***Surviving victims of sexual violence***

The Norwegian NGOs active in the field are especially attuned to the situations of survivors of SV. Their main priorities are basically medical, psychosocial, empowerment and/or legal aid with a strong emphasis on women and children. Medical and psychosocial aid to victims of SV in war and conflict situations could be a focus for Norway, since within the country's health sector there are many capacities based on extensive work and research experience related to SV in Norway and abroad. Norway is regarded as being one step ahead of many other western countries in responding to rape and SV victims, at least for female victims. Reception facilities for male victims is a far more stigmatised area and there have been few responses, except for a few NGOs such as the Centre for Sexually Abused Men (SSMM) in Oslo.

All the NGOs in the study have local partners and staff that they work with in order to reach victims in the most culturally sensitive manner, to avoid any form of re-victimisation. Re-victimisation is unfortunately common in the case of many victims of SV. Few victims feel comfortable about going to a tent where a sign says "rape victims". Similarly, according to our NGO informants, few survivors of sexualised war violence will attend discussion groups where international organisations have announced a debate for SV victims. Instead, to a considerable extent, the NGOs practice a bottom-up approach to victims to ensure that they are reached through channels such as community-based organisations, church networks, and medical clinics.

The lessons from Norwegians with field experience from Bosnia in the mid-1990s, we were informed, showed the importance of addressing the entire population of war victims, and not solely the victims of violence against women, gender-based violence or rape. Another lesson was to seek out established, local organisations that were already in place, so that the aid could be provided through supporting community-based organisations.

The response to victims both of SV and of other forms of violence and disintegration from their communities regularly includes efforts to provide medical and psychosocial aid, and empowerment projects. There are several examples of combined projects where victims have been provided with medical, psychosocial and legal aid and education (empowerment). This may take the form of "safe houses" located next to medical centres. However, some of our informants with field experience in Bosnia expressed concern about such sensitive work as psychosocial aid being carried out by staff without adequate prior training.

### ***Perpetrators and potential perpetrators***

The issues related to perpetrators and potential perpetrators of SV have become increasingly important both in Norway and in international intervention settings. The general goal is to prevent further violence through counselling, by working to change attitudes, and/or sensitisation and awareness-raising activities. However, informants expressed concern at the lack of knowledge and data on perpetrators of SV in previous and current conflicts. There have been several studies on and counselling programmes for perpetrators in western, peaceful countries, but little is known about soldiers who

choose or are forced to commit such acts in war and conflict situations.<sup>14</sup> Informants also stated that there is little knowledge of best practices concerning how to prosecute perpetrators.

Though perpetrators of SV should be prosecuted for their crime, that is not necessarily possible in countries ravaged by war, due to the disruption of the rule of law and the forms of traditional justice that have previously worked to limit acts of SV. As judicial systems do not work, jails are not in place, staff is ill-trained and dependent on private fees, the prosecution of perpetrators and aid to victims are often non-existent, causing further distress and potential danger for victims. Thus, an entry point for several Norwegian NGOs has been to work to change attitudes among local leaders such as generals, the clergy, network representatives and NGOs.

Such efforts are sometimes referred to as “sensitisation workshops” that in turn can play a role in reaching and influencing attitudes and behaviour among the general public. This is a form of top-down approach aimed at affecting, preventing and mitigating the level of SV in war and conflict, targeting the social, political and economic leadership in the hope that new attitudes will trickle down to the population.

Further, it is increasingly recognised in Norway that there is a dire need to mobilise men in the fight against SV. Most males are not perpetrators of SV, and much preventive work can be done if there are inclusive processes for men to engage and sensitise other boys and men in their communities. Several networks like “Men Engage”<sup>15</sup> and “Network of Men Leaders to Combat Violence against Women”<sup>16</sup> are already in place and supported by Norway.

Some of our informants also emphasised local networks for young men and boys. Long-term conflict and post-conflict settings often involve the erosion of norms

and lack of formal and informal sanctions against SV. Creating networks for and around young men and boys (for instance, through education, music, religion, community houses) can serve as a way of “getting back to normal” – giving these young males a way of feeling that they form part of a community and are a human resource. Such a safety-net can provide an environment for sharing worries and enabling non-violent responses to such worries.

## B. Inter-linked approaches

### *Sexual violence as a security concern*

There is no universal definition of security. It can be broadly defined as freedom from fear and want<sup>17</sup> and narrowly defined as a state’s ability to control its territorial borders. Thus, SV may be defined as a security threat in broader terms, but deemed irrelevant for instance in territorial integrity. Margot Wallström states: “women’s security is the best measure of national security.” But as security is frequently defined by elites in war, conflict and post-conflict settings, often at expense of the masses, civilian suffering and loss are repeatedly neglected in peace negotiations.

Though perceptions might be slowly changing, many still consider SV as a “women’s issue” and hence a “soft issue”, not relevant within the larger framework of political and legal orders. Little has been written by Norwegian scholars in the field of political science who include SV in the security discourse and debate. Indeed, the literature often seems to be “gender blind”, representing more conservative views on war, peace, and security. This is also to a lesser extent the impression of several Norwegian scholars who have expressed more liberal views of local, private and impersonal forms of political and legal order.

Many Norwegian professionals working in the area have contributed to the academic debate on and the practice of Security Sector Reform (SSR) and Disarmament, Demobilisation, and Reintegration (DDR). It is unclear, however, whether there have been significant contributions to problems related to SV, such as how to deal with sexual enslavement of child soldiers within the DDR framework.

14 See for example I. Skjelsbæk (forthcoming), Houge (2008, both publications), R. Solhjell, “Sexual Violence in War”, University of Oslo: Department of Political Science, 2008, and A. Enger, “Hvordan kan krigsvoldtekter forstås?” [How can wartime rape be understood?] University of Oslo: Department of Criminology, 2007, <http://www.duo.uio.no/sok/work.html?WORKID=63189>, accessed 16 October 2010.

15 Men Engage is a global alliance of NGOs and UN agencies, <http://www.menengage.org/>, accessed 16 October 2010.

16 This is headed by UNSG Ban Ki-Moon, with Norwegian minister of justice Knut Storberget as an active member, <http://www.un.org/apps/news/story.asp?NewsID=33053&Cr=violence+against+women&Cr1>, accessed 16 October 2010.

17 Human Development Report, 1994, in G. Hoogensen and S. V. Rottem, “Gender Identity and the Subject of Security”. *Security Dialogue* 35 (2), 2004, pp. 135-154.



In our desk review of DDR teaching material used by among others the Norwegian Defence International Centre,<sup>18</sup> we noted that sexual abuse and rape of women and children are mentioned. However, there are references to “special groups” and “vulnerable groups” and a subsequent lumping together of “women and children” as a blanket category, thus reproducing gender stereotypes. This is the opposite of the intention of UNSC Resolution 1325, that women are and should be seen as active agents for change. On the other hand, to a great extent the teaching material would appear to have gender-mainstreamed the approaches of and nuanced responses to DDR by basing itself on the experiences, efforts, and needs of men, women, boys and girls.

The following areas reveal limitations and challenges and require further work:

- **Human security**

What are the security challenges for the population under threat? Security is not merely a matter of democratic elections. Security can be viewed as enabling people to perform their daily tasks and live normal lives. If fear of rape is a daily concern, this affects people’s ability to perform their daily duties.

- **Programmes**

DDR and SSR programmes have largely failed, and are immensely expensive and tend to be overly technocratic. “Gender approaches” often simply mean increasing the number of women involved.

- **Research**

There is a need to address SV and gender relations under legal and political orders in research and academic writing.

### **Addressing impunity**

The problem of impunity concerning SV ranks high on the agenda in global initiatives such as UN Action Against Rape in Conflict, as well as among stakeholders in the Norwegian government. Furthermore, ending impunity for SV crimes is part of a comprehensive approach by the UN Security Council and member-states to work towards sustainable peace, justice, and reconciliation.<sup>19</sup>

At the international level, the International Criminal Court (ICC) in The Hague is the first permanent international criminal court focused on ending impunity for the most serious crimes affecting humanity.<sup>20</sup> A handful of Norwegians have been central to the development of the ICC and have contributed in the special court for the former Yugoslavia (ICTY) and for Rwanda (ICTR).

For instance, judge Erik Møse recently returned to Norway after approximately ten years of working with the ICTR, including nineteen cases that led to conviction.<sup>21</sup> Yet despite the court’s achievements in convicting many of the Rwandan commanders responsible, including the country’s former prime minister and fourteen ministers under the government in 1994, this received little media attention in Norway. The ICC’s lessons, best practice, and contributions can be supported by Norwegian capacities with experience from these processes.

But even though Norway has experts on international humanitarian law, some of whom have served abroad under the ICC and/or special courts, legislation on prosecuting suspected war criminals in Norway only arrived as recently as 1 January 2008. Suspected war criminals from Afghanistan, Iraq, Bosnia, and Rwanda currently living in Norway have apparently been granted amnesty from these crimes in Norway.<sup>22</sup> There should be no such thing as safe havens for per-

19 A. Obote-Odora, “Accountability and complexity in genocide and mass violence”, *Development Dialogue*, November 2009, pp 98-122, <http://www.dhf.uu.se/publications/development-dialogue/responses-to-mass-violence-%E2%80%93-mediation-protection-and-prosecution/>, accessed 22 October 2010.

20 See the forthcoming Noref report by Sidsel Aas on the ICC and SV internationally.

21 NRK, *Søndagsrevyen*, 7 March 2010, <http://www1.nrk.no/nett-tv/indeks/121064>, accessed 16 October 2010.

22 In 2008, the NRK investigative journalism programme *Spekter* ran a feature on the impunity of war criminals currently living in Norway, <http://www1.nrk.no/nett-tv/klipp/437863>, accessed 16 October 2010.

18 I. Douglas, I., C. Gleichmann, M.I. Odenwald, K. Steenken and A. Wilkinson, “Disarmament, Demobilization and Reintegration: A Practical Field and Classroom Guide”, 2004, used by Nodefic, available at [http://www.mil.no/multimedia/archive/00072/DDR\\_handbook\\_-\\_Engli\\_72504a.pdf](http://www.mil.no/multimedia/archive/00072/DDR_handbook_-_Engli_72504a.pdf), accessed 16 October 2010.

petrators or commanders of sexualised war violence – least of all in Norway. We would argue that if the Norwegian government is to legitimately advocate the fight against impunity of SV crimes and other war crimes, it will have to show commitment to this agenda in practice, also at home.

The importance and applicability of the principle of universal jurisdiction – and the moral duty with which this principle is associated – is undisputed. Yet it is at the national and local levels in countries suffering from war and conflicts that most of the efforts to end impunity will and must take place. The ICC is mandated only to prosecute those perpetrators who cannot be adequately prosecuted in a national court and who are accused of the most serious crimes against humanity. That makes it crucial to install the rule of law in conflict and post-conflict countries.

Some of our informants argued that mediation boards where victims and perpetrators could confront each other had worked with some success, compared to efforts involving formal court cases. Here, success was measured not in the number of years to which the perpetrator was sentenced, but in enabling the victims to move ahead with their lives. Such an approach can perhaps work between civilians in their local communities; but in any case we would argue that additional, national-level efforts should be made to bring to trial those responsible for armed groups or national armies that have allowed or can be held accountable for SV as a weapon of war. In other words, we feel that reconciliation and justice can be implemented both locally and nationally.

Further, it is possible that where national systems are not in place or are too time- and cost-consuming for most people, traditional systems of justice might in many cases work better (such as in solving local disputes). However, our informants (depending on their field experience) disagreed as to what extent such traditional systems work optimally as regards rape and other SV cases. Solid contextual knowledge is essential here. Western experience has also shown that building new judicial institutions is something that may take decades or even centuries.

The following areas reveal limitations and challenges and require an increased focus:

- **Context-sensitivity**

This term is often found in policy documents, but rarely applied. This is not in any way an expression of cultural relativism towards SV; rather, it involves understanding which systems of justice (such as mediation boards, traditional justice, special courts) have worked in a given context and which have not.

- **Research**

Why is there so much SV in certain contexts and not other areas? What makes SV a crime that goes unpunished? External actors (such as Norway) can, on the basis of context analysis, support structures and actors that have proven useful, and critically assess if this is through formal state institutions and technocratic means.

### ***Training***

In this section, we focus on the training of police and armed forces in Norway, Norwegians serving abroad and capacity-building of police forces in Africa. In general, the preparation of staff to the relevant UN mission consists of pre-deployment, induction and in-mission training. This training is based on “Standard Generic Training Modules” (SGTM), mandatory for all UN member-states. Inevitably, there are differences between member countries in pre-deployment training and lack of standardisation or systematic approaches to induction and in-mission training.

Some of our informants held that integrating responses and prevention of SV in various training courses can appear to be based on individuals rather than being integral to UN systems. Further, it was argued, a greater focus on in-mission training is crucially important. This can increase the chances of peacekeepers and police staff being responsive to security threats and operationalising the mandate in the particular context.

In the Norwegian armed forces, UNSCR 1325 has been integrated in strategy documents, but awareness and mainstreaming of this resolution currently remain weak. This was shown most recently in a study on Afghanistan, where Norway currently has its largest de-

ployment in a Nato-led mission.<sup>23</sup> The study showed that at the Norwegian leadership level, the mandate was perceived as “gender neutral”, meaning that men had contact with men, and that gender issues were not considered at the planning and preparation level.

Protecting and responding to the security needs of the entire civilian population under the mandate of an armed force is not a new idea. But the wrappings or “ideology” of 1325 are rather new and have in part been met with resistance. UNSCR 1325 in the defence sector was understood by many as equality for women, and has not been recognised as a means of measuring effects and achieving success under a given mandate.

Some informants noted that the concept of “gender” in the national army is often perceived as something of an “outside” issue and not a part of an integrated approach in the field. “Masculinity” is often incorporated as something neutral in the army, whereas “gender” is understood as referring only to women. The Norwegian armed forces’ integrated training on ethical codes and effective outreach to the whole population were highlighted as key areas, both in terms of principle and of the practical application (depending on the needs of the civilian population in question) of various protection measures.

Furthermore, increasing the number of women in the armed forces cannot be done overnight and should not be seen as an isolated goal, adequate by itself. The idea of “add women and stir” is not a sufficient solution, especially as women too are masculinised in the military. The armed forces still consist largely of men, and it is they who are the implementers of protection and prevention measures involving SV threats on the ground. Unfortunately, it is unclear how armed forces can prevent or respond to such violence.

Many in the armed forces, mandated to protect the population in UN or Nato operations, can also be unclear about whether SV is to be seen as a private matter (eg, as domestic violence) or as a case for intervention. SV has often been perceived as an unfortunate by-product of war (“collateral damage”), which results in a rather passive or bystander approach to SV in conflict settings. It has been recognised only more recently, as in UNSC Resolution 1888, that peacekeeping forces need to be adequately equipped and trained to protect

civilians from SV.<sup>24</sup> If this is a challenge within the UN system, we were told that for Norwegian forces too the response to SV in conflict settings was (at best) only just beginning. This challenge exists alongside those of securing even basic and minimum training and equipment for UN peacekeepers.

The Norwegian police have long-term experience in sexual-offence cases, in Norway itself as well as in international criminal investigation and capacity-building abroad. Here, two different kinds of work done by the Norwegian national police should be mentioned.

First, in west Africa (and partly in east Africa), the International Section of the Norwegian police has since the mid-1990s actively supported and developed training centres for African police serving in UN and African Union (AU) missions (as well as those serving in other capacities). These trainers and supporting staff (translators, civilian experts) have undertaken training programmes specifically aimed at the capacity-building of national police in African countries.

We were informed that the Norwegian and African police can rapidly set up training programmes combined with skilled translators, depending on the needs of the UN/AU. Further, African police forces (which are from South Sudan, Ethiopia, and Liberia at the time of writing) have exchange agreements with the Norwegian police on sharing experience and mutual training.

Second, the Norwegian National Criminal Investigation Service (Kripas) and previously the Oslo Police Department have, together with the International Criminal Police Organisation (Interpol), investigated war crimes, genocide and crimes against humanity. Within these investigations, Kripas has often had contact with victims of war and conflict-related SV. In addition, Kripas has staff that work more broadly with cases of SV and assist or generate cases to the national police in complicated SV cases (some of them cross-boarder). The national police have a particular responsibility since in Norway, as in other European countries, there are suspected war criminals.

24 A-M. Goetz and R. Jenkins, “Sexual Violence as a War Tactic - Security Council Resolution 1888: Next Steps”, UN op-ed, 2010, [http://www.un.org/wcm/content/site/chronicle/cache/bypass/lang/en/home/archive/issues2010/empoweringwomen/sexualviolencewartacticscr1888.jsessionid=5E19C971E1CB82A77799C93B74F471C8?ctnscroll\\_articleContainerList=1\\_0&ctnlistpaginatio\\_n\\_articleContainerList=true](http://www.un.org/wcm/content/site/chronicle/cache/bypass/lang/en/home/archive/issues2010/empoweringwomen/sexualviolencewartacticscr1888.jsessionid=5E19C971E1CB82A77799C93B74F471C8?ctnscroll_articleContainerList=1_0&ctnlistpaginatio_n_articleContainerList=true), accessed 22 October 2010.

23 The study was conducted by the Defence Research Agency, 2009.

The following areas reveal limitations and challenges and require further work:

- **Training**

Increase in-mission training and scenario training. Several professionals with training experience have argued for the necessity of mobilising resources and increase attention to in-mission training, both for police and for civilian and armed personnel serving in UN missions.

- **Understanding**

There is a need to address the understanding among the armed forces of protection against SV. A debate on how to understand conflict-related and associated forms of violence should be welcomed.

3. The knowledge among Norwegian professionals about the consequences of sexual abuse and rape – physical and psychosocial, short- and long-term, on victims and relatives and beyond – is vast. The informants of this study have shared some of this knowledge and capability, based on extensive work and experience in the field. There is then every reason for policy-makers, practitioners, and peacekeepers themselves to engage – and no excuse not to. It is hoped that this study can encourage increased debate, more effective use of personnel, and lower the threshold for engagement.

## **Conclusions**

In light of the foregoing, we have three overall recommendations for improving work in opposing and preventing SV:

1. We would strongly encourage a more critical debate concerning efforts, both external and internal, to combat SV. There are in Norway clearly many resources beyond the country's role as a donor; in this respect we should ensure the same level of transparency, cooperation, efficient resource-use and allocation (economic and personnel), and information-flow that we advocate abroad. Since the UN resolutions, with SRSR Wallström at the fore, are advocating for better practice in the field, several of the persons interviewed for this study should be consulted, in view not least of their research, practice and work experience. Moreover, Norwegian capacities could work towards strengthening the International Justice Framework, while simultaneously assessing the gaps in the Norwegian Justice Apparatus.

2. We would argue that the critical evaluation and assessment of previous and ongoing projects is indispensable to improving responses to prevention of SV. Every context is different, but there are lessons from past and current practice that can be taken into account when designing new projects. Our informants have, through their work experience and knowledge sharing, proven that elements that are seemingly difficult to evaluate (eg, attitudes, and changes over time) are indeed measurable.

**Appendix 1: Mapping of Norwegian Capacities**

In alphabetical order

Person	Institute/ Agency	Professional Background and/or Position	Relevant issues covered	Contact Information
<i>1) Research and academic institutes</i>				
Berit Aasen	Norwegian Institute for Urban and Regional Research (NIBR)	Senior Researcher	Religious civil society networks in the Great Lakes region & implementation of Resolution 1325	<a href="mailto:berit.aasen@nibr.no">berit.aasen@nibr.no</a> Cellphone: +47 95 97 15 25
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Torunn Wimpelmann Chaudhary	Christian Michelsens Institute, CMI. (currently PhD student SOAS, fieldwork in Afghanistan)	Research Fellow (PhD candidate)	Intersections between gender, violence and political and legal orders in contemporary Afghanistan	<a href="mailto:torunn.wimpelmann@cmi.no">torunn.wimpelmann@cmi.no</a>
Anette Bringedal Houge	Advisor/researcher, Independent consultant	Peace and Conflict Studies	Perpetrator perspectives on sexualized war violence during the Bosnia-Herzegovina war.	<a href="mailto:anette.bringedal.houge@gmail.com">anette.bringedal.houge@gmail.com</a> Office: +47 23 30 90 52; Cellphone: +47 99 22 46 98
Kathleen M. Jennings	FAFO	Research Fellow	Human security; international policy interventions in conflict and post-conflict areas (UN), gendered security; West Africa	<a href="mailto:kathleen.jennings@fafo.no">kathleen.jennings@fafo.no</a> Office: +47 22 08 86 20
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Klaus Melf	Health Dept. of the County Governor and Norwegian Board of Health Supervision in Troms County	Assistant Chief County Medical Officer	Medical Peace Work	<a href="mailto:klaus.melf@fmtr.no">klaus.melf@fmtr.no</a> Office: +47 77 64 24 65 Cellphone: +47 91 76 15 91
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Kristin S. Scharffscher	Department of Engineering and Safety (IIS), University of Tromsø	Safety and Resilience Management	Protection against rape in refugee camps. Organizational mechanisms for the systematic implementation of gender-based protection in complex emergency operations.	<a href="mailto:kristin.s.scharffscher@uit.no">kristin.s.scharffscher@uit.no</a> Office: +47 77 66 03 44; cellphone: +47 91 13 70 68
Torild Skard	NUPI	Senior Researcher	UN Development, Women, West-Africa.	<a href="mailto:ts@nupi.no">ts@nupi.no</a> Office: +47 22 99 40 58
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## Randi Solhjell: Sexualised violence in conflict: Norwegian capacities and challenges

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Arni Hole	Ministry of Children, Equality and Social Inclusion	Director General		<a href="mailto:Arni.Hole@bld.dep.no">Arni.Hole@bld.dep.no</a> Office: +47 22 24 24 99
Henning Høgseth	Police Directorate	Assistant Chief of Police International Section	Police training to police officers serving in UN/AU missions	<a href="mailto:henning.hogseth@politiet.no">henning.hogseth@politiet.no</a>
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Gry Larsen	Secretariat of the Minister of Foreign Affairs, Ministry of Foreign Affairs (MFA)	State secretary	Dedication to the UN Action Against Sexual Violence in Conflict.	<a href="mailto:Gry.larsen@mfa.no">Gry.larsen@mfa.no</a> Office: +47 22 24 95 80
Hilde Salvesen	MFA		Coordination of 1820 and 1888 initiatives	<a href="mailto:Hilde.salvesen@mfa.no">Hilde.salvesen@mfa.no</a> Office: +47 22 24 32 28
Hanna Helene Syse	Ministry of Defence	Senior advisor		<a href="mailto:hanna-helene.syse@fd.dep.no">hanna-helene.syse@fd.dep.no</a> Office: +47 23 09 61 31
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	The Ministry of Justice and the Police			<a href="mailto:postmottak@jd.dep.no">postmottak@jd.dep.no</a> Office: +47 22 24 90 90
	National Criminal Investigation Service. KRIPOS		War crimes, Crimes against humanity and Genocide.	<a href="mailto:kripos@polititet.no">kripos@polititet.no</a> Office: +47 23 20 80 00

Person	Institute/ Agency	Professional Background and/or Position	Relevant issues covered	Contact Information
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Liv Bremer	Norwegian People's Aid	Senior Advisor	Violence against women, women's rights.	<a href="mailto:lb@npa.no">lb@npa.no</a> Cellphone: +47 98 22 95 44
Oddvar Espegren	Christian Relief Network. (CRN)	Director	CRN and local partner Hope in Action in DRC: - fatherhood and GBV prevention - child soldiers and reintegration - assisting victims of SV	<a href="mailto:oddvar@crn.no">oddvar@crn.no</a> Cellphone: +47 48 95 95 85
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Asgerd Vetejord	Norwegian People's Aid	Senior Advisor		<a href="mailto:asgerd.vetejord@npaid.org">asgerd.vetejord@npaid.org</a> Cellphone: +47 91 75 12 05

## Appendix 2: Bibliography and Resources

### Internet Resources

- Medical Peace Work – internationally funded project, providing expertise in health work, violence prevention and peace building. Free training courses (ECTS) for medical staff: <http://www.medicalpeacework.org/>.
- Health and Human Rights Info – practical guidelines and selected links for health personnel, includes a thematic group conferencing SGBV: [http://www.hhri.org/thematic/gender\\_based\\_violence.html](http://www.hhri.org/thematic/gender_based_violence.html).

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### Appendix 3: Rome Statute and Sexual Violence

#### Definitions of crimes of sexual violence in the Rome Statute of the ICC – The Elements of Crimes

RAPE	SEXUAL SLAVERY <sup>27</sup>	ENFORCED PROSTITUTION	FORCED PREGNANCY	ENFORCED STERILIZATION
<p><b>Article 7 (1) (g)-1</b></p> <p>1. The perpetrator invaded<sup>25</sup> the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.</p> <p>2. The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.<sup>26</sup></p> <hr/> <p>25 The concept of “invasion” is intended to be broad enough to be gender-neutral.</p> <p>26 It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity. This footnote also applies to the corresponding elements of article 7(1) (g) - 3, 5 and 6.</p>	<p><b>Article 7 (1) (g)-2</b></p> <p>1. The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty.<sup>28</sup></p> <p>2. The perpetrator caused such person or persons to engage in one or more acts of a sexual nature.</p> <hr/> <p>27 Given the complex nature of this crime, it is recognized that its commission could involve more than one perpetrator as a part of a common criminal purpose.</p> <hr/> <p>28 It is understood that such deprivation of liberty may, in some circumstances, include exacting forced labour or otherwise reducing a person to servile status as defined in the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956. It is also understood that the conduct described in this element includes trafficking in persons, in particular women and children.</p>	<p><b>Article 7 (1) (g)-3</b></p> <p>1. The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give genuine consent.</p> <p>2. The perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature.</p>	<p><b>Article 7 (1) (g)-4</b></p> <p>1. The perpetrator confined one or more women forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law.</p>	<p><b>Article 7 (1) (g)-5</b></p> <p>1. The perpetrator deprived one or more persons of biological reproductive capacity.<sup>29</sup></p> <p>2. The conduct was neither justified by the medical or hospital treatment of the person or persons concerned nor carried out with their genuine consent.<sup>30</sup></p> <hr/> <p>29 The deprivation is not intended to include birth-control measures which have a non-permanent effect in practice.</p> <p>30 It is understood that “genuine consent” does not include consent obtained through deception.</p>

SEXUAL VIOLENCE	PERSECUTION
<p style="text-align: center;"><b>Article 7 (1) (g)-6</b></p> <p>1. The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent.</p>	<p style="text-align: center;"><b>Article 7 (1) (h)</b></p> <p>1. The perpetrator severely deprived, contrary to international law,<sup>31</sup> one or more persons of fundamental rights.</p> <p>2. The perpetrator targeted such person or persons by reason of the identity of a group of collectivity or targeted the group or collectivity as such.</p> <p>3. Such targeting was based on political, racial, national, ethnic, cultural, religious, gender as defined in article 7, paragraph 3, of the Statute, or other grounds that are universally recognized as impermissible under international law.</p> <p>-----  <sup>31</sup>This requirement is without prejudice to paragraph 6 of the General Introduction to the Elements of Crimes.</p>

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