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THE USE OF MASS SEXUAL VIOLENCE DURING CONFLICT AS A
MEANS OF PERPETRATOR GROUP EXPANSION & THE SOCIETAL
AFTERMATH

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DEDICATION

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ABBREVIATIONS

CBC: Children Born in Captivity

FYR: Former Yugoslav Republic

ICC: International Criminal Court

ICTR: International Criminal Tribunal for Rwanda

ICTY: International Criminal Tribunal for the former Yugoslavia

LRA: Lord's Resistance Army

UN: United Nations

VWS: Victims & Witnesses Section

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CHAPTER ONE

INTRODUCTION

This work examines the societal effects of mass rape in sites of conflict, focusing specifically on the strategic use of rape by expansionist actors concerned with manipulating population demographics. The recurrent method of widespread sexual violence utilized by such actors forms part of a bigger conversation about rape as a weapon of war and violence against women during conflict. Scholars (e.g. MacKinnon, 2006, De Brouwer, 2015, & Koomen, 2013) widely recognize the weaponization of sexual violence during conflict as a tool for societal destruction and the importance of understanding the motives that drive such gendered violence. Notably, De Brouwer (2015) emphasizes the complexity of conflict-related sexual violence, noting how the phenomenon persistently emerges in times of unrest, and how few perpetrators of such crimes are prosecuted. Similarly, MacKinnon (2006) explores prior hesitations to address sexual violence under international law, discussing in-depth the International Criminal Tribunal for the former Yugoslavia (ICTY) decision that rape is in fact a weapon of war and genocide and articulating the importance of this recognition for improving justice-seeking efforts moving forward. In this work, I focus on the post-conflict re-traumatization and stigmatization experienced by women raped during expansionist campaigns and by children born through the strategic deployment of rape for demographic growth. Because of the locally rooted nature of this particular subset of post-conflict violence and stigmatization, I argue that community-based reconciliation efforts should be prioritized to mitigate further violence and stigmatization against these women and children.

Though progress has been made in discussing mass sexual violence on an international level, further exploration into the subset of cases exhibiting *expansionist motives* underlying the deployment of mass rape is needed. These cases present unique instances in which perpetrators of rape have sought to create desired population demographics through both the elimination or exiling of those undesired, as well as through forced procreation in the manipulation of population growth. Examples of such behavior can be seen in the Lebensborn Project of Nazi Germany (Upton, 2019) and in the former Yugoslavia (Power, 2007). Here, I treat Bosnia and northern Uganda as illustrative case studies¹ to demonstrate expansionist sexual violence as a destructive trend that cross-cuts varying wartime contexts in a manner that suggests the need for further analysis to better understand this phenomenon.

Both Bosnia and northern Uganda exemplify how similar deployments of rape are used as a means of manipulating demographics across varying types of conflict, speaking to the pressing theoretical and policy needs of addressing this phenomenon in its own right. Scholars (e.g. MacKinnon, 2006, Power, 2007, and Denov et al, 2018) emphasize the structural nature of violence against women and the post-conflict societal impacts such violence creates for mother, child, and community. In the case of Bosnia, for example, Power (2007) discusses the widespread use of rape against Bosnian Muslims in the 1990s as a means of genocide, as well as a means of population expansion for Serb perpetrators seeking a Serbian majority in the former Yugoslavia. This example also raises questions surrounding the perceived paternalism of ethnicity. On the other hand, in

¹ Illustrative case studies, as described by Levy (2008, p.6), are commonly utilized as a tool for analysis within the social sciences, including international relations. Illustrative case studies typically contribute brief and concrete examples of theory application to back an author's argument and provide the reader a "feel" for its applicability. (George & Bennett, 2005).

their analysis, Denov et al (2018) discuss the abduction, forced marriage, and impregnation of women by the Lord's Resistance Army (LRA) over two decades (1986-2006) of violence in the context of the northern Ugandan civil war. While both of these cases have been explored individually, I bring these cases together in an analysis of the recognition of expansionist wartime rape and its long-lasting impacts. Highlighting the similarities and differences of these cases will help educate and add to a needed conversation regarding the diverse circumstances expansionist sexual violence emerges from as a conflict strategy.

The phenomenon of mass rape and nonconsensual procreation for means of group expansion raises dilemmas in post-conflict reconstruction and justice-seeking forums. Women exploited for these demographic growth agendas and the children born of such circumstances have historically become subject to stigmatization, isolation from community and identity, and repetitive sexual and physical violence in the post-conflict era due to their nonconsensual ties to perpetrators (see MacKinnon, 2006, Carpenter, 2000, and Weitsman, 2008). It is important to note that expansionist strategies do not always take the form of violent widespread rape, which is the focus of this thesis. However, such differing strategies do come with their own troubling outcomes and societal impacts (see Chapter 2). While this thesis speaks to these different manifestations of expansionist motives, the core focus of this work remains on addressing expansionist agendas that involve the weaponization of rape. However, my analysis still speaks to the wider implications of the phenomenon of expansionist agendas in their varying forms.

The treatment of children born of wartime rape reflects the “devastating effect that myths about the construction of identity can have on human rights” (Weitsman, 2008,

p. 566). These children, given their parentage and the circumstances of their birth, are born with an unclearly defined identity that leaves them subject to social exclusion as “their families and society are unable to disentangle them from the circumstances of their conception” (Weitsman, 2008, p. 566). Wartime rape also creates a strained reality for mother and child as mothers are subject to stigmatization and shame, often finding difficulty in post-war motherhood as they are reminded of their trauma through the existence of their children (De Brouwer, 2015). Because of this strained relationship, survivors often place their children in orphanages, however, this created a new set of problems. As Weitsman notes, for example, “children born of rape in Bosnia and in Rwanda were not allowed to be adopted overseas because they were viewed as a critical means of repopulating their respective countries” (Weitsman, 2008, p. 568). The continued weaponization of mass rape during conflict consequently results in a range of post-conflict development and state-building implications in need of further recognition in regards to expansion-driven sexual violence. This is especially the case in the post- UN Resolution 1325 era, amid the women, peace, and security agenda, as the benefits of incorporating gender considerations into international peacebuilding and development efforts gain recognition.

Resolution 1325 & The Women, Peace, and Security Agenda

The international legal community has recognized the societally destructive impact of mass sexual violence against women as well as the global and intergenerational dimensions of such violence through the establishment of the United Nations Declaration of the Elimination of Violence Against Women in 1993 as well as through United Nations

Security Council Resolution 1325 on Women, Peace, and Security and subsequent resolutions.

While the international community began increasingly recognizing the impact of conflict on women and the active role women play in post-conflict peacebuilding, prior to UN Resolution 1325, the resolution served as a major turning point, as the legitimacy of gendered considerations in international relations was solidified through the UN Security Council. The resolution solidified women's role in the international space and brought forth an era of strengthening the women, peace, and security agenda (Klein, 2012). The resolution was a watershed moment in addressing "the distinct and disproportionate effect of war on women, and their often under-valued and under-utilized contribution to the prevention and resolution of conflicts"(Klein, 2012, p. 283). Resolution 1325 legitimized the women, peace, and security agenda, and thus, paved the way for subsequent UN resolutions addressing violence against women (e.g. Resolution 1820, Resolution 1888, and Resolution 2467) (Klein, 2012). This watershed moment has in turn opened the space for conversation on topics like expansionary sexual violence, as focused on in this thesis.

With the adoption of Resolution 1325 solidifying the role of women in international peace, over the past two decades there has been an increased opportunity for progress with a massive increase in the recognition of women's perspectives in international efforts (Nordas, et al., 2020). Major leaps have been made in addressing the unique struggles conflict brings upon women in research and in international law. This can be exemplified in the work of Nordas et al, as the authors showcase the evolution of international legislation and research on wartime sexual violence (2020). The United Nations' recognition that there is a need for the voices of women in establishing

international peace and security is a promising step in the reformation and adaptation of international law, as new voices come to the table and share wartime experiences that had not previously been addressed by the international community to the extent needed.

With such progress, women are no longer viewed as mere bystanders of conflict under international law and there has been immense growth in knowledge on gender-based violence (Nordas, et al., 2020). However, there is still much progress to be made as sexual and gender-based violence remains a major issue in several contemporary conflicts. Such a reality is exemplified in cases of sex slavery as women and girls are held captive by ISIS and by the brutal mass rapes that have occurred in Myanmar (Nordas et al, 2020). Continued progress in halting such crimes will take persistent effort from the international community.

In order to mitigate the re-traumatization of both survivors of mass rape and their children, I advocate for further analysis of the purposeful deployment of mass rape for expansionist means. This will better educate the justice and reconciliation efforts of the international community and post-conflict government and community actors. This thesis will thus seek to unpack the motives of expansionist actors who strategically deployed mass rape as a weapon of war, to provide recommendations for better reconciliation efforts to alleviate the re-traumatization of women and children non-consensually associated with perpetrators of atrocity. To form such recommendations, I draw on scholarly work analyzing rape as a weapon of war and the purposeful deployment of mass sexual violence during conflict, as well as scholarly analysis of post-conflict outcomes for survivors of mass rape and their children. I also examine the prior assessment of wartime rape in international courts and community-based justice-seeking

forums. Ultimately, I argue that due to the locally rooted nature of this subset of post-conflict retaliatory violence and isolation, community-based reconciliation efforts should be prioritized to mitigate further violence and stigmatization against these women and children.

RESEARCH QUESTION & APPROACH

This thesis aims to answer a question that is central not only to developing post-conflict rehabilitative practices to aid women and children impacted by mass sexual violence during conflict, but also a question that will prove insightful for identifying the diverse motives behind perpetrator groups who deploy mass sexual violence for the purpose of population expansion: How can the international community mitigate the re-traumatization of women subjected to expansionist wartime rape and the stigmatization of children born of such circumstances, at both local and supralocal levels?

Violence against women, and particularly sexual violence against women during conflict, is prevalent throughout academic literature in Political Science, International Law, and Conflict Studies, and can also be found within the documents and agendas of international governing bodies and humanitarian organizations. This thesis works to bridge the literature across these disciplines while also incorporating survivor perspectives to develop recommendations as to best practices for addressing the unique form of stigmatization and re-traumatization experienced by wartime sexual violence survivors and their children.

METHODOLOGY

Violence against women is taken up by a variety of actors, with a vast variety of motives. Deeper exploration is needed into the particular form of mass sexual violence

against women driven by expansionist motives, as this widespread deployment of violence reemerges in vastly different contexts and for differing purposes beyond expansion. This thesis is conceptually organized around a set of core factors related to rape as a means of demographic manipulation in sites of mass violence. I employ a qualitative form of historical analysis, drawing on Feminist International Relations like the works of Weitsman (2008) and Mackinnon (2006) and international legal scholarship (for example pieces from Carpenter, 2000 and Denov, 2020). I base my analysis on the illustrative case studies of Bosnia and northern Uganda, utilizing widely established secondary literature. I also base my analysis on primary policy materials and international legal documents on wartime sexual and gendered violence, particularly UN Security Council Resolution 1325 on Women, Peace, and Security, International Criminal Court documents, and materials and studies from the International Criminal Tribunals for Rwanda and the former Yugoslavia.

The examples of Bosnia and northern Uganda each contribute important insights into the complex phenomenon of violence against women and its repeated deployment during times of conflict. They also each display the unique expansionist desires that can underlie the deployment of mass rape and the post-conflict struggles faced by women and children nonconsensually tied to perpetrators of violence. While Bosnia reflects a case of state-led expansion, northern Uganda exists as a case of insurgent led demographic manipulation. This work synthesizes lessons garnered from both of the selected cases to contribute to a greater understanding of the use of expansionist rape during conflict and educate post-conflict responses to such violence.

Bosnia

The policies of forced impregnation deployed by the Bosnian Serbs in the 1990s reflect a case of state-ordered expansion. This case also derives its significance because of the assumptions of paternal inheritance of ethnicity displayed as Bosnian Serbs raped Bosnian Muslim women to bear more Serbian children (Weitsman, 2008, p. 565). The use of mass rape in the case of Bosnia also stands out as particularly systematic, as rape camps were implemented to carry out the mass impregnation agenda (Weitsman, 2008, p. 569). Women in these camps were raped repeatedly, and once impregnated held captive until childbirth was inevitable (Weitsman, 2008, p. 569). Women were targeted due to their ethnicity, yet their child's ethnicity, despite genetics, was assumed to be the father's. In the post-conflict era, this created a dilemma of mass abandonment and high rates of infanticide, as children were unable to escape the circumstances of their birth as the former Yugoslav states worked to rebuild populations, banning international adoption, and thus, trapping children of wartime rape in a space riddled with re-traumatization (Weitsman, 2008, p. 567). This case brings forth the important aspects of identity, paternity, and ethnicity that contribute to the re-traumatization of both women and children in the post-war era and showcases how post-war policies can impact the level of re-traumatization experienced.

Northern Uganda

The utilization of forced marriage and impregnation by LRA actors in northern Uganda exhibits a case of non-state and insurgent led expansion. Over the two-decade period of the civil war (1986-2006), LRA actors abducted and forcibly impregnated an estimated ten thousand girls across several areas of northern Uganda (Denov et al, 2018,

p. 159). A future-oriented LRA expected commanders to marry and impregnate these young girls in order to father the next generation of soldiers to fight for the LRA (Denov et al, 2018, p. 163). The objective was clear as LRA leader Joseph Kony articulated the need for “multiplying” to create a generation raised entirely under the directive of the LRA (Denov et al, 2018, p. 161). At the end of the war, the surviving girls and their children who were forcibly integrated into life with the LRA had to readapt to post-conflict life, facing societal stigmas and rejection while struggling to develop a new family structure (Denov et al, 2018, p. 159). Despite the non-consensual nature of their bond to the LRA, returning mothers and children were labeled as ‘rebels’ and socially excluded. Children, in particular, were targets of such stigmatization, deemed to have inherited bad ‘bush behaviors’ from their fathers, and often subject to beatings post-war due to such assumptions (Denov et al, 2018, p. 159). This case thus exemplifies the re-traumatization that can occur when children forcibly born into a perpetrator group are subsequently removed and attempt to reintegrate into the mother’s pre-conflict life.

Both of these cases contribute yet another layer to the ever-complex nature of violence against women, its widespread use during the conflict, and the societal aftermath. Despite differing contexts, each case is tied to one another through the expansionist desires underlying the deployment of mass rape and the post-conflict struggles and re-traumatization of women and children nonconsensually tied to perpetrators of violence. Throughout this work, I highlight the complexities of each case to garner an understanding of the deployment of mass rape as a means of population growth in each particular context, and how such methods of violence create a societal

impact as survivors and the children born of wartime rape face uniquely damaging treatment in the post-conflict era.

OUTLINE

In the next chapter, I establish the interdisciplinary nature of the study of sexual violence against women and the widespread recognition of the need for further assessment of these societally destructive crimes. In this thesis project, I have homed in on a particular subset of illustrative cases of mass wartime rape that exemplify a commonality in that the perpetrators of sexual violence do so with the intention of group expansion through forced impregnation, establishing that such violence leads to further trauma for surviving women and children in the post-conflict era. I also introduce a review of the existing literature on which this qualitative analysis of rape in the international system is based. For the third chapter, I address the recognition of rape and re-traumatization in the international space while incorporating lessons garnered from Rwanda and the era of progress in assessing and addressing crimes against women that followed the watershed case. I also point to a need for further progress as exemplified in the chapters that follow.

In the subsequent three chapters, I dive into an analysis of two principal cases of expansionist rape: Bosnia and northern Uganda, exploring relevant contextual factors, the motive and methods of deployment of expansionist rape, and the experiences and struggles of survivors in the post-war space and their children. In the final chapter, I discuss local and supralocal actions taken to address the deployment of rape in Bosnia and northern Uganda and synthesize the lessons garnered from each of the illustrative cases discussed. I then provide specialized recommendations for trauma mitigation in the

specific contexts in which rape is used for group expansion based on the lessons garnered throughout this thesis.

CHAPTER TWO

CONCEPTUAL APPROACH & LITERATURE REVIEW

How can the international community mitigate the re-traumatization of women subjected to expansionist wartime rape and the stigmatization of children born of such circumstances, at both local and supralocal levels? To address this research question, an analysis of existing literature on wartime sexual violence, the relationship between identity and paternity, and local, state, and international responses to wartime rape in post-war contexts is needed. This chapter establishes the broader conceptual and methodological approach underlying this thesis project and positions the piece in conversation with existing literature.

In this thesis, I address expansionist rape as a form of wartime rape in need of further address. Expansionist rape campaigns are just one example of the many mechanisms of violence that have been used historically during times of conflict and unrest to inflict physical and psychological damage. To address the nature of expansionist sexual violence in the context of Bosnia and northern Ugandan, I draw from secondary sources detailing the systemic nature of the violence present in each of these cases as well as international legal documents and decisions addressing the societally destructive nature of wartime rape.

HISTORIC EXAMPLES OF EXPANSIONIST PRACTICES

While this thesis focuses on the use of forced impregnation for the purpose of perpetrator group expansion, it is important to note that expansionist strategies do not in all cases take the form of violent widespread rape. However, other historic examples of expansionist practices similarly present damaging outcomes for mothers and their

children, as well as the broader community, as can be seen through the aftermath of the Lebensborn Project in Nazi Germany and Romania's Decree 770. This thesis therefore has resonance across the wider phenomenon of expansion-oriented agendas in their varying geographic and historical contexts.

The Lebensborn Project

The Lebensborn Project in Nazi Germany prompted Aryan population growth through incentivized breeding programs, coercive mandates, and kidnapping. The program began as a means to alleviate the stress of unwed and pregnant German women who met racial purity standards, providing the resources for women to escape the social stigma of conception before marriage by living in designated birthing homes and donating their children to the Third Reich for adoption (Sharp, 2008). However, the project soon shifted its focus from helping single mothers to the widespread promotion of breeding with the SS, encouraging women and soldiers to serve their duty to the Third Reich through procreation. Procreation became part of the Nazi mandate, as Head of the SS Heinrich Himmler provided direct orders to all German soldiers and police to father as many children as possible to compensate for war casualties (Sharp, 2008). Toward the end of the war, the Lebensborn project expanded its practices beyond procreation, kidnapping an estimated 200,000 children from Poland to be adopted by German parents after passing racial purity tests (Sharp, 2008).

The progression of the Lebensborn Project exemplifies multiple expansion-oriented strategies adopted by the Nazi Regime and created damaging impacts throughout several countries as women and their children were stigmatized for their role in the Lebensborn Project. The mothers of Lebensborn varied in their country of origin

and were often women living in occupied nations when they fell pregnant by SS members. The harsh treatment these women faced during and after the war due to their ties to SS soldiers was recounted by Lebensborn child Paul Hansen who described the treatment Norwegian Lebensborn mothers faced, recounting that “Norwegians cut off the hair of many of the “German whores” who had sired children with the Nazi soldiers, and they were paraded through the streets and spat at; though the women hadn't broken any law, several thousand were arrested and many interned”(Sharp, 2008). Along with this, there were numerous accounts of Norwegian women losing their jobs for even being seen talking to a German soldier, one woman reflected on the bitter truth of their consequences, stating “we will never be rid of the stigma, not until we are dead and buried,”(Sharp, 2008).

Lebensborn children, born to become the next generation of Nazi leadership, also faced severe treatment in the post-war era and many were swept into secrecy and wiped from records as the fall of the Third Reich approached. Whether kidnapped or born into their circumstances, Lebensborn children were stamped as children of the enemy, and those living outside of Germany post-war faced “pitiless discrimination”, ostracized by society (Sharp, 2008). Lebensborn child Paul Hansen recalled his own life experience, spending over twenty years of his life in mental institutions in Norway because leading psychiatrists deemed that Lebensborn were “genetically bad” and “belonged in special institutions” (Sharp, 2008). Another Lebensborn child, Kikki Skjermo, recalled that “at 10 years old I was raped by a local man, who had a deep hatred of the Germans”; she continued “I didn't know him but he knew I was a German child – he told me people like me were born to be used, I didn't dare tell anyone” (Sharp, 2008). These circumstances

were common among Lebensborn children living in Norway, so much so that in 2007, 157 Lebensborn children appealed to the European Court of Human Rights, taking action against the Norwegian government's complacency (Sharp, 2008). The Lebensborn Program of Nazi Germany showcases the wide range of damaging and long-lasting impacts mass expansionist campaigns can yield.

Romania's Decree 770

Another expansionist strategy involving incentivized birth was introduced by the Romanian government in the 1960s. Fearful of the implications of an aging population, Romania took forth an aggressive population growth initiative starting in 1966 under the orders of President Ceausescu (Upton, 2019). Viewing population growth as a mechanism for achieving economic independence, the Romanian government banned abortion and contraceptives as both were viewed as a barrier to population growth. Forbidding both abortion and contraception for women under the age of forty with fewer than four children, Decree 770 drastically increased the birthrate in less than a decade (Upton, 2019). Between 1967 and 1969 the height of the birthrate became catastrophic (Upton, 2019). The nation was experiencing high poverty rates prior to the Decree, and this crisis deepened when coupled with a population boom (Upton, 2019). To enforce Decree 770, the Romanian state took on several strategies for ensuring population growth. One of the most notable is that women were forced to take monthly pregnancy tests at their workplace, where state-ordered gynecologists would also monitor their pregnancies heavily (Searching in History, 2014). The secret police were also positioned throughout hospitals to watch over doctors and make sure no methods of birth control were provided illegally, or women's pregnancies were hidden (Searching in History,

2014). The state formed its identity and messaging around the importance of motherhood, whilst heavily criminalizing viable mothers that did not comply, and stripping the privacy away from women who did.

Though successful in its intent to spur population growth, Decree 770 brought with it several harmful effects. As women were turned into vessels for reproduction, their rights as mothers and citizens were stripped away. The maternal mortality rate during childbirth rose to become the highest in Europe due to the inability to end medically dangerous pregnancies, and over nine thousand women in Romania died attempting illegal terminations, with thousands more permanently maimed from their attempts (Perlez, 1996). Alongside the dangers to mothers, children born from the project suffered as well. The policy led to an estimated one hundred thousand unwanted babies, many of which were abandoned or left at underfunded orphanages. Very few of these children lived to the age of twelve and those who did live were forced into child labor (Upton, 2019). While in orphanages these children suffered “institutionalized neglect, sexual abuse, and indiscriminate injections to ‘control behavior’” (Upton, 2019). There are reports of “stalls where children, babies, were treated like farm animals” (Upton, 2019). When psychologists studied the horrifying effects of living in such orphanages during Decree 770, they observed the lack of development among orphans, concluding that the traumatic experiences the children underwent and the developmental impacts exemplified what happens when children are “denied normal human relationships”(Upton, 2019).

Several social issues that continue to be experienced in Romania today can be traced to the expansionist strategy of Decree 770. Its aim to spark population growth and create a massive workforce left rights violated and children abandoned. Impoverished

parents believed the state could better care for their children, creating a lack of confidence in parenthood that still remains today and continues to feed into what has become one of the largest state orphanage systems in existence (Upton, 2019). The Decree also resulted in an entire generation of children that have struggled to cope with the circumstances of their birth.

LITERATURE REVIEW

As described in the introductory chapter, this thesis focuses on wartime rape as a tool for strategic perpetrator group expansion. Though cases of expansion-oriented rape during conflict have been studied, the broader phenomenon of expansionist rape remains to be addressed as a repeating trend and is in need of address. The below section introduces the secondary literature being utilized to form an understanding of expansionist rape campaigns as a strategic tool repeated during conflicts displaying varying contextual factors.

Literature on Wartime Rape

In addressing wartime rape, MacKinnon (2006) points to the historical hesitation to address sexual violence in international law, arguing that the widespread and global nature of crimes against women both within and outside of conflict zones contributes to this lack of addressing. MacKinnon also raises discussion over the crime of rape and its use both on an individual, as well as wide-scale and how this reality has hindered justice efforts for survivors, as the crimes have until recent decades historically been portrayed as a mere happenstance of war. MacKinnon articulates the importance of the recognition that mass rape is in fact a weapon of war and genocide, as showcased in ICTY and ICTR.

MacKinnon also raises the distinction between racially and ethnically motivated rape, particularly pointing to ethnic rape in Bosnia.

While Mackinnon focuses on the progression towards addressing violence against women under international law, Weitsman, instead, contributes a discussion on the various roles mass rape has been used to serve for perpetrating groups during wartime, showcasing that differing agendas were present in Rwanda where sexual violence was used as a degradation and intimidation tool. Unlike in Bosnia, beliefs in Rwanda exhibited that both maternal and paternal genes impacted a child's ethnicity. Weitsman sees the murdering of women following the sexual assault as an indicator that mass rape in Rwanda was used as a tool for extinction, not expansion as exemplified in other cases discussed in this work. The juxtaposition Weitsman portrays between the two cases of Bosnia and Rwanda helps exemplify the diverse motives and assumptions of genocidal actors that contribute to the use of genocidal mass rape. In a discussion of wartime rape, Power provides a useful narrative portraying the legal aftermath of the solidification of rape as a form of genocide in international law, while emphasizing the importance of refugee and survivor testimony in making such progress.

Meanwhile, Korac (1998), studies the role ethnic nationalism can play in the justification of violence, focusing particularly on the widespread gendered violence, both sexual and non-sexual, occurring in post-Yugoslav states. Korac's perspective is unique in that it involves looking at ethnic nationalism presented by several post-Yugoslav ethnic groups, while the previous discourse on the Former Yugoslav Republic (FYR) has typically been focused heavily on Serbian nationalism. Additionally, Korac explores the non-sexual yet still gendered abuse that has gone majorly undiscussed regarding the

former Yugoslav states. Korac ultimately articulates that the ties between ethnic nationalism and gender in the FYR are much broader and more structurally embedded than prior accounts have expressed, lending to the need for further assessment of such violence and its roots.

Similar to Korac, Power explores violence in the Former Yugoslav Republic. However, Power's work focuses on the motives and strategies behind the violence inflicted by genocidaires, while noting their perceived reaction to Western action (or lack thereof). Taking an international legal and policy perspective, Power also discusses the widespread use of rape as a means of genocide and as a strategic means of population expansion for Serb perpetrators whose actions express an emphasis on paternity in determining a child's ethnicity and social belonging. On the other hand, in its exploration of the Lebensborn project carried out by Nazi Germany, Mackinnon's work highlights how the inheritance of genetics and ethnicity can be viewed differently when differing contextual factors and state-promoted beliefs are present. Mackinnon also points to the discretion applied by oppressive states in their control of sex and reproduction, as exemplified in Nazi Germany where sexual contact across group lines was a crime when wanted, but ignored when used forcibly by members of the oppressive group and embedded into state strategy as a means of structural violence. Similar control over sex and reproduction was displayed in northern Uganda.

On the psychological harms associated with motherhood as a result of forced impregnation, Carpenter writes:

“All of her options entail anguish; the more one considers her situation; the more difficult it becomes. On the one hand, the baby was conceived in

violence and hatred. On the other hand, it has grown inside her for nine months and is itself innocent of wrongdoing. A woman may have mixed feelings about the baby, and find that she is unable either to wholly love it or wholly despise it. Once it is born, the woman must either try to repress her loathing and revulsion and raise the child with love, perhaps with every feature of her assailant imprinted on the child's face as a constant reminder of her violation, or else she must give in to her revulsion and part with an innocent child that is her own flesh and blood"(Carpenter, 2000, p. 130).

Grey furthers this discussion by pointing out that mothers in the post-conflict era are “more likely to be left with the burden of raising any children born as a result of the violence” of forced impregnation, a weight that is exacerbated by social stigma as mothers are linked to the perpetrators of atrocity through their children (Grey, 2017, p. 907). Furthermore, Carpenter, in addressing forced impregnation as genocide, points out that “forced impregnation made rape more visible and explicit, symbolically branding victims and precluding silence or denials” (Carpenter, 2000, p. 441). Meanwhile, Allen deems forced impregnation a weapon of biological warfare (Allen, 1996). Allen in addressing forced impregnation, looks to the attitudes held by Serb perpetrators, noting that “the Serb policy of genocidal rape aimed at pregnancy offers the specter that making more babies with a people equal killing that people off” and that such a logical fallacy is able to exist “only because the policy’s authors erase all identity characteristics of the mother other than that as a sexual container” (Allen, 1996). Such scholarly research has worked to advance the discussion on wartime rape within the international community beyond the short term and opened space for discussion of the potential multi-generational impacts of forced impregnation (Carpenter, 2000).

Literature on Children of War

Children of war purposefully created as a product of expansionist rape campaigns face uniquely traumatizing treatment in the post-conflict space. In exploring this particular subset of children born of war, Weitsman (2008) discusses the cases of Rwanda and Bosnia to distinguish between the experiences of children of war born by happenstance and those born purposefully as she addresses the relationship between identity politics and sexual violence. Weitsman's work particularly focuses on the impact of ethnicity and identity formation during times of conflict, and the damaging impacts this can have on children born during wartime. Through discussion of the Serbian utilization of rape as a tool for ethnic expansion in Bosnia, Weitsman showcases how a state's policies towards and use of sexual violence during wartime expose its assumptions of paternal inheritance of ethnicity. This subsequently bleeds into a child's post-war life. Weitsman also discusses the implications experienced by children of war when male perpetrators of wartime rape and the child's mother exhibit differing ethnic identities.

Meanwhile, Denov (2020) addresses the "profound forms of stigma, violence, and socioeconomic marginalization" experienced in the post-conflict era by children born through forced marriages into LRA captivity in northern Uganda. Through extensive interviews with children born through the Lord's Resistance Army's expansionary agenda, Denov also details the impacts on identity, and family and community life experienced by interviewees due to their parentage (Denov, 2020). Additionally, Denov incorporates the research of Van Ee and Kleber (2013) who address increased risks of "infanticide and the epigenetic transmission of maternal PTSD, alongside child abuse, neglect, poor parent-child relationships, discrimination, guilt, self-blame, and problems with positive identity development" experienced by children born of rape (Van Ee &

Kleber, 2013 in Denov, 2020). Denov also raises important considerations surrounding the continued under assessment of the long-term impacts of conflict-related sexual violence.

Each of these developments collectively contributes contextual and theoretical considerations necessary to address my above research question in a manner consistent with qualitative historical analysis and will be used in conversation with primary international and state legal documents and policy throughout this thesis.

CHAPTER THREE

RECOGNIZING RAPE & RE-TRAUMATIZATION

Because of the decisions made by the International Criminal Tribunal for Rwanda, the case of Rwanda is often looked at as a landmark case in international law for establishing justice and accountability for crimes against women and girls (MacKinnon, 2006). One of the most notable and long strived for characteristics of the tribunal as well as its sister court the International Criminal Tribunal for Yugoslavia is that they are the first international forum in which the formerly unspeakable crimes of sexual violence and rape were addressed as a matter of international law (Koomen, 2013). The 1998 International Criminal Tribunal judgment of Jean-Paul Akayesu stands out as a key historical development in establishing justice for survivors of sexual violence.

Akayesu, a Hutu mayor in Rwanda, faced the tribunal in 1998 and when handed his guilty sentence, became the first individual to be deemed guilty of genocide under international humanitarian law (Goldstone & Dehon, 2003). Moreover, this judgment would be the first in history to establish rape as genocide, as Akayesu was internationally held accountable for his ordering of militia under his command to commit systemic sexual violence against Tutsi women (Koomen, 2013). As an international legal scholar, De Brouwer argues this was a key “step in the direction of ending impunity for sexual violence on the supranational criminal law level” (2005). Such landmark decisions in the ICTR are also for their role in inspiring the responsibility to address sexual violence in the statute of the International Criminal Court in 2002, as well as contributing to the development of UN Security Council Resolution 1325 on Women, Peace, and Security

(as discussed in Chapter 1), a landmark document in itself in that it officially recognizes the disproportionate and unique impact of armed conflict on women and girls.

These principal moments in international law helped shape the women's rights agenda moving forward, and ensured the recognition of violence against women in Articles 6 and 7 of the Rome Statute of the International Criminal Court. The solidification of the rights of women in international law has been a hard-earned achievement that continues to progress in international conversations, research, and practices to this day. No such achievements, however, could be made without the voices and testimonies of women who have been uniquely targeted due to their gender during times of war and conflict. Given this reality, it is of utmost importance that the international community, as well as domestic governments and reconciliatory initiatives, implement strategies to ensure that survivors of sexual violence and rape during conflict are not subjected to further traumatization through testimony provision and investigative processes.

As the Western legal system by tradition is offender-oriented, the focus of legal-process outcomes has been on what happens to the offender, rather than what happens to the victim (Brouneus, 2008). Such a model, in focusing on punishing the perpetrator, at times allows for the best practice treatment of survivors and crime victims to fall by the wayside in the name of formal investigative processes. This becomes an increasingly damaging model as the international community has sought international justice for genocidal rape and sexual violence through means that can be psychologically retraumatizing for survivors. Continued progress in halting such crimes will take persistent effort from the international community, and thankfully such commitment does

appear present in rhetoric. The UN Security Council through subsequent agreements following Resolution 1325 (e.g. Resolution 1820, Resolution 1888, and Resolution 2467) have shown a continued dedication to solidifying women's rights and addressing sexual violence during conflict (Noordas, et al., 2020). Such efforts further cement the value of women in international law. The developments in international law stemming from the International Criminal Tribunal for Rwanda are often celebrated, and rightfully so. However, it is extremely important to recognize that such substantial progress in recognizing sexual violence and rape as a means of genocide and expanding women's voices in international law and peace and security conversations, could not have been achieved without the involvement and testimony of survivors.

UNDERSTANDING RE-TRAUMATIZATION

In addressing the post-conflict re-traumatization of women subjected to expansionist rape, I draw from primary and secondary literature on the damaging effects of re-accounting trauma, taking a special focus on the potentially harmful impacts survivors of wartime sexual violence may face through post-conflict justice-seeking efforts. I also address re-traumatization in the form of societal stigmatization and post-conflict exclusion and violence against survivors, drawing from primary and secondary accounts of such re-traumatization experienced by survivors of wartime rape. In addressing re-traumatization from witness testimony, I heavily incorporate the *Echoes of Testimonies* study. In an attempt to better understand the re-traumatizing factors associated with giving testimony, the Victims and Witnesses Section (VWS) of the ICTY produced this pilot study into the long-term impacts of bearing witness before the ICTY. This study is discussed throughout the remainder of this thesis and provides crucial

insight into the experiences of those most impacted by the Tribunal. I also look at survivor testimonies published through the ICTY on accounts of re-traumatization from truth-telling experiences, as well as first-hand accounts of similar experiences of re-traumatization from survivors of forced marriage and expansionist rape in northern Uganda.

LESSONS FROM RWANDA

As is established in this section on the case of Rwanda, much of the discussion of re-traumatization centers on witness testimony and community reconciliation practices in the post-conflict space. Koomen (2013) focuses on the ICTR, articulating the necessity of witness testimony while also describing the politics and negotiations that exist to gain such evidence. Koomen points to the successes and developments in international law regarding the rights of women and the recognition of sexual violence as a weapon of war and genocide that stem from witness testimony. However, Koomen also articulates that such macro-level achievements are built on the trauma of individuals. Because of the pain that comes along with the retelling of atrocity, Koomen finds that “international justice rests on a combination of legal tasks and care work”, and that further commitment to mitigate re-traumatization should be had (Koomen, 2013, p. 270).

Brouneus’s (2008) work similarly focuses on peace and reconciliation efforts in Rwanda following the 1994 genocide. The piece’s particular focus surrounds answering the research question: Has testifying at the Gacaca Courts been a healing or re-traumatizing experience for survivors of genocidal rape? Brouneus finds, that in cases of sexual violence the Gacaca court model of truth and reconciliation through community-held trials may actually result in further trauma for survivors as they are

subjected to harassment and threats, and stigmatized as survivors of rape by community members (Brouneus, 2008). Such conclusions are based on interviews with 16 women who provided testimony against their assaulters through the Gacaca Courts (Brouneus, 2008). As is reflected below, the case of Rwanda uniquely highlighted the potentially negative impacts both local and supralocal justice-seeking efforts could inflict upon recovering communities.

Gathering Testimonies for the ICTR

The International Criminal Tribunal for Rwanda was the first international case to involve the widespread gathering of testimonies from survivors of sexual violence, and because of this struggled at times to properly mitigate the re-traumatization of survivors. In her work, Koomen (2013) explores the methods of garnering testimony from survivors of genocidal rape in Rwanda utilized by the United Nations and investigators for the International Criminal Tribunal for Rwanda. Koomen (2013) points to the noticeable presence of mostly white males as investigators of the atrocities. These UN investigators have faced criticism as they initially did not often ask about rape or sexual violence used during the conflict in Rwanda, or consider it important enough to the wartime investigation process for the tribunal to explore (Koomen, 2013). Initially, even those investigators that did document sexual violence failed to ensure witness protection from retaliation, thus failing to gain the trust of other survivors in the process (Koomen, 2013).

After initial failures to recognize the gravity of the circumstances of rape and sexual violence in Rwanda, United Nations and ICTR investigators began partnering with various local women's groups and female-ran humanitarian agencies in the post-conflict state (Koomen, 2013). From such collaboration, the UN investigators for the International

Criminal Tribunal began to piece together just how sensitive of an investigation they were partaking in. This becomes ever more apparent as tribunal witnesses and other genocide survivors were violently harassed and at times killed for their involvement, or suspected involvement in the tribunal (MacKinnon, 2006).

Important implementations of private and secure locations for the completion of interviews for the International Criminal Tribunal followed such violence. However, this was not enough of a precaution to ensure the protection of individuals to the extent that many Rwandan women were open and willing to provide testimony (Koomen, 2013). Additional measures were taken later on in the investigative process, as many Rwandan survivors reported a desire to speak only to women investigators and interpreters (Koomen, 2013). Though this added measure slowed down the investigative process initially as a majority of initially present investigators were men, the step was deemed crucial in garnering witness testimonies from survivors of genocidal rape in Rwanda. Koomen (2013) also establishes that there was an additional layer of distrust for the international community as many people of Rwanda accused the international community of abandoning them during the genocide and allowing suffering to continue. Such difficulties and fears of further trauma and suffering coupled with the already difficult circumstances of having to retell, and in a way relive, the atrocities committed against the interviewed women and girls of Rwanda.

The potential for re-traumatization was extended further as testifying women were flown away from their recovering communities to the tribunal in Tanzania to provide their testimonies in front of the international tribunal while receiving very limited if any protection as witnesses (Koomen, 2013). One ICTR interpreter even went to the extent to

say that the courtroom is “a setting that is meant to retraumatize” as survivors are put in positions where they must repetitively identify their attackers and provide testimony whilst having to follow the strict standards of the court (Koomen, 2013, p. 264). Because of the pain that comes along with the retelling of atrocity, Koomen finds that “international justice rests on a combination of legal tasks and care work” (2013, p.270). The troubling reality, however, is that care work was not in the mission of the ICTR, information and testimony gathering was.

A sense of justice for testifying survivors is also difficult to achieve, as the ICTR did not often seek to recontact them following the conclusions of the case and sentencing of their perpetrators (Koomen, 2013). From such realities, there are mixed opinions on whether such women are benefited by testifying, as they often return home after reliving and recounting the assaults they experienced in a foreign place, to then be stigmatized by their community, while additionally feeling far removed from the justice taking place on the macro-level (Koomen, 2013). Such stigmatization of survivors is further discussed in Chapter Five.

The Gacaca Courts: Healing or Hurting?

Though the process of reliving trauma through providing testimony for the International Criminal Tribunal in Rwanda presented circumstances for re-traumatization, the dynamics at home presented ever clearer outcomes on the need for survivor privacy and anonymity to ensure their safety from harassment and further suffering after providing testimony. Brouneus (2008) challenges the common notion that testifying in reconciliation efforts is a healing process for survivors of sexual violence, but rather argues that it breeds re-traumatization, ill-health, and insecurity. She bases such

conclusions on interviews with survivors of genocidal rape in Rwanda who were harassed and threatened as a result of testimonies in the Gacaca Courts.

The Gacaca Courts were initially formed to help address minor crimes in communities such as theft and were implemented with the intention of promoting truth and unity, with each village holding a local trial of sorts (Brouneus, 2008, p. 56). In the aftermath of the Rwandan genocide, however, the court was put to use to address rape, sexual violence, and killings in a community-wide setting (Brouneus, 2008). One of the most troubling aspects of the Gacaca Courts held in efforts of reconciliation post-genocide is that the Hutu perpetrators made up a vast majority of attendees compared to the minority of surviving Tutsis in these community-based efforts (Brouneus, 2008). Such circumstances meant that survivors would be testifying surrounded by former perpetrators of genocide and sexual violence. Furthermore, the proceedings were held in public with a panel of nine judges, the accused perpetrator, and the assembled villagers as an audience, including the family and friends of the accused.

Though peace reconciliation efforts through community truth-telling, like in the Gacaca Courts, find theoretical support, Brouneus (2008) showcases that the empirical data of women genocide survivors in Rwanda paint a different truth, one that shows a high risk for re-traumatization for survivors of genocidal rape and sexual violence. This is shown as the women Brouneus interviewed in her research overwhelmingly remarked that safety and security was their primary concern. Additionally, every woman interviewed reported that “harassment and threats started *after* they began giving testimony in Gacaca” (Brouneus, 2008, p. 60). Such information exemplifies the very real concerns over safety that survivors in Rwanda began to exhibit towards providing public

testimony. As practitioners and scholars work to mitigate re-traumatization caused by expansionary sexual violence, lessons from the experiences of survivors of wartime rape in Rwanda during both local and supralocal justice-seeking efforts can be utilized to further educate recommendations for the further assessment of struggles experienced by survivors in Bosnia and northern Uganda.

Additionally, part of the discussion of re-traumatization must center on the international atmosphere that allowed for initial traumatization through widespread expansionist rape to occur. To address this, Power (2007) details the developments in international law that brought forth the Genocide Convention as well as other measures built into international law to motivate international actors to intervene to halt atrocity. In doing so, Power (2007) also explores several arguable missteps surrounding international responses to atrocity to be learned from in producing recommendations for future intervention, particularly noting the importance of listening to refugees and survivors both during conflict and in the post-conflict era.

While this chapter has displayed the major progress that has been made in the recognition of rape in the international space, in highlighting examples of re-traumatization experienced by sexual violence survivors in Rwanda, it has also shown the need for improvement in the addressment of wartime rape's longer-term consequences and impacts on survivors and communities seeking to heal in the post-conflict era. The unintended damages inflicted by justice-seeking endeavors to date exemplify a gap between the goals set out by rehabilitative missions, and the reality of the impacts of their actions. As is displayed throughout the remainder of this thesis, this

phenomenon of re-traumatization is evermore clearly depicted in the experiences of survivors and children of expansionist wartime rape.

CHAPTER FOUR

UNPACKING CASES OF EXPANSIONIST RAPE

Although the phenomenon of expansionist rape is widespread and cross cutting, it is also not homogeneous. As depicted through the study of Bosnia and northern Uganda throughout this thesis, expansionist agendas manifest differently in varying local contexts. Recognition of the uniqueness of each individual case will also be crucial for continued trauma mitigation and justice-seeking efforts. Such distinctiveness ought to be taken into account when placing the phenomenon on the international agenda.

In this chapter, I introduce the two illustrative case studies of this thesis: Bosnia and northern Uganda, and unpack the contextual factors relevant to each case. As noted above (Introduction), Illustrative case studies, as described by Levy (2008, p.6), are commonly utilized as a tool for analysis within the social sciences, including international relations. Illustrative case studies typically contribute brief and concrete examples of theory application to back an author's argument and provide the reader a “feel” for its applicability. (George & Bennett, 2005).

This includes perpetrator and victim group attributes and the methods and motives behind the expansionist agendas deployed. I first explore the widespread use of rape as a means of state-ordered expansion, as impregnation was methodically deployed as a weapon of war by the Bosnian Serbs during the breakdown of the former Yugoslav Republic (FYR) in the 1990s. I then analyze the case of northern Uganda and establishes the Ugandan Civil War as a conflict that, similarly to Bosnia, exhibits the weaponization of rape as a tool of group expansion. The chapter also discusses the distinct contextual characteristics of this case that may have contributed to the deployment of expansionist

sexual violence as a strategy of war by rebel LRA actors and explores the use of abduction and forced marriage as a means of manipulating population growth in northern Uganda.

THE BOSNIAN GENOCIDE & EXPANSIONIST RAPE

Part of the breakdown of the former Yugoslavia, the conflict in Bosnia throughout the early 1990s was categorized by mass brutality and ethnic cleansing that resulted in the killing of an estimated 200,000 Bosnians and the displacement of over 2 million individuals (Power, 2007, p. 251). During this time, Serbian nationalists took up a strategy of elimination and psychological destruction against Bosnian Muslims, triggering a multi-state ethnic conflict throughout the FYR. Seeking to not only eliminate the Bosnian Muslim population but also to spread Serbian genes and establish a Serbian ethnic majority, Serbian forces raped and forcibly impregnated an estimated 25,000 to 40,000 Bosnian women over the span of five years (Takseva, 2015, p. 2).

To understand this expansionist campaign, it is crucial to explore the motives and methods of Serbian perpetrators and the contextual factors that built up to this violent and extreme means of ethnic group expansion. Takseva (2015) unpacks the growth of nationalistic ideals in the FYR that pre-dated and developed into the use of mass sexual violence and forced impregnation used against Bosnian women by Serb forces under Milosevic's rule. Takseva points to two core contextual factors that contributed to the escalation of such ideals to the point of genocidal rape. The first is national history, particularly the past weaponization of rape against Serbian populations in Kosovo in the early 1980s (Takseva, 2015). Secondly, Takseva points to the degradation of female economic and political autonomy and a shift in social norms that pushed the role of

motherhood in the broader Yugoslav Republic, coupling motherhood with female identity (Takseva, 2015). Takseva describes how these two factors dramatically impacted the discourse surrounding Serbian national identity, contributing to a desire for both ethnic and gendered superiority. As Takseva describes, such motivations emerged and deepened through the perceived threat that secessionist efforts placed upon Serbian goals of power over the Yugoslav Republic (2015). These understandings can be further utilized to address the continued struggles of re-traumatization and stigmatization endured by survivors and children of forced impregnation in Bosnia.

Motives & Methods of State Ordered Impregnation

As discussed previously, Takseva details the motivations behind mass forced impregnation in the case of Bosnia, noting the presence of genocidal intent, and articulating that the expansionist rape campaign's purpose was "to create the rejection of raped mothers and their children and thus destabilize their social and ethnic group to persuade, to prepare victims to hate and eventually to destroy their own children or be destroyed by them, and to create a situation where the paternal lineage of the child would perpetuate and increase the ethnic group of the aggressor" (Takseva, 2015, p. 2). The organized efforts of forced impregnation and ethnic group expansion in the former Yugoslav Republic have been studied extensively and garnered international attention, and in the aftermath of the conflict the International Criminal Tribunal for the former Yugoslavia in 1996 deemed that some Serbian run camps holding Bosnian women prisoner were, in fact, "specifically devoted to rape, with the aim of forcing the birth of Serbian offspring, the women often interned until it was too late for them to undergo an abortion"(Amnesty International, 2020, p. 7). The systematic nature of rape is made clear

in the case of Bosnia through the existence and widespread acknowledgment of containment camps, in which the weaponization of rape against detainees was commonplace. The existence of such camps suggests there was “a politically motivated agenda behind the acts”, and in fact shows that the mass rapes “were not coincidental, sporadic or carried out by disorganized groups of bands of civilians who could not be controlled” (Allen, 1996).

Such camps were addressed in the post-conflict space through the ICTY. The cases of Brdanin, Celebici, Dragan Nikolic, and Kunarac center on the sexual violence that occurred in Serb ran detention camps and made findings of large counts of the occurrence of rape (Oosthuizen, 2009, p. 31). Additionally, in the ICTY Tadic case, it was founded that “women were “routinely” taken from Omarska camp to be raped” (Oosthuizen, 2009, p. 31). The trial of Dragan Nikolic shed light on the prevalence of rape and sexual abuse occurring at the detainment camps. The court reported that “from early June until about 15 September 1992 many female detainees in Susica camp were subjected to sexual assaults, including rapes and degrading physical and verbal abuse”, and while at the camp “Dragan Nikolic personally removed and otherwise facilitated the removal of female detainees from the hangar, which he knew was for purposes of rapes, and other sexually abusive conduct”(Oosthuizen, 2009, p. 31). Rapes occurred at various locations, including but not limited to local houses near the camps, hotels, military offices and buildings, and forced labor locations (Oosthuizen, 2009, p. 31). In terms of the expression of the intent for the widespread weaponization of rape, numerous reports from rape survivors articulate that they were told that “the purpose behind the rape was to impregnate them with a Serb child” (Takseva, 2015, p. 2). This ethnic group expansion

campaign, and its use of female bodies, in the post-conflict space, triggered an atmosphere of re-traumatization for surviving women and the children they birthed non-consensually.

FORCED FAMILIES IN NORTHERN UGANDA

Due to the conflict and actions of the Lord's Resistance Army (LRA), an estimated nearly one and a half million people were displaced and between sixty and eighty thousand children were abducted and forcibly made soldiers and wives, resulting in an erosion of societal systems (Finnstrom, 2008). Led by Joseph Kony, the Lord's Resistance Army enforced a way of life centered on group control and abidance to rules set in place by insurrection leadership. The operation of the Lord's Resistance Army can be described as "a puritanical code of conduct that governed all aspects of behavior", and imposed particular influence on marriage and reproduction as "sex was permissible only within the sanctioned marriages arranged by LRA commanders" (Kramer, 2012, p. 18). The group's influential power stemmed from deep-seated loyalty rooted in a desire for survival among soldiers who were taught to believe that those who obeyed the rules of the Lord's Resistance Army would be shielded from harm during battle (Kramer, 2012, p.18). Under this spread of spiritualism, those who did not abide by the established LRA principles and rules were believed to face death during combat soon after their disobedience (Kramer, 2012, p. 18).

With this foundation, the Lord's Resistance Army rebelled against the Ugandan government taking up arms in a twenty-year-long civil war characterized by "mass killings, sexual and physical assaults, abductions, torture of civilians, and the forced displacement of entire communities" (Denov, 2020). While the range of violence enacted

by the Lord's Resistance Army was diverse in its destructive nature, it also stands out as distinctly regulated. Such control is exemplified in the expansionary nature of sexual crimes committed, making this case of crucial consideration in developing an understanding and approach to expansionist sexual violence as a repeating phenomenon.

The LRA Growth Strategy & Methods of Expansion

While abduction was a central growth strategy of the Lord's Resistance Army (similar to the previously discussed Lebensborn Project of Nazi Germany), under Joseph Kony's leadership forced marriage and impregnation became the core pillar for ensuring continued growth and control over those abducted, a similar strategy of forced marriage and impregnation is currently being deployed against Yazidi women in Iraq (see Rohweder, 2019). Kramer articulates that while boys captured during LRA raids were abducted with only age in mind, "leadership strictly controlled the abduction of girls according to numerous specifications" (Kramer, 2012, p. 24). Additionally, only 30 percent of children abducted were girls (Veal et al., 2013 in Denov, 2020). An estimated half of these girls were subsequently selected as forced wives assigned to soldiers and commanders within the Lord's Resistance Army (Kramer, 2012, p. 23). Wood emphasizes that the difference in abduction patterns and treatment following abduction between girl and boy abductees reflects the intentional utilization of forced marriage and reproduction as a strategy of war weaponized by the LRA (Wood, 2015).

The forced marriage system was ordered by male leadership within the Lord's Resistance Army, who "dictated the number of females targeted for abduction, their allocation within LRA units, and which high-ranking fighters they would be 'given to'" (Denov, 2020). Abducted girls became a form of commerce while other forms of

payment were not plentiful, speaking to the male-oriented structure of the Lord's Resistance Army (Denov, 2020). Intercourse between male soldiers and their assigned wives was mandated and monitored for control by LRA commanders, showcasing a prioritization of not only the act of sexual violence but also the family and interdependency networks that stem from reproduction (Kramer, 2012). Thus, the forced marriage system acted both as an incentivization tool to reward obedient male soldiers and as a controlled means of reproducing a generation to be raised immersed in the rules and principles of the LRA lifestyle and family structure (Kramer, 2012). Denov et al assert that this system of enforced marriage and sexual violence within the forced wife system "had a clear objective—to produce a new clan", as Kony emphasized the need for "multiplying" and birthing a new generation produced under the full control of the LRA and its principles (Denov et al., 2018, p.162). Kony has also been reported to have ordered the execution of elder members (specifically those possessing gray hair) as a means of eradicating the generation born prior to the rise of the Lord's Resistance Army, thus further reflecting a desire for and prioritization of the captive generation raised within Kony's expansionary campaign of abduction and forced reproduction (Denov et al., 2018, p. 162).

It is also important to note that, unlike in the former Yugoslav Republic, sexual violence and rape outside of the boundaries of marriage were "strictly prohibited and severely punished" (Annan, 2009). Studies have found that "while 93.7 percent of forcefully married abductees experienced sexual violence, only 6.9 percent of non-married [abductees] did" (Annan, 2009). This illustrates not only the vast prevalence of non-consensual sexual relations occurring under the guise of LRA dictated marriages,

but also the strong grasp LRA commanders had on the actions and sexual crimes of soldiers under their command (Annan, 2009). Kramer deems this execution of control as particularly notable, arguing that such orders by the LRA leadership are traditionally counter-intuitive as the group “grossly violate[s] women’s rights in one context while institutionalizing restraint from sexual violence in another” (Kramer, 2012, p. 12).

Kramer makes note that traditional understandings of armed conflict and sexual violence cannot explain the discrepancy between sexually based crimes occurring outside and from within the boundaries of marriage in northern Uganda (Kramer, 2012, p. 14). Thus, Kramer asserts that the phenomenon reflects the LRA’s deliberate orchestration of sexual crimes, noting the involvement of LRA leaders in “every stage of the girls’ experience, including their abduction, distribution as wives, and reproductive activities” as a means of strengthening group dynamics (Kramer, 2012, p. 24). The effects of this fostered dependency persist into the post-conflict era as abducted wives and children born into LRA captivity through forced impregnation face difficulty in their attempts to assimilate into a society that has subsequently linked them to perpetrators of violence.

The unique attributes of these two illustrative case study examples of expansionist rape speak to the diversity of contextual factors that can precurse and emerge through population growth agendas. The strategies used by Serbian actors in Bosnia and the LRA in northern Uganda to enforce expansion through sexual violence can be used in discussion to establish a deeper understanding of this repeating phenomenon of expansionist rape as its own subset of violence against women in the international space. Developing a deeper understanding of the methods and motives of expansion taken up by these perpetrators of violence, as done in this chapter, will help educate future efforts to

mitigate the re-traumatization of survivors of expansionist rape, and children born through population growth agendas, as discussed in the remaining chapters of this thesis.

CHAPTER FIVE

EXPERIENCES OF SURVIVOR RE-TRAUMATIZATION

The survivor experience is made even more complex and vulnerable to re-traumatization through the experience of post-conflict motherhood. In this chapter, I discuss the struggles endured by survivors in northern Uganda and Bosnia who endured forced impregnation and subsequently bore children genetically associated with perpetrators of rape. As is displayed throughout this chapter, the motherhood experience is distinct for each survivor, however, the overarching experiences of re-traumatization, stigmatization, and isolation persist across contexts, speaking to the need for further addressment of the experience of post-conflict mothering in the wake of expansionist rape agendas.

TRAUMA LINKED TO POST-CONFLICT MOTHERING IN UGANDA

As a result of the Lord's Resistance Army's actions, an estimated ten thousand abducted girls fell victim to forced impregnation and gave birth to children in captivity (Akello, 2013). This experience of sexual violence and forced motherhood has greatly shaped the post-conflict experience of formerly abducted girls. The already impactful life events of pregnancy and motherhood coupled with the trauma of conflict and sexual violence thus "significantly shape" the post-war experiences and futures of these girls (Denov et al., 2018, p. 159). The post-conflict experience of formerly abducted girls in northern Uganda is thus in need of specific attention in order to alleviate further trauma. As Denov et al affirm, "motherhood affects all dimensions of the reintegration process, whether in relation to education, employment and livelihood, health, or identity", for this reason, proper support services are crucial (Denov et al., 2018, p. 159). Without such

services, mothering can become an increasingly difficult barrier to overcome. This experience in isolation can lead to difficulties in accessing education and employment, negatively impacting the quality of life for both mother and child (Denov et al., 2018, p. 159).

In the aftermath of the armed conflict, surviving girls endure a “pervasive stigma” cast upon them by their community, as Denov et al. found this stigma greatly impacted the lives of survivors “manifesting as rejection and social exclusion, which severely affected their social reintegration” (Denov et al., 2018, p. 167). This was largely because these surviving women were returning to their home communities alongside children they shared with the LRA soldiers or commanders that they were forcibly impregnated by in the bush (Denov et al., 2018, p.167). One mother shared her experience of escaping LRA captivity with her child, stating, “I have been rejected by my own family and community[...], they told me my child was born in sin and I must kill him” in order to remain within the community (Onyulo, 2015). This non-consensual relation subsequently resulted in women and their children being labeled as dangerous rebels in part guilty of the atrocities committed by their husband/father (Denov et al., 2018, p.167). Such prolonged association reflects just one of many persisting damaging effects caused by the expansionary violence orchestrated by the leaders of the Lord’s Resistance Army.

In a study conducted on the experiences of forced motherhood for girls formerly abducted by the LRA, many stories echoed the experience of rejection and exclusion from their former communities as they sought to return home following their period of captivity (Denov et al., 2018, p. 167). One mother spoke of the treatment she and her child experienced upon returning home after captivity, stating “my children are stopped

from playing with other children from home [...] they say that my children are rebel children and they have those bush behaviors” (Denov et al., 2018, p.167). She continued on to share her emotions on such treatment, stating “most days, I am not happy because my children are beaten by people at home [...] I don’t feel good about it, most of the time, I just keep crying” (Denov et al., 2018, p.167). Another mother shared her experience of the onset of stigma stating, “after only two weeks, people from home started stigmatizing me — they said all my children are rebels and they are bad children because in the future, they will become chicken thieves, and they should drop my children in the toilet” (Denov et al., 2018, p.167). This mother also expressed a belief that stigma was in part rooted in a lack of resources as communities struggled to rebuild in the post-conflict era (Denov et al., 2018).

A survivor's ability to marry consensually following the armed conflict was also impeded given their former forced marriages to Lord’s Resistance Army rebels (Denov et al., 2018, p.168). This struggle was exacerbated for women who bear children from these former marriages that they wished to remain united with (Denov et al., 2018, p.168). Participants that did eventually remarry despite having children born in captivity (CBC), in a study conducted on the realities of mothering in post-war northern Uganda highlighting the experiences of twenty-seven women formerly abducted by the LRA, shared that “their new husbands did not accept the CBC as part of the family, they refused to support them, and they mistreated them” (Denov et al., 2018, p. 168). This evidently placed a strain on surviving mothers as they sought to re-assimilate with society while also balancing care for the children they had survived alongside in captivity.

Other mothers faced the difficulty of being separated from their children. One mother interviewed shared, “my husband doesn’t want me to go and visit my child – if I want to go and visit her, I have to just escape” and, “if I escape and I come back home, he beats me” (Denov et al., 2018, p. 169). Another mother reflected on the difficulties of potentially being separated from their child, stating “I cannot separate from them because I have suffered with them a lot”, and “I don’t want any of my children to stay away from me [...], my heart pains if they are not near me” (Denov et al., 2018, p.169). The report also found a recurrent experience of mothers and children born in captivity leaning on one another in the post-conflict space as they had previously done so and relied upon one another in the midst of the armed conflict (Denov et al., 2018, p. 170). This bond is estimated to often be strengthened by the shared experience of social marginalization in the post-conflict space between mother and child (Denov et al., 2018). As former abductees and survivors of expansion motivated forced marriages and impregnation navigate the post-conflict space in northern Uganda, it is evident that the continued drive towards mothering plays an overarching role in the traumas survivors experience.

RE-TRAUMATIZATION THROUGH SURVIVOR TESTIMONY IN THE FYR

While mothers in post-conflict Bosnia faced many of the same struggles as those experienced by those in northern Uganda, they also experienced re-traumatization through participation in the International Criminal Tribunal for the former Yugoslavia (ICTY). United Nations documents from the International Criminal Tribunal for the former Yugoslavia articulate the trauma associated with testifying on experiences of sexual violence.

“Victims of sexual violence face various social, psychological and sometimes even physical impediments to coming forward and testifying. Some of the potential witnesses feel that their security may be jeopardized should they come to testify. In addition, identifying oneself as a victim of sexual violence may lead to stigmatisation within one’s society, making return to normal life even more difficult” (UN ICTY, n.d.).

Survivor testimonies gathered through the International Criminal Tribunal for Yugoslavia depict the outcomes of re-traumatization described above that are often associated with reliving experiences of sexual violence through testimony. Witness 51, a woman who was sexually enslaved along with her daughter at a rape camp located near the town of Foca shared in her testimony the pain of reliving the trauma they endured, stating “it is very difficult for me to say what I had lived through ... although I have to say it now, I find it very hard – I can't forget, ever forget what happened to me or my child, for as long as I live, but it's painful for me to speak about it” (UN ICTY, n.d.). Another survivor, Witness 48, shared the agony she felt in providing testimony, remarking her belief that “nobody wanted to hear my story because they knew, they knew what had happened, they knew what was going on”, she continued “my first husband did not want to hear me tell what had happened to me because he knew from day one what had happened to me as soon as the Serbian army had took us off” (UN ICTY, n.d.).

Though recognizing the re-traumatization linked to providing testimony (often heightened by testifying in the same room as one’s attacker), UN documents detailing the reliving of trauma occurring at the ICTY shared that an overwhelming majority of witnesses elected to face their attackers and identify them in court, despite not being

necessary as per Rules and Procedures of Evidence (UN ICTY, n.d.). This displays the troubling balance between the desire for justice and the trauma it may result in.

The impacts of bearing witness on experiences of atrocity have been deeply explored in the context of the FYR. From studying accounts of witness experiences, the *Echoes of Testimonies* study found several areas of concern in need of addressing. Notably, in the testimony gathering process, potential witnesses may be subpoenaed to recount their wartime experiences, in which failure to comply could result in arrest or charges for being in contempt of court (King et al., 2016, p. 44). There are several concerns relating to providing testimony, particularly relevant to survivors of wartime sexual assault, that are generally considered “insufficient justifications” for a witness to deny appearing, these insufficient justifications include “fear of retaliation, concerns about self-incrimination, or distress at recalling war experiences” (King et al., 2016, p. 44). Witnesses can thus be placed in the position between facing re-traumatization in providing testimony or facing legal penalties for not appearing.

It is also worth noting that the *Echoes of Testimonies* study found that in some instances “witnesses welcome a subpoena or even request it themselves to alleviate the pressure of having to explain their appearance to their communities or employers”, providing insight into a witness’ belief about community judgment linked to their testifying (King et al., 2016, p. 44). The report also noted several concerns regarding the family members of those bearing witness, and their knowledge of and reaction towards those providing testimony. The report articulated that “in the experience of VWS it is not uncommon for family members and friends to oppose a witness’ decision to testify”, and this opposition can add further weight to those testifying (King et al., 2016, p. 55). In part

because of this, VWS also observed many witnesses did not inform their families of their testimony (King et al., 2016, p. 55). An additional factor leading to a lack of disclosure noted in the report was the witness' decision to not reveal their experiences of war trauma to their loved ones (King et al., 2016, p. 55).

Community-level implications also concerned witnesses, a problem noted as particularly impactful in small communities (King et al., 2016, p. 55). Witnesses shared that in the case of providing testimony at the ICTY, they felt the weight of their testimony as their stories were “perceived as helpful or harmful to an entire ethnic group”(King et al., 2016, p. 55). The VWS report also shared that in the testimony process “regardless of the reasons why individuals testify, some may be concerned about the perceptions of others and fearful of being perceived as a traitor or an apologist for a particular group” (King et al., 2016, p. 55). In this sense, the “acceptance or ostracism of others” towards witnesses can impact the ability for justice to be achieved through reconciliation processes, particularly in sites of mass sexual violence during conflict (King et al., 2016, p. 55). The report also emphasized the human security threats endured by testifying survivors, stating that such threats are “one of the greatest obstacles any transitional justice mechanism has to overcome” and often escalate after a witness provides testimony (King et al., 2016, p. 61). This report, thus, further showcases the potential risk factors of re-traumatization that survivors of expansionist-oriented campaigns endure in the post-conflict space.

Folnegovic-Smalc further explores the psychiatric consequences of expansionist rape in the FYR, noting that “suicidal thoughts are evident above all in women who have become pregnant as the result of rape” (Folnegovic-Smalc in Carpenter, 2000, p. 435).

Pregnancy coupled with the circumstances of rape thus exacerbates the psychological impact of such violence. Carpenter notes that this phenomenon is independent of the intent of the rape, and occurs regardless of if impregnation was a part of an intentional policy or merely a by-product of rape (Carpenter, 2000). On the particularly torturous nature of forced impregnation, Copelon writes, “pregnancy, whether aborted or not, continues the initial torture in a most intimate and invasive form; and bearing the child of rape, whether placed for adoption or not, has a potentially lifelong impact on the woman and her place in the community”, thus articulating the long term effects of such policies in the FYR (Copelon in Carpenter, 2000, p. 435). Policies of forced impregnation thus maximize the pain experienced by rape survivors to a genocidal extent (Carpenter, 2000). This trauma endures in the post-conflict space.

CHAPTER SIX

CHILDREN OF WAR: LIFELONG TRAUMA & STIGMA

The post-conflict experience of children born in captivity through the Lord's Resistance Army's expansionist efforts and through forced impregnation efforts in Bosnia can be described as both multi-faceted and under-addressed. In this chapter, I explore the recognition (or lack thereof) of children of war in the international space, pointing to the problematic and trauma-inducing nature of associating these children, who in many cases have never met their fathers, with perpetrators of violence. I discuss the lack of acknowledgment of these children in the post-conflict space on both the local and supralocal levels and the struggles with identity, citizenship, and rights protections that follow. I also address the overarching experience of exclusion and stigmatization experienced by children of wartime rape in both northern Uganda and Bosnia, which repeatedly has resulted in a risk of violence and emotional harm.

RECOGNIZING CHILDREN OF WAR IN THE INTERNATIONAL SPACE

Carpenter argues that the "systematic neglect of children's rights in accounts of rape was clearly the case in treatments of forced impregnation as a war crime", leaving many of the struggles of these children under-addressed in the post-conflict space (Carpenter, 2000, p. 452). In the context of Bosnia, the rights of children born from wartime rape remained marginalized and were "never articulated directly within any legal framework", though the children themselves were discussed in the context of crimes against their mothers (Carpenter, 2000, p. 452). Carpenter sees this placement of children not as victims of genocide, but as a result of genocide, damaging to the child's post-war

life as it creates a misassociation between these children and the ethnic group that perpetuated genocide (Carpenter, 2000).

Carpenter calls out other researchers and scholars for their intellectual treatment of children born of war rape in Bosnia as enemy children, seeing this as potentially having unintended damaging consequences (Carpenter, 2000). Carpenter points out Allen's reference to these surviving children as "taxing" on the population as well as Fisher's notion that "the forced carrying of a child of the enemy can certainly be interpreted as an injury to human dignity" (Allen, 1996 & Fisher, 1996 in Carpenter, 2000, p. 455). Carpenter expresses concern over the potential impacts of identifying children born of wartime rape in the FYR residing within their mother's community "not as members and victims of genocide but as parasites", and urges movement away from this treatment as it re-enforces the Serbian beliefs on genetic inheritance that led to a violent policy of forced impregnation and mass rape (Carpenter, 2000, p. 454). The lack of recognition of these children as victims has spurred numerous post-war struggles, including those addressed in the remainder of this chapter.

TARGETS OF EXCLUSION AND REVENGE

To understand the experience of children born in captivity in northern Uganda, Denov (2020) conducted an in-depth analysis of the challenges faced in the post-conflict era by sixty children born of war emphasizing their struggles with identity, discrimination, and as proxy targets for revenge. Notably, Denov reports that "stigma and marginalization were reported by all child participants in the sample", speaking to the shared experience of post-conflict trauma as these children seek to establish identities beyond that of their parentage (Denov, 2020). Experiences of struggle around shaping

identity were shared by many participating children, who communicated a desire for inclusion and belonging within family and community structures (Denov, 2020).

Some also reflected on the secrecy of their identity, noting the difficult balance between wanting to know more about their heritage and identity, and understanding that the circumstances of their conception were linked to traumatic experiences for their mothers (Denov, 2020). One male participant shared, “I think it is important to keep [my identity as a CBC] a secret, so that I can stay amongst others peacefully without them stigmatizing me”, and Denov notes that this protective measure also contributes to a lack of understanding regarding the size of the CBC population in Uganda (Denov, 2020). Carpenter points to similar secrecy surrounding identity in the former Yugoslav Republic.

The sheer amount of crimes in need of addressing on the international stage contributed to a sense that “war-rape orphans had dropped out of the sight of human rights scholars and advocates” (Carpenter, 2000, p.430). This largely contributed to a lack of knowledge regarding how many children of Serbian wartime rape were even born, let alone their post-war fate. Carpenter articulates that the number of children “killed, abandoned, kept by their mothers, institutionalized, or adopted by Muslims, Serbs, or foreigners” is unknown and that these statistics largely went unasked for (Carpenter, 2000, p.464). Carpenter also notes that “some orphanages made a conscious effort not to identify children who were born of rape”, while in other circumstances of origin were commonly known (Carpenter, 2000, p.430).

While this secrecy surrounding identity has ultimately hindered the addressment of struggles endured by children born of wartime rape, it has also been steered by a desire to shield these children from shame, humiliation, and discrimination. Stigma was heavily

reported by children born in captivity, coming from immediate and extended relatives (including mothers, stepfathers, siblings, grandparents, cousins, aunts, and uncles) as well as neighbors, teachers, and other community members (Denov, 2020). One girl reported a teacher's remarks, sharing a teacher's warning for other students to “be careful with that girl, she was in the bush and she may be possessed with evil spirits and she may harm you” (Denov, 2020). Another girl shared, “they have a belief that our heads do not think right – that we have violent tendencies” and that “they think we will become violent and harm other children” (Denov, 2020). Such experiences contribute to feelings of guilt and humiliation as children navigate the post-conflict space.

Children involved in the study also reported discriminatory experiences that had detrimental impacts on the quality of life experienced. This includes increased barriers to education and healthcare as well as socioeconomic struggles. In regard to education, Denov reports that “all of the research participants reported difficulty paying their school fees and buying scholastic materials, which resulted in irregular and inconsistent school attendance or being forced to drop out of school completely” (Denov, 2020). One individual reflected on the educational access disparity between themselves and siblings born outside of LRA captivity, stating “my parents do not love me” and “they discriminate against me as compared to my siblings who were born from home”; This individual continued on to share: “right now I am not in school, [my parents] are not paying my school fees, while my siblings’ school fees are being paid” (Denov, 2020). Another shared the barriers to healthcare access, disclosing “I am not allowed to go to the hospital for treatment when I am sick, while the other children born from home are taken for treatment when they are sick” (Denov, 2020).

Children in the post-conflict FYR similarly experienced barriers to quality of life improving rights and resources. As Carpenter points out, “the particular status of the children of rapes (as rights-bearers, victims of genocide or other crimes, or refugees of war) was addressed only peripherally” by both local and supralocal entities (Carpenter, 2000, p. 429). In a discussion of the many children born as a result of wartime rape in the FYR, Carpenter highlights the struggles of the many children abandoned at orphanages throughout the region. Many of such children did not possess a clear nationality to affirm their rights, for example, orphans born from wartime rape residing in Croatia faced citizenship struggles and experienced barriers to accessing education (Carpenter, 2000). Orphans also faced difficulty in the process of becoming adopted, as nations struggled to develop a framework for processing adoption both during and following the multi-state conflict (Carpenter, 2000). Children known to be born through forced impregnation also were found to have a lower chance of being selected for adoption (Carpenter, 2000).

Beyond barriers to accessing quality of life improving goods and services, children born in captivity also fell victim to targeted violence and revenge. Onyulo explains that in “grappling with the long-lasting consequences” of the conflict, some have directed their anger toward the LRA towards the surviving children born in captivity (Onyulo, 2015). One mother whose son was fathered by LRA leader Dominic Ongwen, expressed her worry for his safety, stating “I’m hiding my son because if people discover that his father is Ongwen, then they’ll kill him” and that local community members targeting children born in captivity “say that they need to revenge atrocities they experienced under LRA” (Onyulo, 2015). This propensity for revenge extends to family members as well. One girl shared, “my uncle beats us and said he would kill us”, and that

“he doesn’t want rebel children, Kony children, at home” (Denov, 2020). Another child shared, reflecting on the broader feelings of hatred directed towards children born in LRA captivity, that those who possess this hatred “have it in their mind that my father was among the people who committed atrocities on them” and thus, “they have turned their hate against us” (Denov, 2020).

Children in Bosnia were similarly linked to the crimes of their fathers, speaking to the genocidal nature of wartime rape and forced impregnation. Carpenter articulates, that the damaging societal impacts of forced impregnation in Bosnia hinged “not on what identity Serbs ascribe to the children of the rapes but on how the victimized culture views the children” (Carpenter, 2000, p. 445). The post-war treatment of women and their children as un-belonging in the Bosnian community, thus, speaks to the success of the Serb campaign of societal destruction through the weaponization of rape (Carpenter, 2000). Through the experiences of the children born in each case, the expansionary agenda of the Lord’s Resistance Army and Serbian forces ultimately created a legacy of intergenerational trauma felt by mother, child, and community.

With the understanding of the damaging impacts expansionary rape agendas have had on surviving mothers and children in both Bosnia and northern Uganda as described in the above two chapters, in Chapter Seven, I discuss local and supralocal efforts to address this subset of violence and re-traumatizing experiences in the post-conflict space. This analysis will also be utilized to form recommendations as to actions and adaptations that can be made in future efforts to address expansionist rape and mitigate the re-traumatization of those impacted by such violence.

CHAPTER SEVEN

BRIDGING THE GAPS: LESSONS & RECOMMENDATIONS

In this chapter, I synthesize the lessons garnered from the above illustrative case study analysis of expansionist sexual violence occurring in the context of Bosnia and northern Uganda. This synthesizing chapter also involves a discussion of the justice-seeking approaches attempted on the local, state, and international levels, and reflects on lessons garnered from outside cases of mass sexual violence during conflict. This chapter concludes with recommendations for adapting future approaches to post-conflict trauma mitigation in the context of expansionist sexual violence, which have been formed by drawing upon the lessons established throughout this thesis on the apparent gaps present in justice-seeking efforts seeking to address expansionist violence.

GAPS IN STATE & LOCAL LEVEL RESPONSE

The struggles experienced by women and children made vulnerable to re-traumatization and stigmatization due to expansionist agendas have gone under-addressed domestically in both Bosnia and northern Uganda. As a halt to the two-decade conflict, in 2006, the Ugandan national government and Lord's Resistance Army leadership signed an agreement, ceasing violent hostilities. Uganda has since then worked to heal the damages caused by the conflict, with efforts to rehabilitate former child soldiers and resettle the estimated two and a half million individuals displaced by the conflict (Onyulo, 2015). Such efforts, however, have been described as minimally helpful in addressing the struggles victims of the conflict face (Ladisch, 2015). While amnesty and payment of the equivalent of roughly \$75 USD were allotted to surviving abductees, beyond this minimal assistance, "no law exists that protects the rights and

freedoms of formerly abducted persons and their children” (Denov, 2020). This thus reflects a gap in national efforts to address the struggles endured by surviving mothers and their children.

In regards to locally established programs established to address expansionist rape, “multiple barriers, including lack of information, stigma, restrictive criteria, and gender norms, have precluded women’s and children’s access” to available rehabilitative post-conflict resources (Ladisch, 2015 in Denov, 2020). However, when interviewed a Gulu village elder in Uganda, Francis Mugoya, shared that while “people are not willing to accept these women and their children in these communities”, community members are actively “working hard to try and change their attitudes towards these vulnerable people” (Onyulo, 2015). Such community-based efforts will hopefully alleviate the local stigma against surviving mothers and children born of wartime rape still experience despite international legal progress in the assessment of the crimes they have survived.

While domestic and international justice-seeking efforts have been implemented, northern Ugandan and Bosnian societies appear far from fully recovered from the experience of expansionary violence. In continuing to heal, Denov and Lakor (2017) emphasize the importance of addressing the many layers of armed conflict in unison, as issues facing individuals, families, communities, and the nation as a whole are deeply interconnected. Interviewed children born in captivity communicated that “community sensitization and awareness campaigns” were desired to educate broader communities on the experiences of formerly abducted and captive individuals and their overwhelmingly non-consensual roles in the violence inflicted by the Lord’s Resistance Army (Denov & Lakor, 2017). Children in both cases also still strive for opportunities for greater inclusion

in education and other activities accessible to children born outside of conflict (Denov, 2020). The need for community-wide discussion was also emphasized by children (Denov, 2020).

While anonymity has been backed as a protective measure for children born of wartime rape, potentially shielding them from experiencing stigmatization for their non-consensual ties to perpetrators of violence, regarding Bosnia, Carpenter demonstrates that it has also resulted in broader neglect of the vulnerabilities these children face (Carpenter, 2010). In Bosnia, instead of providing special attention to ensuring minimal stigmatization was experienced by orphaned children of war, authorities refused to release these children for international adoption (Carpenter, 2000). This ultimately trapped these children in a stigmatizing environment with heightened ethnic tensions still present in the post-war era. This refusal also greatly minimized these children's access to positive family life because very few Bosnia families were financially equipped to adopt (Carpenter, 2000).

Similar effects are seen in Uganda, as children born in LRA captivity in Uganda, lack recognition within formal government systems and policies (Carpenter, 2010). Surviving children expressed the desire for the implementation of legislation with the goal of addressing and preventing stigma, discrimination, and harassment in the community (Denov, 2020). Children born through the LRA expansionary practices face difficulty in that they do not meet Uganda's national standards for designation as 'orphans and vulnerable children', which would trigger further protective measures to be implemented (Denov, 2020). Such a step towards formalizing protections under Ugandan

law could bring forth the support and rights that the surviving children of wartime rape have expressed a need for.

Of the needs articulated by surveyed survivors, both mothers and children, designated “livelihood programs targeting their socioeconomic marginalization and fostering self-sufficiency” as their most important and immediate needs (Denov et al., 2018, p.173). Suggested programs included “agricultural projects, vocational training and other income-generating activities” to help alleviate the struggles faced by both mothers and children born in LRA captivity (Denov et al., 2018, p.173). Such desires are reported to come from a belief that self-sufficiency will allow stigmatized individuals to combat said stigma by positively influencing their community (Denov et al., 2018, p.173). Ultimately, it is evident that survivors of expansionist rape and their children born through strategic group expansion are now in a complex position in which they are in need of a wide range of support services to help ease their transition into post-conflict society and mend their communities (Denov et al., 2018).

SUCSESSES AND FAILURES OF INTERNATIONAL RESPONSE

The main mechanisms of international response to wartime rape in Bosnia took form in the International Criminal Tribunal for the former Yugoslavia. To detail the addressment of sexual violence by the international community, the UN Department of Peacekeeping Operations created a report on sexual violence in armed conflict. Of the seventy-five ICTY cases completed at the time of the report's creation, twenty-four involved sexual violence against civilians; in sixteen of the twenty-four cases on sexual violence, according to the report, “sexual violence was found by the court or agreed by

accused to be part of a widespread and/or systematic attack directed against civilian populations” and in all of these case the sexual violence that occurred was also found to constitute war crimes (Oosthuizen, 2009, p. 30). Core ICTY cases that included the trying of crimes involving sexual violence include the Bralo, Brdanin, Celebici, Kunarac, Kvočka, Milan Simić, and Zelenović cases (Oosthuizen, 2009, p. 30).

Those convicted for sexual violence at the ICTY were deemed guilty either due to personal responsibility, or due to their oversight of the crimes committed by those under their command; the individuals convicted included “leaders who occupied positions of authority at the national level, local government level, in detention camps, and in formal army and police units and in paramilitary units”, as well as some lower-ranking perpetrators (Oosthuizen, 2009, p. 30). The ICTY subsequently determined that forced impregnation followed by detainment coupled together “infer a policy of ethnic cleansing” (Amnesty International, 2020, p. 8). Of the several individuals convicted for crimes involving sexual violence through the ICTY, none however were convicted of forced impregnation.

The widespread deployment of rape as a strategy of war during the breakdown of the former Yugoslavia raised questions within the international legal community that subsequently influenced the explicit inclusion of forced pregnancy as a crime under the 1998 Rome Statute of the International Criminal Courts (Grey, 2017). A conviction for this particular subset of reproductive violence would not be made under international criminal law until the February 2021 conviction of Dominic Ongwen at the International Criminal Court, a landmark case for addressing forced pregnancy and its destructive impacts on survivors, their children, and broader communities.

The prosecution of Dominic Ongwen serves as a major milestone in addressing expansionist violence in northern Uganda, and signals progress in the assessment of the phenomenon of expansionist rape and forced impregnation more broadly. Though the crime of forced pregnancy has been included in several international legal documents (e.g. the ICC Rome Statute, the Statute of the Special Court for Sierra Leone, and the United Nations Transitional Administration in East Timor), the case of Prosecutor V. Dominic Ongwen resulted in the first judicial interpretation of the crime (Amnesty International, 2000). This case also served as the first International Criminal Court case to “expressly consider the reproductive autonomy of individual women and girls” (Grey, 2017, p. 909). The results of the trial also highlighted that similarly to sexual violence, “reproductive violence can be used for strategic purposes, that is, it may be used as a weapon of war” (Grey, 2017, p. 926). While recognition of expansionary sexual violence and forced pregnancy has progressed in the international space, re-traumatizing aspects of the international justice-seeking process remain, as discussed throughout this thesis (see Chapters Three and Five).

KEY LESSONS & RECOMMENDATIONS

This thesis addresses the question: How can the international community mitigate the re-traumatization of women subjected to expansionist wartime rape and the stigmatization of children born of such circumstances, at both local and supralocal levels? My analysis demonstrates the importance of foregrounding the reflections and perspectives shared by survivors of expansionist rape and children born through such agendas. Three key lessons stand out with respect to de-stigmatizing children and disassociating them from paternal lineage, extra consideration for witness testimony, and

sensitivity to the locally rooted nature of the post-conflict violence and stigmatization experienced.

1. **Children should not be identified by the crimes of their fathers, and the patriarchal orientation of conversations surrounding children of war has triggered damaging effects in the post-conflict space.**

As discussed in the above chapters, children born as a product of forced impregnation, and expansionist agendas more broadly, in the aftermath of conflict struggle with a variety of damaging implications linked to their father's identity. As previously examined in Chapter Six, the damaging impacts of children being linked to their mother's rapist, and particularly his ethnicity, has been felt throughout the former Yugoslav Republic, with children facing barriers to citizenship, education, and ethnic identity in a heavily ethnicized space. The evidence discussed in Chapter Six highlighting the perspectives of children born in captivity who have since attempted to integrate into their mother's pre-conflict community similarly depicts the violent implications of communities in northern Uganda linking the identities of CBC to their LRA fathers. Also highlighted in Chapter Six, Carpenter points to similar negatively impactful linkages between child and perpetrator being made by international scholars and practitioners, further speaking to the breadth of this issue.

2. **The testimony garnering practices of both domestic and international courts repeatedly showcase aspects with re-traumatizing potential; special attention should be given to adapting the witness testimony garnering process on all levels to mitigate the re-traumatization of survivors of expansionist sexual violence.**

Throughout this thesis, I address the struggles endured by survivors of forced impregnation through post-conflict mothering and being non-consensually tied to perpetrators of violence. In Chapter Five, I discussed the destructive and genocidal nature of forced impregnation in Bosnia and how it created a ripple effect of damaging impacts on surviving mothers in the post-conflict space. Also in Chapter Five, I discussed how the struggles of mothering children of expansionist rape in the post-conflict space are further exacerbated in northern Uganda as abducted mothers face the stigmatization and isolation of returning to their former communities with a child born from the LRA's forced family agenda.

As addressed throughout this thesis, the sharing of wartime experiences in public forums and international spaces can in itself cause further trauma and stigmatization, as summarized above, for survivors. Because of the re-traumatizing factors of providing testimony, steps to ensure that providing testimony is a voluntary and uncoerced act should be made. The removal of potentially pressure-inducing mechanisms like, for example, the negative legal ramifications one could face for declining to provide testimony, as identified in *Echoes of Testimonies* and discussed in Chapter Five, could be a positive step in this direction. Also, implementing further protective and 'care-work' oriented measures into local and supralocal justice-seeking processes, as discussed earlier in this chapter in relation to the case of Rwanda could further mitigate the re-traumatization associated with testifying on cases of expansionist sexual violence.

3. The locally rooted nature of the post-conflict violence, exclusion, and stigmatization of survivors of expansionist rape and their children suggests the need for a locally targeted response.

Survivor and children of war perspectives from Bosnia and northern Uganda, as well as Rwanda, overwhelmingly communicated that the stigmatization and harm they experienced in the post-conflict space came from local actors, community members, and family. As discussed in Chapter Three, survivors of wartime rape in Rwanda who testified at the Gacaca Courts communicated the heightened experience of re-traumatization that followed their testimony. This speaks to the need of ensuring that community-based responses are done with survivor agency and safety in mind. Similar stigmatization and trauma associated with testimony provision were experienced by survivors of sexual violence in the FYR, as discussed in Chapter Five. As highlighted in Chapter Six, children born through expansionist rape agendas also reported that the stigmatization, isolation, and at times, violence they experienced overwhelmingly came from their fellow community members in the post-conflict era. As discussed throughout this thesis, survivors and their children have repeatedly expressed the need for community-based responses to target the stigma surrounding their non-consensual association with perpetrators of violence and provide better access to rights and quality of life ensuring goods and services.

CHAPTER EIGHT

CONCLUSION

The lessons garnered through this thesis help bridge existing conversations on wartime rape, children of war, and justice-seeking efforts in the context of expansionist sexual violence and forced impregnation. Existing literature and analysis have helped to supply the above lessons and recommendations developed to assist the continued addressment of the phenomenon of expansionist sexual violence as a repeating occurrence during times of war. The cases analyzed in this thesis showcase the diversity of circumstances from which such agendas emerge, as well as the persistent struggles experienced in the post-conflict space across cases of expansionist violence by both survivors of forced impregnation and their children. While the experience of each individual impacted by expansionist violence is unique, overarching trends emphasize the experience of re-traumatization and stigmatization in the post-conflict space and thus ought to be addressed substantially by scholars and practitioners working in the post-conflict space, as I have begun to do in this thesis project.

The locally felt implications of wartime rape experienced across varying contexts in the post-conflict space speak to a broader need for further analyzing the mechanisms adopted to move societies beyond conflict. Many of the themes addressed in this thesis find resonance beyond the phenomenon of expansionist rape and are applicable to ongoing conversations on peacebuilding, sustainable development, and gender mainstreaming. Lessons drawn from the experiences of re-traumatization and stigmatization felt by forced impregnation survivors and their children are particularly

relevant to broader conversations on agency evolving in international development spaces.

These lessons also reaffirm the importance of approaching locally-rooted responses with gender mainstreaming in mind to better post-conflict outcomes. While major developments have been made in addressing violence against women over the past several decades (e.g. Resolution 1325, Rome Statute Article 6 & 7, Prosecutor V. Jean-Paul Akayesu, Prosecutor V. Dominic Ongwen), what has come from such developments thus far, as shown through this thesis, has not been as progressive as needed in addressing communities impacted by expansionist rape. Thus, to move societies towards successful implementation of the 5th Sustainable Development Goal of achieving gender equality and empowering all women and girls, further attention to the phenomenon of expansionist violence is needed.

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