Sexual Violence in Conflict: Data and Data Collection Methodologies

WHO, Geneva
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Meeting Report

Background

Sexual violence in conflict and post-conflict is a serious security, health and social problem as well as a human rights violation. While there is increasing recognition of this, it is difficult to document and research this violence because of its sensitive nature. Obtaining accurate data on sexual violence in conflict presents inherent difficultie*s* given security and logistical constraints, understandable reluctance of individuals who have suffered profound trauma to report, and lack of confidence in existing services. However, more and better data is needed to improve our understanding of the problem and of the effectiveness and benefits of different types of responses and preventive interventions. This data will allow us to develop more appropriate responses, advocate for additional resources, and monitor the impact of our interventions and strategies.

The demand for better data on the magnitude and nature of the problem is coming from many quarters (governments, UN bodies, donors, others). Most recently Security Council Resolution (SCR) 1820 has asked the Secretary General to submit a report that, inter-alia, provides "information on situations of armed conflict in which sexual violence has been widely or systematically employed against civilians; analysis of the prevalence and trends of sexual violence in situations of armed conflict; benchmarks for measuring progress in preventing and addressing sexual violence; and plans for facilitating the collection of timely, objective, accurate and reliable information on the use of sexual violence in situations of armed conflict…."

This meeting was organized by WHO, on behalf of UN Action and in collaboration with UNICEF and UNFPA, in order to respond to the SCR1820 and other requests for data and for improved data collection methodologies. It builds on a technical consultation organized by WHO and UNFPA in 2005 on *Methods and systems for the assessment and monitoring of sexual violence and exploitation in conflict settings*.

Meeting aim and objectives

The aim of the meeting was to develop consensus on what data is needed, which methodologies are best and to make recommendations for a research agenda, in order to improve knowledge and understanding of sexual violence in conflict and post-conflict settings and facilitate the collection of 'timely, objective, accurate and reliable information' on sexual violence.

The *specific objectives* were:

1. To review and synthesise existing survey (and other) research methodologies and experiences to measure sexual violence
2. To develop consensus on the key kinds of data needed with a focus on documenting the extent and nature of the problem
3. To develop consensus on the most sound methodologies to collect these data and agree safety and ethical considerations for implementation

4. To make recommendations for further work in support of SCR 1820 demands for better data.

The meeting brought together researchers/academics on sexual violence research, UN agencies and international NGOs working on violence in conflict for 2 days. The agenda and list of participants are attached as annex 1 and 2 respectively.

Opening Session
SCR 1820: What data is needed and how can we use it to propel advocacy?
Donald Steinberg, International Crisis Group (ICG)

The full presentation is available on request. Key points to highlight include:

➢ Effective advocacy is one of the main reasons we want and need data on conflict-related sexual violence. However, different advocacy methods than were used to secure the passage of 1820 are now needed to sustain political will and momentum for action.

➢ When making advocacy pitches, we need hard numbers: in the lead-up to SCR 1820, it was good enough to cite a broad figure. While such an estimate, coupled with extensive media coverage, was adequate to ensure adoption of the resolution, it may not be an adequate basis for interventions or the sustained political will required for implementation. The question now is what data is needed to convince the international community to *act* on its newly-articulated policy? Persuading security stakeholders to implement the resolution as a matter of priority will require us to continually make the case in advocacy and evidentiary terms.

➢ Implementation of 1820 will require monitoring and accountability measures to hold various actors to account. To make an advocacy case, as well as in gaining acceptance of sexual violence as a security issue, a threshold of credibility needs to be reached. This requires supporting data combined with anecdotal information and authoritative voices championing the issue. Such information needs to be triangulated to turn figures into statements.

➢ Donors will ask hard questions about results/ return on investments. Funds will ultimately flow to those who can provide concrete information. The subject of sexual violence may be inherently disadvantaged by the silence, stigma and shame that surround it.

➢ From a historical perspective, we have never known the full dimensions of this crime because data has been either unavailable or unreliable. This is, in part, because who/what does not count, does not get counted. If our advocacy aim is to undercut the self-serving myth of inevitability surrounding sexual violence in conflict, we need evidence showing that it is either commanded, condoned or condemned at the highest levels. For the purposes of 1820, we need data linking sexual violence with international peace and security: e.g., how many families were displaced as a result of rape; how many soldiers/civilians contracted HIV as a result of rape; how many women took up arms in self-defense against rape; how many children were born as a result of rape; how many girls stopped going to school/women stopped going to markets due to fear of rape, etc. Information that correlates sexual violence increases and decreases with broader political, military and economic events could help make the case that rapes form part of a pattern and are not merely isolated incidents.

➢ We need to evidence the extent and intent of sexual violence as it relates to regional stability. For example, to classify sexual violence as a crime against humanity, it needs to be shown to be systematic (qualitative) and widespread (quantitative).

➢ Given the political sensitivities around sexual violence, including actors who seek to stifle incriminating statistics, advocates must be aware that it will only take one erroneous figure to undercut credibility of the subject and speaker.

➢ We need to ensure that data collection supports, rather than detracts from, the work of primary responders and that it takes into account the needs of survivors including mental health/ psycho-social needs. Conducting research on sexual violence when no services are being provided has serious ethical implications.

Discussion on a research agenda (See annex 1 for additional detail)

It was recognized that different data is needed for different purposes and a brainstorm on key areas on which data was needed led to identifying broad areas of data needs and other themes as part of defining a sexual violence in conflict research agenda,

1.   Data to understand the magnitude/ nature of sexual violence;
2.   An evidence-base for effective interventions/ services;
3.   Data on the impact of sexual violence on individuals and communities during conflict, on the periphery of conflict, and post-conflict;
4.   Data for advocacy;
5.   Methodological issues: standardized terminology and data-collection instruments;
6.   Ethical issues: service-provision; "do no harm".

Participants also expressed interest in deeper exploration of armed conflicts in which sexual violence does *not* occur (e.g. Israel/oPt), to better understand the cultural, legal and policy environments that are generally conducive or inimical to sexual violence being employed as a tactic of war.

Session 1: Sexual Violence Surveillance

This session consisted of three presentations representing different data collection tools: GBV Information Management System (GBVIMS) developed by IRC, UNHCR and UNFPA and piloted in Uganda and a software package developed for use in DRC. The final presentation was on challenges of collecting data on gender-based violence in Darfur, Sudan.

Key points from presentations and discussion:
➢ There was general agreement that the tool developed by IRC, UNFPA and UNHCR was very promising and its adoption by a wider range of stakeholders was recommended. [1] The tool does not measure prevalence, but provides victim and perpetrator profiles, risk assessment and referral pathways.

➢ [1] The tool takes information currently collected by primary service providers through case intake forms to an excel database. It introduces a standardized terminology for incidents of GBV (GBV Incident Classification System) to enable coordination and comparability of data among the different organizations participating in the project. The

- It was recommended that the GBV Incident Classification System[2] developed for this tool, be reviewed with a wider group of stakeholders/experts through WHO, in order to promote wider ownership and eventual endorsement of the tool by others.
- The need to ensure complete anonymity and safety of the data was emphasized. Existing software for encryption can be useful for collecting data on GBV.
- The need for a very simple, low maintenance system was emphasized as well as to focus on collecting a minimum set of core data that will be analyzed and used. (Often too much information is collected that is not useful or used.) It was also noted that issues of ownership and safety of the data needed to be worked out before implementing any data collection system.
- There was a general feeling that the DRC software, while very thorough would be too difficult to use in most conflict settings. While the intent to harmonize is good, clear guidelines and criteria are needed for establishing a centralized database regarding who hosts it? Who manages it? How is data safety ensured? , etc.
- The challenges to working on GBV and difficulties in collecting and sharing any data on this in Darfur highlights the need to be clear on the rational behind GBV data collection. (In South Darfur GBV service providers feel that the benefits of collecting and sharing GBV data do not outweigh the risks involved in doing so.)

Session 2: Surveys

This session included 3 presentations: an overview on methodological and ethical challenges by Rachel Jewkes from the MRC South Africa and two presentations on specific studies: a survey in Lofa county, Liberia by Basia Tomczyk, CDC and surveys in Uganda and ?Mali by Les Roberts, Columbia University. The presentations are available on request and key issues arising are summarized below:

- No consensus exists on the appropriate methodologies for studying sexual violence in conflict. Several examples of research methods used in various settings were presented and discussed in this session, as well as an overview of some of the methodological and ethical issues surrounding research on sexual violence.

- Some of the methodological and ethical issues that need to be addressed include:
- Whether it is ethical to conduct research about sexual violence when no services are provided to those being identified as having experienced sexual violence

- Who is asking the questions about sexual violence? What are the qualities of the interviewers that impact response? How are local researchers involved?

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tool records one incident perpetrated on one survivor at one point in time. The database was created in excel to enable easy transfer to the field and sustainability.
- [2] For the purposes of data collection, eight core types were identified based strictly on a perpetrated action (not an intention or motivation). The eight core types are mutually exclusive and the bias in data collection has been systematized through training on the database, instructing data collectors to always pick the first incident type on the drop down list in excel, when and if multiple incidents occur at the same time.

- Where, when and how the research is conducted will affect responses and validity of data. E.g., are women being interviewed at clinics, at camps, in their villages, and are they interviewed during or immediately after the conflict?

- Important to understand that women might experience multiple forms of violence, and depending on the context, they might report a case of sexual violence or other form of GBV, which was not directly related to the conflict. How to count the incident will depend on the setting and the research agenda.

➤ Research protocols must adequately address other forms of gender-based violence, not only in terms of how to count seemingly unrelated cases of sexual violence and other forms of GBV, but also in considering the effects of conflict on post-conflict rates of GBV, which are indirectly related to the conflict itself (e.g., former combatants and their reintegration into their communities, violence in the context of displacement, reciprocal violence against ethnic enclaves, violence becoming normative).

➤ Measures must be taken to minimize adverse consequences to women participating in the research, and monitoring systems must be in place to identify whether participants have experienced adverse consequences (being beaten by husbands, retaliation by military, etc.) as a result of participating in the research.

➤ Local researchers must be involved in order to ensure validity, relevance and sustainability of interventions.

➤ Risk to researchers and interviewers and organizations conducting research on sexual violence must be minimized by adhering to an ethical and safety code (such as the WHO ethical and safety guidelines). If their safety cannot be protected, the research should be reconsidered or suspended. Only collect data that is going to be acted on.

➤ The research agenda often has conflicting goals, which impacts the methodological response (rapid assessment vs. in-depth). On the one hand, there is a need for entering conflict areas quickly to determine the magnitude of the problem of sexual violence in order to have the data to use for advocacy purposes, while on the other hand the types of surveys conducted in that manner have major limitations in terms of coverage, validity, and safety.

➤ Surveys cannot provide information on incidence of sexual violence, but they can provide more in-depth knowledge about the magnitude of the problem and the context in which the sexual violence occurs. Qualitative research can provide important contextual information that can complement the quantitative data collection. Surveillance also can complement data from surveys to enhance understanding of patterns.

Recommended next steps:

1. Need for consistent definitions on the type of sexual violence in conflict settings and for risk and protective factors (in coordination with those working on sexual violence and in conflict settings).

2. Develop a consensus to identify minimum and expanded data elements that we need to collect (e.g. what type of incident data?) and guidelines on types of data and methodologies that would be useful for informing prevention and intervention efforts in conflict settings.-

3. Need to develop internationally agreed upon indicators for monitoring prevention and response to sexual violence in conflict (outcome, process and exposure indicators).

Session 3: Human Rights Incidence Reporting

Presentations were made by OHCHR Officer for DRC and DPKO. Key points:

➢ In human rights terms, the obvious data need is to assess what percentage of cases end up being prosecuted (i.e., attrition rates/ the extent of impunity/ the justice deficit). Rape and other forms of sexual violence have an extremely high attrition rate: in DRC, typically less than 2% of cases reported as rape result in a conviction. [3]

➢ It is also relevant to keep track of how long the judicial procedure takes ('justice delayed is justice denied'). In DRC, there is an average of 82 days between an incident and assistance. A campaign has been launched to expedite access to justice for survivors, acknowledging that the more time that elapses between a crime and a case coming to court, the harder it is to gather evidence.

➢ It is important to monitor whether rape is a bailable offence in the jurisdiction. If so, when an alleged perpetrator is released on bail, what protection measures are in place to avoid the intimidation of victims and witnesses?

➢ We also need to keep track of whether lenient sentences are being handed down for acts of sexual violence, for instance, sentences under the minimum of 5 – 20 years imprisonment in DRC. It would be useful to calculate the median sentence for rape in a given context and compare it with other criminal offence convictions. Courts often allow mitigating circumstances in the case of rape, which is seen as having lesser gravity.

➢ The number of women in the judicial system was suggested could be a relevant indicator of whether women are getting the experience of justice, not just law. However, some participants questioned the assumption that having women means women's issues are being addressed adequately.

➢ Challenges include: local partners/NGOs do not necessarily see it as in their interest to collect and share data, which is a time and labor-intensive task. Women's groups have no interest in being used by the UN system to provide information: funding is not directly provided for data-collection; if figures are collected they are sent directly to donors to get resources for projects. There is

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[3] This is true in all settings, including developed countries. This data is not easy to compile as need to follow the case from reporting to the final outcome through the different systems.

also a risk that information ends up being reduced to "Chinese whispers" because it is channeled through multiple sources. Safety issues need to be considered, e.g., intermediaries/third parties and women accompanying survivors in North Kivu are often subsequently attacked and there have been cases of data-collectors being raped for gathering information on sexual violence.

➢ Cases have been reported of victims not receiving assistance because the various forms take too long to complete; some hospitals and clinics in DRC receiving rape victims have limited their intake to four women per day, because form-filling for data-collection purposes takes up to four hours per patient.

➢ There is a human rights methodology on collecting, reporting and monitoring violations. Human rights activists monitor the judicial system for the specific purpose of ending impunity – this applies to all rapes, not just conflict-related sexual violence in the sense of SCR 1820. OHCHR also uses Special Procedures, Independent Experts, Special Rapporteurs and Commissions of Inquiry/ Fact Finding Missions to gather information as a basis for technical cooperation with Member States. However, the point of monitoring is lost from a human rights perspective when several different statements are taken and then inconsistencies between them are used by defense counsel to discredit the witness in court.

Discussion

➢ Some of the data that is accessible is not valuable: researchers end up collecting huge quantities of data that is not useful for human rights reporting or is of poor quality. Data collection systems should be kept simple and lean.

➢ While rape is always a crime, we need to clarify which jurisdiction it falls under: domestic penal law; human rights law; or international humanitarian law. Rape as a matter of domestic criminal law is governed by distinct legal and policy frameworks from sexual violence as an international crime in conflict settings. For SCR 1820 reporting purposes, researchers should use the definition of sexual violence enshrined in the 1998 *Rome Statute of the International Criminal Court*.

➢ It was felt that consideration of sexual violence in conflict could be usefully informed by the extensive research on SGBV in non-conflict settings. Above all, research should not replicate the disempowerment caused by sexual violence, or assume the victims' first experience of coercion was in a conflict or camp setting; researchers should instead be sensitive to the possibility of a "continuum of gender-based violence".

Conclusions and recommendations from the meeting

1. **Surveys for collecting data on prevalence, nature and risk and protective factors**

   ➢ Data on the prevalence of sexual violence can only be provided through a dedicated survey. However, there is still a need to develop a consensus on what constitutes sound and ethical methodologies for documenting prevalence of sexual violence.

- ➤ We also need more information on risk and protective factors so that we can strengthen the evidence base around the effectiveness of interventions. This data can also be obtained through surveys.

- ➤ A technical working group led by WHO with CDC, Columbia, SVRI and others should continue to work on developing international consensus on: a) operational definitions for different forms of sexual violence; b) a minimum and expanded set of data to be collected, c) recommendations of best possible methods and ethical and safety issues. This should build on the existing knowledge from research in sexual violence in non conflicting settings and be streamlined and aligned with similar work under development by UNICEF, CDC and others to collect information on sexual violence against children (one of the six grave violations of SCR 1612).

- ➤ UN Action will aim to support one dedicated survey per annum.

2. Surveillance using existing case reports

- ➤ We need to simplify and systematise the collection of surveillance data (case reports). Efforts will be made to standardise data collection based on the data management tool developed by the IRC/UNHCR/UNFPA GBV Information Management System (GBVIMS).

- ➤ WHO will lead discussions to standardise terminology in the first quarter of 2009.

3. Research to understand the context

- ➤ A more detailed research agenda, identifying priorities and research questions, will be developed, building on the work of this meeting (see annex xx) and linking with other relevant research initiatives, including the one led by the Harvard Institute.

- ➤ Qualitative research is needed to better understand the context in which sexual violence takes place, risk markers for women and the characteristics and motivations of perpetrators.

- ➤ We need answers to the question of whether sexual violence is condemned, condoned or commanded – and where and under what circumstances it takes place.

4. Benchmarks for assessing progress and the effectiveness of interventions.

- ➤ There is a dearth of information on what works for both prevention and response and more systematic evaluation of our work on sexual violence is needed.

- ➤ By end of the first half of the year we will have an em consultation regarding evaluation of interventions.

> ➤ We need to develop benchmarks (simple indicators on process, coverage and outcome) to monitor the availability, accessibility and quality of services to prevent and address sexual violence. UNICEF will convene a group to continue the work started at this meeting on this.

5. **Ensuring good data for advocacy and sustainability.**

> ➤ Demands for more and better data will not go away. Data is needed to justify why rape was put on the political agenda and why it should remain there.

> ➤ Given the challenges of conducting surveys and collecting good data on cases and services, we need to triangulate what we have with good qualitative research, complemented with anecdotal/ journalistic information – searching all the time to pass the "threshold of credibilty".

> ➤ Sound, good quality data will be critical to sustaining interest in the implementation of SCR 1820.

SCR 1820 demonstrates that we don't know much about rape as a tactic of war, but we know enough for the world to take it seriously. One participant said: Security Council Resolutions are passed in poetry but must be implemented in prose"

<u>Annex 1 -</u> **Sexual violence in conflict research agenda**

The meeting identified the following key areas in which more data is needed:

Magnitude and nature of problem
1. What are the magnitude, nature and context of SV? (for rape of men also)
2. Risk assessment: degree of vulnerability of different communities?
3. What is the profile of the perpetrators and survivors (risk and protective factors)?
4. How to determine how widespread the problem is?
5. The impact of conflict on intimate partner violence and in post-conflict (e.g. DDR)

Services
1. What are needs of the survivors?
2. How appropriate and effective are services and interventions in meeting needs of survivors?
3. What works and what does not work for prevention and for response?
4. What is the availability of and access to services for specific groups and how sustainable are they?
5. Who has the competency to do what?
6. How effective is the judicial system in providing services?
7. What is the extent of impunity?

Impact
1. What is the impact of sexual violence on individuals, communities (for example, on mental health, daily functioning, child care, pregnancy related to rape, etc., both short- and long-term)?
2. What are the effects of conflict on the areas on the periphery of conflict?
3. What is the extent and nature of SV and other forms of GBV after the conflict ends?
4. What is the cost (social, economic, political) associated with GBV in conflict?

In addition the following methodological and ethical issues were identified:

Data for advocacy
1. What data are needed to convince donors, political actors, international community to act
2. What data are needed to foster political will?
3. Who is the audience for the data?

Methodological issues
1. How is incident defined?
2. How is GBV being defined?
3. Who is collecting the data and how does that impact the results?
4. How to balance benefits of rapid assessment and more in-depth data collection?
5. Standardized data collection instruments allow comparability but need to adapt length and content for different settings and complement with qualitative data
6. Who manages and owns the data?
7. How do we ensure the safety of the data?

Ethical issues
1. What are the ethical implications of conducting research on sexual violence when no services are being provided?
2. How can adverse consequences be minimized?
3. What measures can and are taken to minimize harm to participants and researchers?