

# Perceptions of sexual violence

A discourse analysis of documents from the Peace and  
Security Council of the African Union 2010-2020



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# Abstract

This thesis dives into the issue of conflict-related sexual violence through the empirical case of the African Union and its Peace and Security Council (PSC), aiming at understanding how conflict-related sexual violence is constructed within the PSC between 2010-2020. Applying a feminist power theory and through a discourse analysis, the thesis asks four open-ended questions regarding: conflicts, perpetrators, victims and solutions to the materials consisting of meeting documents from the PSC. The results show a broad understanding and variety of conflicts discussed with cross-cutting themes touched upon. Non-state actors and AU-troops were most frequently viewed as perpetrators. A wide range of victims were discussed with a dual perception of victims as ‘weak’ and ‘survivors/agents’ as the overarching victim-characteristics. Lastly, the main solutions for sexual violence were ending impunity, alongside a smaller discourse of dealing with root causes of structural gender inequality. The PSC neglected parts of the accountability for conflict-related sexual violence as they overlooked governmental forces as perpetrators as well as low accountability within AU-mandated peace operations. The conclusion is that the PSC balances between understanding structural power assumptions embedded in sexual violence but simultaneously still adhering to a narrow understanding of sexual crimes.

*Key words:* Sexual violence, conflict-related sexual violence, African Union, Peace and Security Council, discourse analysis, feminist power theory

*Word count:* 19 998

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# Abbreviations

AMISOM	African Union Mission in Somalia
AU	African Union
CAR	Central African Republic
CRSV	Conflict related sexual violence
DDRR	Disarmament, demobilisation, rehabilitation and reintegration
DRC	Democratic Republic of Congo
GBV	Gender-based violence
ICC	International Criminal Court
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for Former Yugoslavia
IDP	Internally displaced person(s)
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the CAR
PSC	Peace and Security Council
PSO	Peace Support Operations
SEA	Sexual exploitation and abuse
TRC	Truth and Reconciliation Commission
WPS	Women, Peace and Security

# 1 Introduction

The use of sexual violence in conflict has marred wars for as long as there have been violent clashes and can be traced all the way back to Homeric adventures of ancient Greece. This continued during the colonisation of Africa up to the Second World War and the ‘comfort women’ used by Japanese soldiers and systematic rape in concentration and death camps in Nazi Germany (Gottshall 2004:130). Although, there has been a shift in the narrative surrounding sexual violence, it has changed from being an unavoidable by-product of war, and part of the ‘rape and pillaging’-efforts by conquerors, to an international consensus of the acts being classified as war crimes and crimes against humanity. The shift in narrative came after the uncovering of horrific events during the conflicts in former Yugoslavia and Rwanda during the 1990’s. As the world bore witness to the horrifying testimonies of systematic rape with genocidal intent, rape camps and the details of the perverse nature of the acts themselves, the international community could no longer remain in the dark about sexual violence being able to act as a horrifically useful weapon during war. Since the 1990’s several UN resolutions connected to sexual violence in conflict as well as the Women, Peace and Security agenda (WPS) have been ratified in an attempt to combat the growing number of conflicts where rape continues to be used as a weapon. The ground-breaking trials of the International Criminal Tribunal of Former Yugoslavia (ICTY) and the International Criminal Tribunal of Rwanda (ICTR) set the precedence of rape in war as constituting a war crime and a crime against humanity, and it thereby gave the International Criminal Court (ICC) the precedence of being able to convict on the basis of such crimes. In the aftermath of the tribunals and their mandate of convictions, the stage was set for the ICC to swiftly and with conviction, deter future conflicts and possible perpetrators from using sexual violence as a weapon. But there was no such luck as there was soon several conflicts bearing evidence of systematic rape being used as a weapon of war such as the Democratic Republic of Congo, Liberia, Sierra Leone and more recently Syria and Myanmar, and many more, showcasing the ruthlessly effectiveness of rape in war.

From the ratification of the WPS-resolution 1325 (2000), there has been a larger international interest in furthering and lifting sexual violence to the agenda on all societal levels. As such, several more UN resolutions have since been ratified in an attempt at combating the ever-growing tendency for sexual violence in conflict alongside a special office dedicated to the issue (cf. UNSCRs 1820; 1888; 1960; 2106). The attention increased with Denis Mukwege and Nadia Murad receiving the Nobel Peace Prize in 2018 for their work against sexual violence in conflict (Nobel Prize 2021). Consequently, there has been ever-increased attention directed toward the issue, with the UN and other institutions trying to tackle and prevent the problem.



The African Union (AU) makes an interesting and important framework to analyse in relation to their understanding and depiction of conflict-related sexual violence (CRSV). Seeing as the union is the melting pot of both national and international interests, narratives and perspectives, how the union has come to describe the issue at hand relates to how the member states tackle the issue. Moreover, the AU is interesting as it works supra-nationally, but with strong national interests coming through and with interests of the international community strongly influencing the narratives of the union. As such, the AU constitutes a middle layer between national and international discourses, but with strong influences of both. Moreover, seeking to understand the AU's discourses on a certain topic is of high value as they are responsible for many of the peacekeeping missions, ad hoc tribunals and acts as a platform for all African states to voice their narrative. With the high number of conflicts where sexual violence has been used and the naming of the Democratic Republic of Congo (DRC) as the 'rape capital of the world', it is of interest to further understand the perception of CRSV within Africa. As the AU has come to act as the gateway for the international community's commitments and engagements on the continent it could showcase the larger picture of the continent's understanding of CRSV. As the regional entity is responsible for several peacekeeping missions, as well as the sphere for regional cooperation, the union is the place where sexual violence can be understood and thus dealt with through institutional as well as cultural means. The 'African solutions to African problems'-mentality of the union speaks to the importance of regional ownership of operations and missions on the continent and by extension how it deals with and discusses the issue (cf. PSC 24/9/18).

## 1.1 Research question and purpose

The purpose of the thesis is to understand how sexual violence in Africa is constructed and construed through the AU and its Peace and Security Council (PSC). As Africa has seen several conflicts where sexual violence has been prevalent, there is a need to understand how the continent's main institutional framework – the AU – handles, describes and perceives the problem. With the increased attention that the issue has received, looking at the change of the discourse(s) during the past decade, one can gain a deeper understanding of the AU's understanding of the issue. This is the backdrop and main issue that will be researched in this thesis, and the research question is as follows:

*How can the Peace and Security Council of the African Unions construction of sexual violence in Africa between 2010 to 2020 be understood?*

## 1.2 Definitions

For the purpose of this thesis, *sexual violence* will be defined in accordance with the Rome Statute of the ICC (UN General Assembly 1998 art.7.1) as *rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity*. This definition follows the lines of the statutes understanding of crimes against humanity and war crimes, where sexual violence is one such element that constitutes war crimes and crimes against humanity if part of a widespread attack on civilians or part of a systematic offensive. The internationally recognised understanding of sexual violence will be adopted in this thesis, but there is also an awareness of there being elements of cultural differences in what constitutes sexual violence and abuse of a sexual nature. In an attempt at making the results as generalisable as possible, defining sexual violence in accordance with international law enables comparisons over cultural divides. It is not the author's intention to oppose potential victims' personal feelings regarding their experiences, as the thesis aims at inclusion over cultural understandings in an attempt at gaining a larger understanding of sexual violence. *Conflict* will be defined as an having two or more parties with 25 or more battle related deaths per year (UDPCR 2021). *Woman/Women* will be defined as all who identify with the pronoun and thus see themselves included in the female gender and are viewed as having agency in their actions and perceptions of themselves and the world. Along the same lines, *man/men* will be defined as all who identify with the male pronoun and thus have agency in their perception of themselves and their actions (Paffenholz et al. 2016:14).

## 2 Theoretical framework

The following section comprises of the theoretical framework of the thesis, starting with a presentation of previous research on sexual violence. Following this, feminist power theory will be presented and discussed. The section will conclude with conceptualising the problem that the case presents and problematise the role of the researcher.

### 2.1 Previous research

The research field of sexual violence during conflicts has increased exponentially since the 1990's, with different researchers from a plethora of scientific fields, such as political science, anthropology, history and many more contributing to the field (Boesten 2014:7). There are different fields of focus within the larger topic, such as looking closer at the psychological state of the perpetrator and the military structure behind it (cf. Cockburn 2014), the patriarchal structures that underlie the continuation and accepting behaviour (cf. Hedström – Senarathna 2015) or gender-inclusion in transitional justice (cf. Björdahl – Mannergren Selimovic 2013). Furthermore, the research on sexual violence as a weapon of war has been studied through several approaches with different empirical grounds. The DRC has been widely studied in regard to how sexual violence has become prominent as a weapon of war (cf. Eriksson Baaz – Stern 2013). In addition, studying how international norms of sexual violence affect local understandings of sexual violence, gender and women's role in society how it is used in ethno-national conflicts to further marginalise women (cf. Hedström – Olivius 2019). Other fields of research into sexual violence have focused on the aftermath of the conflict and the culture of impunity for crimes of sexual violence (cf. Muvumba Sellström 2015).

Starting with the perception of sexual violence during war that has had the strongest influence on the international community as well as research during the past twenty years – sexual violence as part of strategic rape objectives of war. Here, rape is seen just as bullets and bombs, as a strategic part of wartime strategy in an attempt at breaking the enemy. Furthermore, rape is understood to be a weapon that is used on civilians with the intent at spreading terror on the population. The use of rape can be understood as going a step further, as seen in Rwanda and Yugoslavia, where it is utilised against the core of the people who represent and further a community – women. As such, wielding the weapon of rape against women through forced impregnation, HIV infections, as well as the cultural implications of being 'tainted' through rape, the understanding of sexual violence as part of genocide came to be (Gottschall 2004; MacKinnon 1994; van Wieringen 2020). This

genocidal perspective of sexual violence allowed for the ground-breaking prosecutions of the ICTY and ICTR, but researchers have since come to question the strictness of what international law perceives as sexual violence with the threshold for prosecution being very high. Moreover, the perception of systematic rape being part of a larger objective distracts and marginalises the occasions where the crimes occur without direct orders or part of a scheme of destroying the culture of the enemy (Arrabal Ward 2013). Hence, opening up for a broader understanding of the military objectives of sexual violence through viewing rape as a practice of war where it is tolerated by commanders rather than being part of an articulated motive (Wood 2018).

Understanding gender relations in war where femininity and masculinity intersect in the perception of qualities and characteristics each inhabit shows the perception of masculinity within militaristic structures. As such, understanding the inherent unequal asymmetric power relations between the two gendered assumptions shows how patriarchal assumptions of power and masculine supremacy influence the perception of war. The perception of violent, powerful and aggressive characteristics as masculinity influences the gendered assumptions within war and in times of peace where the ideal of ‘manly men’ permeates cultures. The perception of masculinity imprints on the perceptions of the military, thus bringing the cultures into war allowing for deeper misogyny prevailing through ranks (Cockburn 2014). Hence, the use of masculinity within militaristic structures reaffirms the presumed gendered relations through the bond and culture on a group level within the military forces, thus building it on the assumptions of ‘femininity’ and ‘masculinity’ and pushing the boundaries of what is allowed within the group. Furthermore, the collective bond presents individuals with pressure to fit in, often through actions such as rape, and deviating from the culture would entail being viewed as weakness, something that contradicts the masculine culture (Enloe 1993; Skjelsbæk 2010).

In the research into sexual violence in conflict, there has been an assumption of victims and perpetrators, with women being the victims and men being the perpetrators of the violence. Further research into the issue has deconstructed these assumptions, first by illustrating men as being part of the victim-pool and then as women partaking in the violence. Broadening the understanding of perpetrators of sexual violence has shown women being directly (by inserting objects into victim’s bodies) or indirectly (by pinning down victims) part of sexual violence during war (Cohen 2013:384). Shifting the narrative on who is perceived as the perpetrator has allowed for a deeper understanding of the motivations of why sexual violence (in this case gang rape) is being committed during conflicts with women and men both facing the same socialised pressure within the combatting units, thus showing that given the same circumstances women and men partake in the same level of violence (Cohen 2013).

Researching sexual violence in conflict and the international community’s response, there is a connection between the occurrence of sexual violence and attention from the UN security council through resolutions regarding specific civil conflicts. As such, a strong gendered perception of civil war has brought sexual violence to the forefront of the security council’s understanding of war. This shows

the shift towards a more civilian perspective during conflict, as more attention to their needs and situation is brought forward (Benson – Gizelis 2020). However, there is feminist critique of the focus of international organisations and their continuous militaristic perspective on post-conflict societies as it normalises the violence and war. Here, demilitarisation should be at the centre of policy, both nationally and internationally with a gendered perspective throughout in order to break the cycle of continued gender inequality and militaristic cultures within society (Shepherd 2016).

As the subject of sexual violence in conflict has become an ever more studied area, the aftermath of conflict and sexual violence has come to be of high scientific and policy-related interest through the justice for victims. The concept of a gender-just peace, as a further evolution of the liberal peacebuilding assumptions builds on the assumption of rebuilding post-war societies with building blocks of the pre-war society but with social and gender equality throughout institution building. Thereby, the post-war society redefines gendered assumptions with gendered accountability and representation throughout society in an attempt at creating accountability for the gendered realities and experiences of war (Björkdahl – Mannergren Selimovic 2013). With the post-conflictual accountability being brought to attention, impunity for crimes of sexual violence has come to be criticised as it shows deep rooted assumptions within military structures as leaders allow or promote the crimes, alongside negligent or uninterested governing bodies that lack the incentives for prosecuting crimes of sexual violence. Lastly, perpetrators have enjoyed amnesties for crimes during conflict, with amnesties for presumed ‘lesser crimes’ such as war-time rape being widely given by the international community (Muvumba Sellström 2015). Countering the impunity enjoyed by perpetrators has become a beacon within the fight against sexual violence, particularly brought forward through the judicial assumptions of accountability and transitional justice (Houge – Lohne 2017).

In conclusion, the field of research into sexual violence in conflict presented here will make up the foundation of the theory – feminist power theory – and the ensuing analysis. Having shown research into sexual violence, with sexual violence as a weapon of war, perceptions of women and men, gender characteristics and assumptions within militaristic groups and impunity as fields of research, these will inform and act as building blocks for the analysis.

## 2.2 Feminist power theory

A core tenet of feminist research and theory is power, how it is (re)produced and where it shows itself. Within this, two perceptions of powers can be discerned, one is an agency-based and the other is a structural based view. The agency-based view highlights the importance of agency in power, and thereby speaks more to the individuals’ choice in how the power is conveyed and perpetuated. The second, understands power as a structural phenomenon that constantly is produced and reproduced through everyday actions. Although both perspectives give an intrinsic

nature of power dynamics, the structural view is more in line with the purpose of this thesis. The structural view, e.g., Foucault's views of power as social in nature where power is integrated into all social and cultural interactions and thus perpetuated in both direct and indirect ways. As such, power is not something that is immovable, but rather free flowing and is renewed through every social interaction and thereby reinforced. Structural power can be shifted and broken down, but contrary to an agency-centred approach, the structural power-approach looks at the overarching and institutionalised power relations that reinforce and inform why certain actors behave or act in a certain way. This approach speaks to the larger societal influences that inform individual actions (Foucault 1982; Hayward – Lukes 2008).

Understanding that power is exercised through structures, the next logical question is to understand said expressions of power. Along the lines of Foucault, language and choice of wording is a powerful way of constructing the parameters of our understanding of a certain topic, and thus becomes an effective tool in exercising power. Deconstructing and trying to understand language as a tool in which institutionalised power is utilised can illustrate the structural and underlying power assumptions of an institution and how that reinforces policy. Understanding the power of the word is essential as it filters all communication, all social interactions and becomes institutionalised through continuous use and framing (Allen 1999:36f). Consequently, looking at the asymmetrical gender hierarchies, they are produced and reproduced everyday through the way we understand the world, how we interact and how we choose to formulate our understanding of issues. Furthermore, in order to understand the structures that uphold, form and reflect the social hierarchies of gender, we need to understand the power of the language that reinforces our understanding of the world. Furthermore, when looking at how individuals choose to debate, discuss or form policy, we get glimpses of the cultural and societal structures that uphold their ontology (Allen 1999:131ff). Accordingly, when talking of sexual violence, the choice of words can aid in uncovering the larger power dynamics and help inform how and why the issue is so pervasive. Understanding what words are used to describe and construct the problem can help in informing the larger gender asymmetry of the society and thereby speak to the larger and overarching systemic issue. Although, when looking at language as a vehicle for power, the words you use as well as the words that go unsaid are equally important for the context as they reflect the power of what is known and the agenda and later policy (Leatherman 2011:66f).

Going a step further, understanding that structural hierarchical power dynamics in regard to gender dynamics and sexual violence perpetuates and reinforces said hierarchies. Thereby, understanding that culture forms normative structures that in turn inform perceptions of gender, class and sex, thus showing how frameworks are reproduced in repetitive social interactions (Butler 2004). Furthermore, our normative understanding of issues is created and recreated by ourselves through every interaction where we (consciously or unconsciously) adhere to the norm. By extension, sexual violence is such a repetitive action that reinforces the gender hierarchy and power dynamics throughout society, both by the act but also the larger cultural impact as well as other societal divides that intersect the male/female

hierarchy such as ethnicity or class (Boesten 2014:17, 45f; Shepard 2014:105; Allen 1999:34). Understanding that gender inequality and the hierarchal structures that uphold said asymmetry pre-conflict, shows how the gendered power structure becomes increasingly unequal during war. As such, the sexual violence that occurs during conflict should be seen as a heightened type of violence that demonstrates the continuous battle for power, especially when looking along the lines of existing inequalities of race, gender and ethnicity. Moreover, continuous discourses on hegemonic masculinity as conceptualising conflict furthers the deeply gendered and structural violence seen in war. These structures of patriarchal assumptions continue and allow norms and practices of hypermasculinity within military groups where behaviour and crimes, such as sexual violence, is used both directed towards the victims in an attempt at decimating communities and the victims, but also in regard to creating a stronger bond within the armed groups. As such, hypermasculinity in military forces (or armed groups), combined with a highly misogynist view, continues structures of gendered power domination and informs the perception within military groups on what characteristics they should inhabit, alongside their perception on victims. This shows the gendered power dynamic of both male and female perpetrators who participate, as they engage with the militarised culture within the group, as well as the perception of the male and female victims (Boesten 2014; Leatherman 2011; Kreft 2019).

If then you accept the assumption of power being structurally (re)produced through all social interactions, what implications does that infer in regard to sexual violence in and after conflict? Central for the understanding of how power is at play when it comes to sexual violence in conflict is understanding why it has come to be used in such an extensive way, over cultural divides, temporal and spatial settings and throughout different types of conflicts with different military structures making up the perpetrators. As such, power expressions through the practice of sexual violence can be understood through the interactions of the structure that upholds the practice. The physical act in itself is a way of constituting and asserting power over victims, potential witnesses and other members of the combatting group. The use of physical violence against another is a way of asserting power over them, but combined with a gendered view of the violence, the act of (mainly) men acting out violence that is sexual in nature against (mainly) women perpetuates the male dominance in social interactions through the acts (Kreft 2019; Engle 2020). But when looking at sexual violence, there is a need to delve deeper into the issue as there are structures that uphold and allow the crimes to be committed, that constitute the shame and victimisation and that perpetuate the overarching patriarchal framework. In line with Boestens (2014:43ff) reasoning, the act of sexual violence reproduces power hierarchies along lines of gender, sexuality, race and class. Thereby, the acts of violence reinforce and reproduce the existing identities and power hierarchies within society and informs society's understanding of gender, power and other intersections of identity.

There is an issue with using a feminist power theory and analysing conflict-related sexual violence as it views the crimes detached from the larger issue of gender-based violence. Moreover, the focus on a gendered analysis, through a feminist theory, entrenches the established gendered stereotypes and roles within

the sexual violence when focusing on specific violence against women in wars. This assumption with equating women and a gendered analysis, detaches both from the realities of perpetrators and victims of sexual violence, alongside the larger structural gender-based issues within society that transcends sexual violence and conflicts. Focusing solely on sexual violence in wars and the assumption of women as victims plays into stereotypes and assumptions (Boesten 2018; Campbell 2018). With that said, this thesis stands strong in the assumption that a feminist perspective on sexual violence is important as it lifts critical issues and questions the status-quo of hegemonic power assumptions within institutionalised assumptions of war.

Understanding the actions and repercussions that emanate from acts of sexual violence in conflict is the thesis window into how the larger societal norms shapes and allows the acts to happen. The thesis understanding of power as something that is derived through structures and as a result becomes institutionalised and practised unconsciously through all actions and inactions taken will thus inform and help understand the issue on an institutional level. Going from the actions taken on an individual (or group) level to an institutional one will help in understanding the larger structures that uphold the gender powers at play. Moreover, the feminist power theory will set the foundation upon which the discourses of the PSC will be analysed through, as will be clarified in the following section.

## 2.3 Theoretical framework

Feminist power theory will provide the theoretical basis of this thesis and help guide the understanding of the power of words, discourses and structures that (re)produce power dynamics in society. Moreover, the theoretical perspective will help in understanding the larger structures that uphold asymmetric power relations in society and how they come to influence everyday understandings as well as high-level perceptions and later policy. Understanding the power that can be wielded through discourses and language will help in understanding how sexual violence is depicted and thereby viewed within the AU and by extension on the African continent. As the aim of the thesis is to understand the overall view on sexual violence, the feminist power theory will aid in the insight into larger structures that dictate what is said, and not the least, what goes unsaid. As such, uncovering what structures uphold the consensus of sexual violence within the AU will help in further understanding sexual violence as a concept within the African continent and thereby what parameters the AU works with in trying to combat the issue.

Feminist power theory will help inform and uncover the discourse and systemic power structures that inform powerful actors within the union. Furthermore, the theory will help understand the structures that uphold the power of the language, thus aiding when deconstructing the discourse surrounding the inclusion or exclusion of sexual violence. As such informing how the AU perceives sexual violence, who is affected and what conflicts are most important will be apparent. In understanding what is part of the discourse, what is highlighted and what is left out



and marginalised there can be a deeper understanding of the union's perception of CRSV.

## 2.4 Positioning the researcher and the study

With the subject of the thesis being sexual violence and with a post-structuralist feminist ontology, there is a need to further discuss the role of the researcher in regard to assumptions and privilege. The first part of the research that ought to be justified is the inevitable dualistic approach that comes with researching sexual violence in conflict. Although with the choice of theory and approach one hopes to circumvent it, the basic assumption of women as innocent victims and men as aggressive and sadistic perpetrators, reinforces the social expectation of these roles. Following Engle (2014:24f, 2020), continuing the narrative of sexual violence as a fate worse than death continues to strip all agency of victims as they are prescribed a role and feeling of how they should act and thus how society sees them. Seeing sexual violence as the worst crime, as a crime that destroys both the victim, the family and the community, dictates the post-conflictual culture of the survivors, and their identity is watered down to being broken and as survivors of the unimaginable. With this being said, this thesis plays into this narrative of sexual violence as a horrendous crime that needs to be recognised and dealt with on a scale suited to the occurrence of the crimes. Although, it is done with awareness of the dualistic nature of categorising victims, perpetrators and their experiences, but does so intentionally to further uncover the perception of CRSV on a continent that has seen sexual violence in several conflicts throughout the last decade. The thesis does not in and of itself aim at creating dichotomous categories for survivors as either 'victims' or 'survivors/agents' but aims at uncovering the AU's depiction of the issue and getting to the core of the union's conceptualisation of CRSV (Kreft 2019:16). The exceptionalities of the crimes that might distort the narrative should not discourage researchers from tackling the issue as it is of high value to further understand how it occurs, the role of victims after the fact and how to convict perpetrators, something this thesis aims at understanding through the lens of the African Union and their perception of CRSV.

A second theme that should be addressed is the privilege as the main focus of the thesis is part of the Global South, researched through literary studies from the Global North. As such, assuming a post-colonial feminist perspective and critically examining the positioning and privilege is important. In the African context there is a need to understand the larger historical power-structures, as much of the realities of today are consequences of the colonial past. It is therefore of high importance to dispel the 'white saviour'-narrative of researchers in the Global North essentialising the needs and understandings of the women and their advocates in the Global South (Anholt 2016:4). Understanding the agency of women within the community and culture of Africa (and the Global South) is of high importance and attempting to understand the society and their needs might not align with the understanding from the Global North is important. As such, the narrative within the

AU of ‘African solutions to African problems’ is important to acknowledge as the need for agency for women and the respect of them understanding and knowing their situation and needs is important (Engle 2020:26ff). Interlacing the feminist power perspective with a critical post-colonial lens gives the research insight into both privilege and racial asymmetric power constellations, both within institutions and in the “Global South/North”-divide which in turn informs the thesis of the subjectivity thus reflexivity of the researcher (Spivak 2010; Cohn 2013:15).

## 3 Research design

This study will implement a single case study with the aim of understanding the perception of sexual violence within the Peace and Security Council of the African Union. This will be done through applying a discourse analysis in an attempt at understanding the discourses of the council and the deeper perception within this. The discourse analysis will be based upon official documents from the PSC such as meeting communiqués and press statements that represent the discussions within the council.

### 3.1 Method

This study is empirically based on an abductive qualitative single case study of the African Union and its perception of conflict related sexual. By applying a discourse analysis to this material, thereby gaining depth and understanding of the discourses and thereby perceptions of sexual violence within the AU. Looking at the AU as a small-N study is of high relevance as it allows a deep and thorough understanding of the institution, and the evolution of its perception of CRSV. By choosing to gain deeper understanding through a single case study, the generalisability of the results might suffer as well as the risk of researcher bias and subjectivity increasing (Denscombe 2014:29ff). However, using a qualitative single case study, the in-depth understanding of the issue is the main scientific strength of the thesis. As a consequence, the result might not be empirically generalisable, but the methodology and the use of the theory can be applied to other cases in order to gain deeper understanding, and indeed achieve a theoretical generalisability (cf. Kvale - Brinkmann 2009). The weakness of the generalisability and by extension reliability, is made up by the high internal validity that comes with the thorough study of an issue and the deep understanding of the question asked. Moreover, I aim at achieving high internal validity through in-depth analysis if the case and continuously strive for transparency throughout the discourse analysis and the categorisation of the discourses. Applying a consistent reflexivity, transparency of the methods used and throughout the discourse analysis, the subjectivity of the researcher will not be questioned as assumptions, results and categorisations will continuously be clearly presented. With this said, with the ontological and epistemological assumptions of the thesis, there can be no true objectivity of the researcher, but it will aim at being as clear-cut about assumptions made and consequences thereof (Furlong – Marsh 2010:200). Indeed, one could argue that through this clarity I will achieve what the feminist philosopher Sandra Harding

(1992) names strong objectivity – openly showing my subjectivity throughout the research process.

### 3.2 Ontological and epistemological assumptions

The ontological and epistemological approach in this thesis need further clarification, as the main theoretical body is feminism, or more specifically post-structural feminism. Ontologically speaking, the researcher positions herself firmly within the anti-foundationalism of a post-structural and constructivist approach, thus strongly rejecting the notion of a single objective and universal ‘truth’ as with positivist assumptions. As a result, ontologically speaking, there is a possibility to discover and understand perceptions or understandings of reality without the assumption of a one true answer being attainable. Here, the anti-foundationalist approach differs, and I will aim at clarifying the positioning between constructivism and post-structuralism as the ontological position of the thesis does not reach the outermost point of post-structuralism’s questioning of there being even an ounce of ‘truth’. Within this thesis there are certain realities such as the survivors of CRSV and their experiences being part of a societal truth. Thus, sexual violence exists and is pervasive in conflicts. Consequently, there are certain pillars of truth that is recognised as being true independently of the researcher’s positioning in the thesis. As a result, the researcher of this thesis draws more from the constructivist understanding of what can be known, where reality is constructed, and that we can research perceptions of the constructions. Furthermore, with the use of a legal definition of sexual violence, there could be misconstrued questions regarding the thesis assuming an ‘all-encompassing’ understanding of what constitutes sexual violence. The researcher of this thesis rejects the notion that there is, or could be, one true definition or understanding of sexual violence as the trauma, repercussions, cultural context and individual history makes such an assumption impossible. With that being said, assuming a legal definition (or ontological assumption of sexual violence) allows for a broader contextualisation of the analysis (cf. Boesten 2018:461f).

Regarding epistemological assumptions in the thesis, the researcher positions herself within the interpretivist assumptions, and with the possibility of objectivity of the researcher being questioned. As such, the assumption being that any researcher brings with her preconceived understandings and assumptions through societal, cultural and historical structures that dictate how the world is perceived. Following in the anti-foundationalist ontology, understanding the world as socially constructed and viewed through discourses, the researcher of this thesis aims at understanding social phenomena through interpretations of them as they inform how the world (and CRSV) is construed. Looking at discourses helps in informing what value is given to them and thereby how society at large understands the issue (Furlong – Marsh 2010:199ff).

### 3.3 Discourse analysis

A discourse analysis on the AU will be applied in this thesis in an attempt at uncovering the PSC's perception of CRSV. With the use of discourse analysis, compared to other qualitative research methods, the researcher looks at more than simply the words as the context, the paragraph and the text in and of itself are important when trying to deconstruct the meaning of the wording. When deconstructing the text, the aim is to understand the implicit meanings rather than simply the explicit words. As such, what is included in the text are seen as important as what is left out, thus opening the analysis up to a larger analytical dimension of deconstructing power dynamics of the (in this case) PSC that is responsible for a certain issue and how it is perceived, conceived and understood (cf. Denscombe 2014:398ff). Understanding discourses as all social phenomena, all interactions that take place, both textual and other, as discourses as they all include discursive social interactions (Bergström – Ekström 2018:254). Furthermore, within discourse analysis it is imperative to view language as inherently subjective, thus not neutral or not observable 'out there' independently from both the researcher's own structural discourse and the author/speaker/organisation that authored the text (ibid. 255). As such, the text or language can be understood differently depending on the context and thus demands further analysis and contextualisation.

When analysing discourses through discourse analysis, power dimensions come into play in regard to who is heard and who or what is being silenced throughout the discourses. As a large part of this thesis is based on power theory – the assumption of there being power dynamics at play throughout society and that they form how and what we perceive as important – the focus throughout discourse analysis is what discourse comes onto the main stage. Moreover, the power through discourses can be understood and deconstructed through insights into how the discourses are framed (i.e., who's voice is being heard) and who is benefited (and who's being disadvantaged), thereby deconstructing the main discourse to look beyond to understand the disenfranchised and silenced. Additionally, power through discourses should be understood in accordance with Foucault as something larger than individual agents towards another individual, it should be understood as existing in all social interactions that include or exclude, restricts or assists certain persons (Bergström – Ekström 2018:255f, 258).

#### 3.3.1 Analytical framework

The analytical framework of the thesis is based on one selective and four open-ended questions that are used to understand the discourses of sexual violence in conflicts. The first is used when looking at documents within the PSC; 'is sexual violence in conflict discussed' and acts as a gateway into the documents. If sexual violence *has been* discussed a further analysis of the document will be made. Following this, four questions will be asked to each document, and as visualised

below, the questions asked open up for different discourses on sexual violence to be brought up and analysed.

<b>Analytical questions:</b>	<b>Feminist ideal type</b>	<b>Risks identified to the feminist ideal type</b>
Is sexual violence discussed?	<i>Acts as a selection question for the materials.</i>	<i>Acts as a selection question for the materials.</i>
How is it discussed in relation to conflicts?	A broad variation of conflicts is discussed as well as potential conflicts where it might arise.	The discussions are centred around one conflict and neglects others and thus a larger picture.
How are perpetrators discussed?	Perpetrators are held accountable but are discussed in relation to a larger culture within the military forces and as a structural issue.	The perpetrators are framed through their biological urges, as individuals committing crimes or parts of the military forces deviating from war laws.
How are victims discussed?	The victims are prescribed agency in their situation, with men and women being acknowledged as victims.	Women are presented as the only victims with discussions on their vulnerability and thus societal positions in main focus.
How are solutions discussed?	Long term solutions are discussed in an attempt to access a larger structural problem.	Short term solutions through a single or few conflicts in focus.

Table 1. Analytical framework

Conceptualising the analytical framework through these four questions shows the complexity of the issue as they present different aspects within sexual violence. Choosing *conflicts*, *perpetrators*, *victims* and *solutions* as the main nodes on which the materials will be viewed from, it categorises and defines issues that overlap and intertwine within sexual violence in conflict. Understanding this through feminist power theory, allow for critical and broad discussions into larger structural issues that seeps between the categories and informs the larger understanding of sexual violence. Each question can be understood through either a *Feminist ideal type* or as *Risks identified to the feminist ideal type*. The former means an idealised version of discussion within the Peace and Security Council understood through the feminist power theory as looking at structures that uphold asymmetrical power

dynamics within society. The latter type means opposing perceptions and risks that stands in contrast to the feminist ideal type. These risks vary in their approach, but contrastingly they have a singular conflictual focus and understanding of the issues.

The choice of having an ‘feminist ideal type’ and identified risks to the feminist type should be understood as analytical conceptions that the researcher chooses to represent different analytical assumptions and problems of what discourses might be found. Moreover, the ideal types are not neutral and static versions of discourses but should be understood as representations of the field of interest of this thesis and of the researcher (Bergström – Svärd 2018:147ff).

Understanding the analytical framework, the first question asked, ‘how is it discussed in relation to conflicts’, the feminist ideal type can be understood through its broader variation on the conflicts. Discussing a large variety of conflicts allows for a deeper understanding of the structural issue that sexual violence in conflicts entails for (mostly) women as they are the primary targets (cf. Kreft 2019). If larger conflicts are discussed in the documents, the themes of the violence will emerge and thus aid in understanding signs in future conflicts. Risks perceived in relation to the feminist ideal type would be a singular focus on conflicts, or no discussions on specific conflicts, thus circumventing understanding the larger usage of sexual violence in conflicts.

Regarding the second question, ‘how are perpetrators discussed’, in which the feminist ideal type is understood as both who the council views as perpetrators and how they discuss handling them. Understanding who commits the crimes within a conflict and discussing all perpetrating groups equally would present a more well-rounded understanding of the groups and military forces who commit the crimes. Moreover, understanding how to deal with the perpetrators, balancing an understanding of military cultures with holding all perpetrators equally responsible would, though the feminist ideal type, present a deep understanding of the complexities of the perpetrators. Risks identified by a feminist view would thereby be a narrow focus on who constitutes the role of perpetrators and thus bypass accountability and responsibility of perpetrates (cf. Engle 2020).

The third question asked ‘how are the victims discussed’ through a feminist view, could be understood as the deeply gendered form of violence that sexual violence constitutes but acknowledges men and women as victims. Moreover, the feminist ideal type sees the agency of the victims in their situation and in the aftermath of the conflict. Furthermore, the risks perceived to the feminist understanding of conflict are firstly, women as being the only permissible victims, thus continuing a gendered assumption of the victimisation. Secondly, the agency of the victims becomes eroded and limited if they are perceived as vulnerable and weak (cf. Leatherman 2011:42f).

Lastly, ‘how are solutions discussed’ was asked, and through the feminist ideal type, the assumption was that of discussing long-term solutions that would entail acknowledging and discussing the structural gender-powers that influence and dictate sexual violence. A feminist view would discuss the unequal gender dynamics in society, alongside taking punitive measures against perpetrators to combat sexual violence occurring (cf. Boesten 2014). The risks perceived against the feminist ideal type would miss out of the structural and systemic issues of the

violence as it constructs solutions through a short-term perspective with fewer solutions (cf. Engle 2020).

The four questions that will be asked to the documents in order to uncover discourses on CRSV are thus purposefully open-ended so as to allow for the unexpected. Thereby, acknowledging the possibility of unforeseen discourses and allowing for the unwritten to be analysed. The open-ended nature of the questions is purposefully designed so as to limit the pre-conceived notions of what should or should not be included in the answers. Furthermore, the nature of the questions, along with the larger methodological choices of the thesis, require reflexivity of the researcher and her position as subjectivity and pre-conceived notion of what the results might show. The reflexivity of the researcher, as well as a clearly defined analytical framework that is deeply rooted in the materials, further strengthens the thesis internal validity and aims at increasing the reliability of the results and the thesis (Bergström – Ekström 2018:294).

### 3.4 Case study and limitations

This thesis will be a single case study, focused solely on the case of the African Union and its perception of sexual violence in conflict. Within the AU the organ that is responsible for conflict-related issues is the Peace and Security Council (PSC) which will make up the main field of study as the thesis focus is conflict-related sexual violence. The AU is a union of high interest as it acts as a centre stage for African countries without them being marginalised or overstepped as might be the case in international organisations. The amalgamation of the member states and their efforts to jointly combat continental issues and combine forces to access a louder voice within the international community makes the case interesting. In regard to CRSV, Africa is important as well as interesting to further study as the occurrence of sexual violence in conflict has continued to plague the continent and its conflicts. In the case of the PSC, its main responsibility is coordinating and unifying the AU's responses to conflict, deploying its peace seeking missions, recommending interventions and other conflict-related issues. The organ was established through *The Protocol Relating to the Establishment of the Peace and Security Council* in 2002 which came into force the following year (AU 2021).

As the AU is almost 20 years old (having replaced the Organisation of African Unity established in 1963), a time constraint is of value as it allows for a deeper analysis of the materials rather than focusing on a broader spectrum. As a result, the thesis limits itself to the time period of 2010-2020, with the justification of it being ample time to show the evolution of the perception of CRSV, connected conflicts and terms of office as well as the decade being coined 'The Decade of Women' (AU 2020). Furthermore, the choice of limiting the research to the PSC within the AU is twofold as it firstly allows for a deeper study within the council and its documents. Secondly, and perhaps more importantly, the PSC is the main body of the AU that handles conflict-related questions. The discourses of sexual violence become more evident when looking specifically at the responsible council



and not, for example, at Women, Gender and Development Directorate that speaks more to women's role in society at large. Limiting the thesis to the PSC is therefore a deliberate limitation of available material related to sexual violence, as the focus of the thesis is the conflict related sexual violence and how the AU perceives the issue.

Further limitations to the study are the assumptions within, this thesis does not assume to make assumptions outside of the discourses analysed or make sweeping generalisable conclusions of the perception of sexual violence in Africa based upon the PSC. It is thereby simply within the constraints of the AU through the PSC that this thesis will research and attempt at understanding its perception of sexual violence in conflict. Moreover, the researcher of the thesis does not assume that the results speak for the continent, the individual member states or individuals within the union, rather, that she seeks to understand the structural discourses surrounding CRSV within the AU.

### 3.5 Materials

In the realm of discourse analysis, the choice and limitations of materials is not naturally confined. Therefore, it is of great importance to clearly define and limit the discourses and case which the research will be based upon (Bergström – Ekström 2018:288f). The primary limitation on the materials used throughout the thesis is regarding temporal and spatial, as the period of study spans from 2010-2020 and focuses on the PSC within the AU. As the main focus of this thesis is understanding the AU's perception of CRSV, the main material body will be made up of documents from the PSC that explicitly mention sexual violence. The materials will be press statements, communiqués and other official documents where the PSC are the main author, as well as when Smail Chergui, the council's president, speaks on its or the AU's behalf. Choosing to limit the materials to meeting protocols (as the press statements and communiqués are), is in order to show the discussions held within the council. The point of using official documents from the AU is that they represent the council's point of view and discourses, and as the documents are published, they make up an official position of the council (cf. Denscombe 2014:319ff). Using the documents as the basis for the research, the aim is to show the position of the council and thus what the people of Africa (and the world) can come to expect from it. As the documents signal the council's stance, what (and how) the council discusses sexual violence will come to colour the actions taken by the sub-divisions of the council. Although the documents represent the stance of the council, the researcher must acknowledge the possibilities of discrepancies between what was discussed during the meetings and what came to be documented as well as the fact that the final version of official documents often are polished and framed in a way that at the time was acceptable for the public (cf. Denscombe 2014:330f). The research will take this into account but will purposefully and consciously base the study on official documents from the AU as they are the representation of what the council wants to present as their positioning

and discussions on issues. With this intentional decision, there will be a continuous internal and external criticism of what the materials present. The candid presentation of the results, along with transparent sources and operationalisation will give the research higher reliability as the research steps will be clearly presented (Bergström – Boréus 2018:41f).

The PSC press releases, communiqués and other materials have been found in what the researcher deems reliable databases for the documents needed. Two websites and their databases have been used to find materials; ReliefWeb and the African Union’s own website. ReliefWeb is managed by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and acts as a humanitarian information gatherer as they compile documents from a plethora of sources, such as governments, humanitarian agencies and research institutions. As with all internet-based materials, there is a need for scepticism when fully trusting a source, but I have deemed the website as legitimate and as presenting sources in a manageable way. Along with ReliefWeb, the African Union’s website has been used to complement and validate the documents found at ReliefWeb. Using the African Union’s official database gives the materials greater validity and credibility as they are represented by the union, thus deemed genuine and representative of the PSC. Having the materials gathered from two international organisations – the AU and UN – gives the materials authenticity as both the UN and the AU take care when publishing documents, thus giving both the materials gathered and the process, credibility through the caution taken by both the databases and the researcher when gathering the documents (Denscombe 2014:327f).

Empirical material of the study	
Selection frame: Number of documents from the AU’s PSC	1 351
Selected documents for analysis	47

Table 2. Empirical material of the study

1351 documents were read through and a first analysis was made on the basis of the first question asked in the analytical framework (Table 1.): Is sexual violence discussed? Through this selection process 47 documents were chosen, and they will thus make up the empirical base for the discourse analysis.

## 4 Results and analysis

The following section will present and discuss the results of the research into the perception of sexual violence within the AU. The chapter will be structured in accordance with the four questions asked in the analytical framework: in relation to what conflicts is it discussed, how are the perpetrators discussed, how are the victims discussed and lastly are solutions discussed? Having gathered the materials, the analysis will be based on the discourses found within documents where the Peace and Security Council explicitly discuss sexual violence.

### 4.1 Number of discussions on sexual violence

The first question asked acted as a selection question to determine if a document discussed sexual violence. As such, the first result of the analysis is answering and presenting the number of documents found and how many discussed sexual violence. Within the parameters of 2010-2020 and looking at the PSC, 1 351 documents were found. Of those, 47 involved discourses on sexual violence (see bibliography), showing that the number of times CRSV was discussed within the council were remarkably few in comparison to the severity of the crimes.

### 4.2 Conflicts

The first analytical question asked when looking at the discourses of the PSC was how sexual violence was discussed in relation to conflicts. As such, two main discourses will be discussed: sexual violence separate from conflicts and sexual violence in conflicts. The two distinctions will present the view of the council in how they perceive sexual violence as deeply rooted in conflicts or if they discuss the larger themes of sexual violence.

At first glance the discussions on sexual violence were diverse as the council discussed the issue both in connection to specific conflicts, but also in general terms. Hence, the perception of how the council sees sexual violence is both deeply rooted in specific conflicts, as well as the larger structural issue that it presents. Discussing sexual violence related to women's or children's rights (PSC 19/11/20), through holistic priorities to combat it (AU-UN 31/1/14), through judicative lenses (PSC 11/2/15; 25/11/14) or humanitarian perspectives (PSC 16/1/20), the perspective the council presents is a rounded view. Alongside the larger

contextualisation, the council discussed specific conflicts where CRSV has occurred as they mostly discussed solutions within the local capacities.

#### 4.2.1 Sexual violence disconnected from conflicts

The council has two distinct ways of discussing sexual violence where the first is disconnected from conflicts and thus viewed through thematic scopes (e.g., PSC 28/3/11; 1/2/14; 5/10/20; 16/5/18). Discussing sexual violence in more general terms has two consequences, as it firstly allows for a broader and deeper understanding of the issue. Thereby, if discussed in larger structural terms, discussing it as detached from conflicts allows the council to delve deeper into themes and cross-border issues that plague and impact all instances where sexual violence occurs. Understanding sexual violence as its own issue, is a prerequisite for going beyond the discourse of ‘women’s issue’ or as an inevitable by-product of war. As such, continuing discussions on sexual violence as removed from specific conflicts goes a step further to a holistic continental understanding where commonalities can be understood to gain deeper knowledge and understanding of the conditions that lead to CRSV. Moreover, looking at larger themes that transcend specific conflicts allows for a fundamental understanding of the underlying issues that uphold structures of violence. As there are commonalities between conflicts, it shows that there are systemic societal issues that promote the type of violence rather than specific conflictual criteria (cf. Kreft 2019:36). The second consequence of discussing sexual violence as detached from conflicts is not as positive as the first as it entails a lack of grounding on the issue. Detaching the problem from conflicts means detaching the issue from the realities of it, that is the victims that live with the continuation of the violence that plagues communities and countries. Although understanding the broader strokes of sexual violence brings with it many positive aspects, without discussing the realities of the issue – the conflicts – the absence of conflictual understanding neglects the possibility of aiding real-time issues on the continent. As the council acts as the part of the AU that has the decision-making power to intervein, prevent and manage conflicts, with a specific mandate to predict and prevent conflicts on the continent, distancing sexual violence from conflictual settings could entail a loss in lessons that in turn could signal for future conflicts where it might arise (AU 2021). Predicting the future is impossible, but without grounding the councils understanding of the issue in conflicts, patterns and tell-tale signs could go unnoticed. As the council’s mandate dictates, understanding and preventing conflicts which could lead to genocide, which sexual violence is capable of as established by the ICTY, themes are important, but empirics allow for a larger picture to present itself.

#### 4.2.2 Sexual violence and conflicts

Following the discussion above, the council has discussed specific conflicts, both in reactionary capacity and as part of larger conflictual tendencies. During the

decade there are several conflicts that are discussed and thus shows the council's commitment to a plethora of conflicts on the continent as they stretch from for instance Somalia to South Sudan to Mali and CAR. The large variety of conflicts shows a larger understanding of sexual violence, as the conflicts discussed are diverse in their shape with the sexual violence in Mali being committed by the terrorist group Boko Haram, to South Sudan where both governmental forces and armed groups of the conflict has been singled out as perpetrators. The large variety of conflicts discussed shows that the council is determined to understand and discuss all aspects of sexual violence, thus avoiding a single conflictual focus and allowing for a larger picture of the realities of CRSV with the conflictual focus being on South Sudan, CAR and Darfur in that order (e.g., PSC 5/12/18; 26/9/15; 8/11/13; 13/12/13; 26/2/19; 11/6/18).

As the three most discussed conflicts were highlighted, it is worth mentioning that sexual violence in DRC, the so coined rape capital of the world, was only discussed once during a joint PSC and UN meeting. During the discussions, the Great Lakes region and DRC were discussed as a combined conflictual region with different armed groups being highlighted as the main perpetrators (PSC 8/10/13). The lack of attention to the DRC was surprising when studying the materials as it was and is the most well-documented and well-discussed case of CRSV, and perhaps the most well-known example of how widespread the issue can be, even earning Dr. Denis Mukwege a Nobel Peace Prize for his work against sexual violence (Nobel Prize 2021). Understanding why the council has neglected to include or further discuss the DRC in relation to CRSV is key in order to deepen the understanding of the discourse of the council and sexual violence. Is it a conscious choice or exasperation at the continued sexual violence in the region despite numerous attempts at combating it? The lack of discussion of DRC has opened up a more nuanced understanding of the issue as a broader discussion of conflicts has occurred, where AU-troops in Somalia and CAR, Boko Haram in west Africa and occurrences in Mali have been brought to light which might be overshadowed or unknown compared to DRC (PSC 20/1/16; 28/4/16; 7/4/14). The interesting part here is that sexual violence in DRC is discussed as frequently during the last decade as sexual violence in Mali and the Lake Chad Basin Countries and Benin (PSC 7/4/14; 19/7/17). Saying that the councils lack of discussions on DRC is an understatement as the aforementioned countries are not conflicts one might associate with sexual violence. The silence on DRC screams as the absence of further discussions, actions or understanding of the root causes lays the foundation for questioning the council on their commitment to the victims in the war-torn country. Illustrating the widespread use of sexual violence helps in understanding how it comes to plague different types of conflicts, as it is used by armed groups, peacekeepers, government forces and other types of violent groups. Discussing sexual violence through more than a single lens, or sidestepping a single focus such as DRC, might help in understanding and aiding larger parts of the continent, but this does not quell the need to further discuss and attempt to combat the situation in DRC.

### 4.2.3 Conclusion

In conclusion, the PSC discussed sexual violence both disconnected from conflicts and rooted to specific conflicts. With the broader understanding of the issue, the council opened up for a deeper understanding of sexual violence as they avoided a single-conflictual focus, thus only drawing knowledge from those parameters. As such, the combination of broad conflictual discussions alongside cross-cutting themes allowed the council a larger picture of how sexual violence works within conflicts and the commonalities that go beyond conflictual borders. The PSC presented itself close to the ‘feminist ideal’ of the analytical framework, with the exception of discussing future potential conflicts where sexual violence might be used. Discussing themes of sexual violence allows pattern to emerge and connect to other potential conflictual grounds, something that was lacking in the holistic perception of sexual violence within conflict.

## 4.3 Perpetrators

The second question asked was how the perpetrators were discussed within the PSC. Throughout discussions on CRSV, the PSC have two quite distinct ways of discussing the perpetrators. The first is to clearly state the offending group, thus the responsible perpetrators of the ensuing crimes. The second discusses the larger questions of how to deal with the unnamed perpetrators, thus circumventing naming culprits of the crimes. This section will delve deeper into this differentiation of perpetrators and the fundamental reasoning behind it and the consequences of this. The first trend in the perception of perpetrators to CRSV is what I will call non-state actors, these include armed groups and terrorist organisations. The second pinpointed category of named offenders is Peace Support Operations. The third theme that will be discussed is how the PSC discuss handling perpetrators.

### 4.3.1 Non-state actors

Looking at the temporal setting of named perpetrators of CRSV, non-state actors have been used as examples for and highlighted as the main offenders since 2013 with armed groups in DRC being discussed as the main aggressors of destabilising the region (PSC 8/10/13). Following this, there have been several instances throughout the decade of naming specific non-state groups as bearing the brunt of the responsibility of committing the crimes. Groups such as Boko Haram, ex-Seleka and self-defence groups in CAR are most commonly named as perpetrators of CRSV. During the 2019 session dedicated to “Sexual Violence in Armed Conflicts in Africa” the following is expressed:

Council also noted that the majority of the perpetrators of sexual violence are non-state actors (PSC 23/7/19).

Thereby, the council goes so far as to point to non-state actors as making up the main part of perpetrators, with the only exception being South Sudan where both parties were discussed as perpetrators (PSC 26/9/15). The choice of naming non-state groups as mainly responsible for CRSV serves two purposes as it firstly shifts the responsibility for the crimes to groups outside the governmental control (i.e., not the state military), and thus opens up the for the member states to position themselves as acting against the problem within their borders instead of within their troops. The second purpose of naming ‘non-state actors’ as the majority of perpetrators is the wording of ‘actors’ being key – it illustrates the council’s perception of the perpetrators as agents and thus responsible for their actions, rather than part of a culture with group pressure. Using wording such as ‘actor’ implies knowledge, understanding and power over one’s actions and thereby as someone to hold accountable. Using Boko Haram as an example here, the group is described as using repeated attacks against civilians.

Council strongly condemned the continued attacks by the group against innocent civilians and the recruitment of vulnerable youth and other recorded human rights abuses, as well as sexual violence against women and girls (PSC 19/7/17).

The continuous discussions of Boko Haram in relation to CRSV (e.g., PSC 18/4/17; 29/11/16; 29/1/15) paints the perpetrators of sexual violence as the classic ‘bad guys’, as villains that are easy to condemn without political disagreement. The universal understanding and denouncement of terrorists as the epitome of evil follows through in this exemplification as more time is dedicated to the terrorist organisation than other non-state actors, or even governmental military organisations. The shift of accountability is recurrent throughout the union in relation to member states taking accountability for their actions and their responsibility for the continuation of CRSV.

When ‘naming names’ of perpetrators of sexual violence there is evidence of higher conviction ratings when presented with a face and identity of the perpetrators committing the horrendous crimes. ‘Naming and shaming’ as a methodology of holding conflictual parties accountable for their actions is a way of ensuring eventual accountability for their actions. When an organisation such as the AU names perpetrators of specific crimes it shines a light onto their actions, thus making prosecutions more likely. Moreover, it allows the victims redemption for the crimes committed and with the naming of perpetrators, the shame shifts from the victims to the perpetrators as their actions are shown (Engle 2020:120f). As such, when naming specific groups such as Boko Haram, ex-Seleka or M23 in DRC, the council attempts at making the perpetrators recognisable and thus prosecutable (cf. Engle 2020:2, 82f). Framing the perpetrators as part of these groups could help in future prosecution of the crimes as the perpetrators can be identified within the groups, but following Engle’s (2020:120ff) analysis, the individualisation of perpetrators as seen in ICC prosecutions frames the perpetrators as individuals who commit the crimes, thereby simplifying prosecutions. This misses the larger structural element or tendency of ‘softer’ crimes such as sexual

violence. In the fight to combat CRSV, the international community, and the AU, have fallen into the trap of ‘naming names’ in order to convict. The clear judicial understanding of the issue has thus reframed the perpetrators from states or groups to individuals to be held responsible for the actions taken by many. In naming non-state actors as the perpetrators of CRSV, the same idea is used, issuing the sole responsibility for the sexual violence during conflicts onto a single group (or side), thus making the opposing parties free of charge. Thereby, the framing and naming of the groups allow the larger culture of sexual violence to go unnoticed by redirecting the attention to certain parts rather than the larger structural issue within a conflict or military ranks and the militarised patriarchal norms that fester within (cf. Stefatos 2016:21).

### 4.3.2 Peace support operations

During the 2010’s there have been several accusations of AU- or UN-lead peace operations partaking in sexual exploitation and violence against civilians and IDPs, mostly in CAR and Somalia. This larger discussion follows through to the discussions within the PSC. Looking at the discussions surrounding the accusations, the main theme is one of shifting the accountability of the actions taken by the troops from the AU to the contributing countries. As the PSOs, such as the United Nations Multidimensional Integrated Stabilisation Mission in the CAR (MINUSCA) and Africa Union Mission in Somalia (AMISOM), are peace operations lead by the AU or the UN but with different nations contributing with personnel and troops, the composition and thus the responsibility for the troops shifts. In the discussions there are distinctly different discussions surrounding sexual violence committed by MINUSCA and AMISOM, as the council distinctly condemns the actions and implores the UN and contributing countries to take action against the perpetrators, as visualised below:

Council reaffirmed the strong condemnation by the AU of acts of sexual violence by the peacekeepers [...]. Council requested the UN and the Troop Contributing Countries to carry out the necessary investigations to identify and to try, before the appropriate courts, the perpetrators of those unacceptable acts (PSC 20/1/16).

However, in discussions regarding AMISOM, a PSO that lies under the AU’s mandate, the discussions are much softer, without such strong condemnation.

[The Council] stresses that, in cases of actual or alleged violations, appropriate measures shall be taken in line with the AU Zero Tolerance Policy against Sexual Exploitation and Abuse and other forms of misconduct (PSC 28/4/16).

Comparing the discussions, there is a vacuum between the talk and actions of the union. There are several instances where frameworks have been set up to prevent and combat the occurrence of sexual exploitation and abuse (SEA) by AU-troops (PSC 29/11/18; 7/8/19), but once the crimes have been committed the union refers



to policy rather than imploring prosecution, thus undermining their agency in handling CRSV and their capability of acting through the union rather than individual states. The narrative of the AU-troops are mainly them being responsible for the physical integrity of civilians, specifically women and children, thus depending on trust from locals as an integral part of the legitimacy of the troops within local communities and strengthening and rebuilding post-conflict society (PSC 11/2/15; 17/8/15; 20/1/16; 30/5/17). Moreover, the accusations of SEA within the troops and the need for stipulated frameworks and the occurrence of SEA throughout several peace operations, shows the discrepancy of the perception of perpetrators within the AU, as they continuously name non-state actors as the majority of perpetrators (which quantitatively might be true), and are slow to admit the structural issue within peace operations.

Following the discussion above on ‘naming names’ in regard to perpetrators, there’s an interesting discussion on the council’s perception of their troops as they are seen as the protectors, the classical ‘good guys’ with all the characteristics associated with a good military and their service to a vulnerable local population. With this, when the perception shifts the response is to create comprehensive frameworks to prevent and combat SEA, to once again regain the integrity and reputation of the troops as the ‘good guys’ in comparison with the ‘bad guys’ such as non-state actors.

### 4.3.3 Held accountable?

The third strong trend within the PSC in regard to perpetrators is the unnamed and un-spoken parts where the council simply talks about holding ‘them’ accountable and ending impunity (PSC 24-26/3/15). One of the strongest discourses on the perpetrators is the need to end impunity for crimes related to sexual violence. It is discussed in reference to several conflicts and in larger structural terms such as below:

[The] Council condemned all forms of abuses and violence against women and girls reiterated the AU zero-tolerance policy and urged all Member States to take necessary legislative and executive measures to protect women and girls including through ensuring access to justice for the victims and combat impunity by bringing perpetrators of abuses and violence to account for these crimes. (PSC 5/10/20).

The assumption, often associated with (former) UN representative for sexual violence in conflict Margot Wallström (cf. Wallström 2012), that ending impunity for perpetrators will lead to justice for the victims follows through and permeates discussions within the council (PSC 24/10/19; 22/6/15). This individualisation of the issue is interesting as the council discusses perpetrators as individuals in a circumvented way through the assumption of prosecution, and not through root causes or structural and underlying cultures and tendencies within communities and militaristic groups. Furthermore, the inference within the discourse being that the perpetrator should be held accountable as an individual, thus implying that all who

have partaken in the offences should be prosecuted and sentenced, something that sounds justified and right. However, when looking at the realities of post-conflictual society, the thought that all who committed crimes during the war should be sentenced is wrong as it cripples the possibilities for rebuilding society. The question then is if sexual violence is seen as a crime 'worse than death' and thus condemning all who commits it on a larger scale rather than looking at the structural elements of why it is used so frequently within different conflicts. This being said, the council is determined to stay in the forefront of attempting to hold perpetrators accountable for their actions. However, this clash when the council has the opportunity of doing just that with their troops, but it slips through their fingers as they shift the responsibility to the contributing countries own judicial systems rather than setting the example of how to deal with perpetrators of sexual violence (PSC 20/1/16).

#### 4.3.4 Conclusion

Concluding how the PSC discusses perpetrators, there are three overarching themes within the council: non-state actors, PSOs, and lack of naming. When 'naming names' in an attempt at holding perpetrators accountable and enable prosecution, the individualisation of the perception of the crimes becomes apparent. As the council discusses impunity enjoyed by perpetrators, they pinpoint the perception of prosecution of an individual for the crimes, thus bringing the perception of 'perpetrators' as a group to an individual level. This focus, combined with naming specific non-state actors as the particular aggressors, lacks the broader understanding of the issue and thus the cultural or societal structures that a full picture allows. The PSC balances between the ideal types of the analytical framework as the discussions lack the understanding of larger cultures within militaristic groups, but still hold perpetrators accountable through working towards ending impunity. This accompanied by the individualistic perception of the perpetrators presents a confused and unsure perception of the perpetrators.

## 4.4 Victims

The third question asked was how victims are discussed within the PSC. This section will dive deeper into the perceived victims of sexual violence with women, the girl-child, men, boys and children being discussed as specific victims. Following this, a discussion on the perception of said victims will be further developed with focus on 'vulnerability' and agency, stemming from the council's assumptions.

#### 4.4.1 The victims

The council, along with a majority of the international community, has throughout the last decade primarily viewed women as bearing the brunt of CRSV. Along with women, the girl-child has been painted as a specific victim of sexual violence, and thus presenting a clear picture of the gendered assumptions within the issue. Women and girls are perceived as the main body of victims of CRSV (PSC 5/12/18; 15/9/17; 10/10/18; 24/10/19). The council deepened the discussion on the issue in 2018 where they acknowledged that violence against women continue long after hostilities and peace agreements (PSC 11/6/18), thus taking the conflict cycle into private spheres where the war continues on women's bodies.

[The council] Expresses deep concern over the fact that, despite the existence of well-articulated policies, strategies and action plans on women, peace and security, women and girls continue to bear the brunt of conflicts in Africa and to be victims of sexual violence and other forms of abuses (PSC 16/5/18).

Following this, the perception of women being the primary victims, deepens within the PSC as they, as seen above, discussed women bearing the brunt of violence despite countless policies and strategies attempting to hem it (PSC 16/5/18). The use of 'women and children' in discussions of CRSV (or conflict-situations), has come to equate civilian, thus putting women and children in the same category and describing them both as exemptions from the participants of violence, but it also equates women and children as being the same (cf. Engle 2020:132f, 220n54). The discourse of the association continues the assumption of women being bystanders to violence, rather than participants or combatants. Furthermore, the assumption continues the view of women as being 'pure, calm and peaceful' creatures that have violent acts thrust upon them and thereby limiting their agency within the bounds of choices they can make. The second issue with lumping together 'women and children' further speaks to the lack of agency and power of women if they are prescribed a place in society (whether it be conflictual or not) with children, creatures that lack capabilities of facing society and its problems (PSC 27/3/12).

The perception of the categorisation of victims has been continuously broadened as the council has acknowledged men and boys as being victims of CRSV (PSC 14/10/14; 23/7/19).

Council further notes with concern the increased vulnerability of women and girls, as well as men and boys, to sexual violence (PSC 14/10/14).

The interesting part of including men and boys as victims as seen above, is firstly, that it broadens and pushes the boundaries of who society sees as victims of sexual crimes. The acknowledgement that men are victims to such crimes continues to push both the perception of CRSV and the view of victims. The second important element of the acknowledgment is looking beyond the 'simple' fact of the act but further understanding the reasoning behind it as it stipulates the deeply gendered aspect of sexual violence. Following Anholt's (2016:5) reasoning, the use of sexual

violence against men is a way of emasculating the victim and thereby feminising him. The assumption of making a man less manly, shows the way in which sexual violence is weaponised both towards women and men but in distinctly different ways. The use of sexual violence against men is used as a way of stripping away the manly identity and thus prescribing the victim identity characteristics of a woman. Thereby changing the power dynamics making the victim subordinate in a way that other, less personal or intimate ways of violence, might not do. For the council to describe men as being part of the victim pool shows both a progressive mindset in an otherwise highly stigmatised assumption, but it also highlights the assumed gendered aspects of the violence and its intentions.

The last category of victims described is children being specifically pointed to as vulnerable during conflicts (PSC 30/6/16/, 23/2/17; 19/11/20). The PSC has increasingly discussed children as their own category in relation to CRSV during the second part of the decade, dedicating meetings for the topic of children and conflicts (PSC 19/11/20). The council has discussed the role of children within the category of ‘victim’ in a multi-varied way as they both present them as being particularly vulnerable, as in the case of increased CRSV in South Sudan where children were especially targeted (PSC 30/6/16). Four years later the council discussed the specific issues children face in conflict, such as the stagnation of personal, social and cognitive developments of the child (PSC 19/11/20). These discussions, along with highlighting children’s’ rights, stand in stark contrast to the perception of children being perpetrators of violent offences during conflict (some of them sexual in nature), and thus viewing the children not as victims of structural circumstances, but as targets for security operations (PSC 23/2/17). As the council often discuss the troubling trend of recruitment of child soldiers (PSC 20/9/17), having the juxtaposed assumption of them being particularly vulnerable and simultaneously being targets, places the council’s perception of them as skewed and non-determined as if the council can’t pin their perception of the agency of the child’s actions.

#### 4.4.2 Perception of the victims

The second discourse that is of high interest to delve deeper into is the perception of the victims within the PSC, e.g., *how* they were discussed. Having understood *who* the council sees as victims, the subsequent question one asks is their perception of said victims as it reflects the council’s deeper understanding of the victims, their victimisation and the path looking forward.

The first trend in the view of the victims is women being inherently vulnerable as seen below:

Council recommended the imposition of stiff penalties against all perpetrators of gender-based violence and sexual abuses against vulnerable women and girls particularly those in Refugee and IDP camps (PSC 19/3/19).

This plays into the assumptions of gender characteristics of men and women where women are seen as the weaker, peaceful and vulnerable party with men being viewed as strong, powerful brutes (e.g., PSC 24/12/13). Viewing women as vulnerable as their primary feature, strips women of agency in conflicts and in the post-conflictual settings (de Alwis et. al. 2013:177). Furthermore, the narrative of the ‘vulnerable woman’ continues a larger discourse within the international community, that the AU is not oblivious to, as it paints women as in need of saving that in turn builds on a narrative of women as being nurturing, caring and mothers, thus the opposite of partaking in violence (cf. Anholt 2016:5). Prescribing the gender-identity of ‘vulnerable’ becomes self-fulfilling as it becomes integrated into the societal discourse and framing on the sexes, thus limiting the agency of women because of presumed characteristics in and outside of conflicts. This presumption distracts from the larger possibilities of women, where they are participants, perpetrators and victims throughout conflict and thus not simply innocent bystanders and vulnerable civilians (cf. Engle 2020:10,155). The lack of female agency through the continuous use of the ‘vulnerable women’ discourse goes further than the discussion on victims of CRSV but shows the larger understanding of the female sex and their possibilities in society. If women are seen as vulnerable (and thereby weak), it defines who and what women are and thereby their capabilities in the aftermath of the conflict. If women are vulnerable, is it because of their positions in society or the cultural assumptions? If women work in the fields, outside of the community, they are more vulnerable to violence, but that is not because of their sex and its characteristics, rather because of gendered-work and the location of it. Women’s participation in society is often marginalised positioning her in vulnerable positions, thus heightening the chance of falling victim to violence (cf. Cohn 2013:29f). The simplified understanding of women as inherently vulnerable is skewed as it lacks the larger perspective of women’s place in society and the structural and cultural frameworks that uphold the presumptions. Furthermore, when discussing ‘vulnerable’ victims, it is women that are coded as such and not the larger ‘victim’ group such as children, girls, boys or even civilian men. This shows the larger discourse and understanding of women within the PSC as it speaks more to larger structural gendered assumption and perceptions rather than ‘only’ victims of sexual violence.

The PSC has throughout the decade increasingly described victims as ‘survivors’ and discussed regaining of their dignity, their psychological rehabilitation and specific centres dedicated to healing (PSC 22/9/20; 23/7/19).

Council also stressed the need, in situations where conflict-related sexual violence takes place, to provide support for facilitating the psychological rehabilitation of the survivors of such violence (PSC 28/3/11).

Going beyond the categorisation of victims as continuously being seen as ‘victims’ and instead viewing them as survivors, someone who has overcome a traumatic experience and now has a certain agency in how to continue life, shows the councils evolution on the perception of victims. Discussing the psychological rehabilitation of survivors presents a discourse on how to deal with the victims in the post-

conflictual setting, through disarmament, demobilisation, rehabilitation and reintegration-processes (DDRR). The shift to discussing civilian transition and reintegration after conflicts broadens the understanding of who the transitional society values and sets the foundation of integrating the values into society. Moreover, the inclusion of rape victims in the reintegration, chips away at the stigma surrounding the survivors. Thus, discussing DDRR-processes in relation to transitional justice and the post-conflictual setting, the PSC shifts the discourse from focusing on combatants to other parts of society that have been forgotten or left behind in the transitional period. If survivors are part of the reintegration it increases the chance of holding the perpetrators accountable and prosecuting them, thus bringing justice to the victims (cf. Abi-Falah 2020).

An interesting element of how the PSC views victims is a discussion on children conceived by wartime rape.

Council encouraged all Member States to adopt broad, progressive legal frameworks that reflect a broad understanding of sexual violence, including against men and boys, as well as the rights of children conceived through wartime rape (PSC 23/7/19).

The council discusses how to best integrate the children and safeguard their rights, as they often come to face double victimisation through stigmatisation by the community and representing a potentially horrific memory for the mother. Children born from wartime rape face a plethora of challenges from simply being born, with examples from Darfur and Rwanda showing the cultural and societal stigma the children face alongside the possible ostracization from the family (Leatherman 2011:48f). Firstly, opening up the discussion on such children shows a larger shift in the perception of sexual violence as it acknowledges the cultural and societal difficulties of the victims in the aftermath of the violence. The repercussions for the victims go beyond the physical violence as the psychological wounds can continue for the victims. Furthermore, the violent acts can come to affect future generations through stigmatisation of both the victims and any potential child. The discussion on the rights of such children came in a special session dedicated to CRSV, where several progressive discussions took place, showing the dedication of the council to discuss the larger structural issues and consequences of CRSV (PSC 23/9/19). The fact that the council discussed children's *rights* shows the perception of agency of life that permeates the later understanding of what children can come to expect in the aftermath of conflict. Additionally, discussing the rights of children (and not the girl-child) shows the evolution of who is viewed as the victim. Here the gender-inclusive discourse takes the stance of including the victim-pool that is boys.

#### 4.4.3 Conclusion

Concluding the PSC's discussions on victims there are several trends that encompass the larger discussions: the deeply gendered violence, the broadened understanding of the victim-pool and the simultaneous understanding of vulnerable women and giving them agency. The council presents itself edging towards the

‘feminist ideal type’ through the broadened understanding of men, women and children being victims to sexual violence, thus showing an understanding of how the violence has come to be utilised throughout conflicts. The deeply gendered characteristics of the violence is shown through the focus on women as being the primary target, and the stigma that men face who have been victimised as the violence is used as a shift in the power dynamics of the relationship between the fighting and civilians. Where the council balances between the ideal typologies is the discourses on the perception of the victims where ‘vulnerability’ is presented as a main feature of women in conflict, thus limiting the agency of women both in their situation as victims in the conflict, as well as in the aftermath of hostilities. The presumption of weak women prevails simultaneously as heightened agency is given to victims through discussions on restoring their dignity and inclusion in post-conflictual transitions. The dualistic understanding of victims (here presumed as women) mirrors the larger societal perceptions of the sex as the power dynamics between men and women continue to play out throughout the continent.

## 4.5 Solutions

The fourth question asked in regard to discussions within the PSC on sexual violence was how the council discussed solutions to the continued issue of CRSV on the continent. There were three trends in the discourses on solutions to the issue: fighting impunity, training and policy updates for AU personnel, and lastly, addressing the root causes of the issue.

### 4.5.1 Ending impunity and taking legal action

Ending impunity for crimes of sexual violence has long been echoed within the international community. The lack of persecution or legal accountability for the crimes have come to anger researchers, activists and policy makers. As such, it is no surprise that one of the strongest assumptions of solutions to the issue within the council is ending impunity (PSC 8/11/13; 26/9/15; 20/1/16; 24/10/19; 5/10/20). Discourses on fighting impunity has permeated discussions throughout the decade as a way forward in bringing justice to the victims. If impunity is ended, there is a larger chance for survivors to come forward, as they are more likely to be believed and receive justice for the crimes committed (Boesten 2014:101). The discussions on ending impunity and prosecuting perpetrators as the main road to accountability and justice is evident throughout the council’s understanding of the issue and their resolve on bringing a stricter legislative framework to member states. The continuous discussions on the issue, and the determination in addressing the problems of CRSV through investigation and prosecuting the perpetrators, thus fighting impunity is evident (PSC 21/5/11; 19/3/19). Furthermore, through the focus on legal actions the weight of the crimes, as deemed by the council, shows the seriousness of the actions and the failures during past and present post-

conflictual settings to properly address the accountability. The discussions on impunity and legal action further reinforces the understanding that perpetrators of CRSV have enjoyed the freedom from consequences and still do. Moreover, the discussions of impunity and lack of legal prosecutions underscores the perception within the council of the issue of CRSV being larger than a single instance or conflict, there are larger trends on the continent (and beyond) where perpetrators of sexual crimes have enjoyed a lack of accountability on a larger structural scale, showcased by the quote below:

In this regard, Council condemned all forms of abuses and violence against women and girls reiterated the AU zero-tolerance policy and urged all Member States to take necessary legislative and executive measures to protect women and girls including through ensuring access to justice for the victims and combat impunity by bringing perpetrators of abuses and violence to account for these crimes. In the same vein, Council stressed the need for men and boys to also continue to play a role in promoting and safeguarding the enjoyment of human rights by women (PSC 5/10/20).

What the quote above shows is a fundamental understanding that there is a lack of accountability and thus justice for CRSV and as indicative of the AU, they ask the member states to shoulder the responsibility of taking legislative and judicative measures. Furthermore, the last sentence of the quote shows the growing understanding within the PSC of sexual violence having progressed from a 'women's issue' to a problem where men need to take an active role in combating and preventing it as it impacts a whole of the society. Including men in the discourse on CRSV reflects the larger structural shift in the perception of how to handle and prevent the issue, and thereby implying that both sides – victims and solvers – need to embody the whole of the society.

There is an interesting element to the perception of how to solve the issue of CRSV through legal channels as it becomes all-encompassing and easier to digest in terms of policy and consequent actions. Bringing legal actions to the focal point in CRSV, or equating prosecutions with accountability or justice for the victims can be detrimental for the society as it continues the assumption of a black- and white understanding of the conflict. The 'softer' side of the argument was discussed in relation to South Sudan where the council urged the government to create mechanisms for the search for truth and reconciliation (PSC 26/9/15; 31/10/16). Creating forums where clashing narratives can be discussed, such as Truth and Reconciliation Commissions (TRC) like the gacaca in Rwanda, gives an alternative approach to the aftermath of CRSV, which has been heavily influenced by the ideas of law and prosecution being the final answer. Furthermore, a reason why ending impunity has become integrated into the discourse of sexual violence is that, in comparison to other 'softer' measures against it, prosecuting and convicting persons is a quantifiable action. As such, governments (or the AU in this case) can quantifiably present a shift in the perception of CRSV and their work towards combating it (cf. Houge – Lohne 2017:782f). Assuming a quantifiable solution to the issue of sexual violence might seem inviting as the authorities can show how they've handled and 'sorted' the issue, but as with much quantifiable solutions there



are elements that are missed. What the strictness of the judicial system, and the focus on impunity specifically eludes is the need for a larger structural and cultural shift, something that doesn't come automatically when prosecuting individuals for crimes. Assuming that courtrooms are the foundation for accountability or justice misses out on the cultural differences, the local understanding of sexual violence and the need of the victims.

#### 4.5.2 Training PSO's

The second theme that permeates the PSC and their thought process of finding solutions for sexual violence is attempting to combat and prevent it occurring within their own troops. The discussion on violations perpetrated by peace operations such as AMISOM and MINUSCA have brought the issue to the council's attention. Continuing on the discussion on a previous sub-heading, the realisation that continuous education on the issue is needed for the troops.

The plan will include developing training and awareness tools for uniformed personnel in peacekeeping operations and ensuring better reporting rates on sexual exploitation and violence against women and girls (AU-UN-H6 24/9/18).

As seen above, the council, together with UN offices, discuss how to cope with the persistent issue of SEA, in an attempt at combatting and preventing it in future missions. Stipulating that there is an underlying and fundamental issue within the ranks of several of their missions shows that the assumed moral superiority of the troops is flawed. Attempting to prevent it from happening, as well as formulating clearer policies in addition to their zero-tolerance policy, shows the evolution of accountability within the council. As such, accepting that they have lacked accountability in the past, through obstructing and complicating reporting of incidents within their troops further strengthens the discourse of the council handling the fundamental issues with CRSV. Understanding the role PSO's have in the continuation of the violence towards women is of paramount importance as sexual violence does not occur in a vacuum during conflicts, but is rather indicative of larger structural unequal perceptions of the sexes. Although, what the statement (and others like it) shows, is again the assumptions of this type of violence being inflicted upon women and girls, thus marginalising men as potential victims of such abuse.

Understanding the role of the PSO's and the need for a fundamental and thorough training in how to understand the asymmetric power relations between the troops, and (mostly) women in local communities, is essential. Giving training on how to better understand the relationship and the boundaries within, gives the impression that the council (along with the UN) understands the larger structural issues with power dynamics and how a military culture can, and has, allowed inappropriate behaviour that has been strengthened and continued through the unspoken norm of silencing the victims or people who report it. The need for such policies and gendered training for the troops, speaks to a larger systemic behaviour

within military ranks in (post-)conflict situations where women's bodies are perpetually used, thus, continuing the violence into the transitional and rebuilding phase of the society.

#### 4.5.3 Addressing the root causes?

Having seen the two main discourses on finding solutions within the PSC, they mirror the larger discourse within international parties and researchers alike. The assumption of military or judicial means to combat and prevent CRSV. Assuming policy, military action and promoting 'fighting impunity' as an all-encompassing slogan as the solution for CRSV has evidently not worked on the continent. Throughout the last decade, there has been continuous reports on sexual violence, culminating in the latest hostilities in Tigray, Ethiopia, where widespread sexual violence has been reported (UNICEF 2021). The council has thus failed in its attempt at combating and preventing sexual violence. The question one is forced to ask oneself is what works in combatting the use of sexual violence on a larger structural level. Throughout the discussion there is an unspoken assumption of the discourse being more of a bandage on the wound, rather than the policies and discussion fighting the fundamental attitudes and cultures that allow the continuation and spread of sexual violence being used during war. Continuing the discourse on 'fighting impunity' as being the true solution to the issue lacks ground support in several of the conflicts where it might be sourly needed. Looking at conviction rates throughout the continent there is a distinct lack in accountability for the perpetrators, implying that the continuous belief that the slogan of ending impunity is met with silence in the different communities (cf. Wieringen 2020:7ff). Connected to the assumptions of legal and military solutions is that it is inherently a top-down attempt at understanding and combatting the issue that, although there being structural and cross-national trends, there is a strong local understanding that needs to be understood and met.

The focus on legal and military solutions to CRSV have side-lined the focus on equality between the sexes and the effect that brings with it into conflicts (cf. Engle 2020:151f). The council has attempted at discussing larger and overarching solutions to the issue through regional cooperation and lessons-learnt schemes, thus building a continental understanding for the issue through continuous dialogue and learning (PSC 29/1/15; 23/7/19; 8/8/19). Given the right frameworks, the regional cooperation could ignite a societal shift as sexual violence has had a spill-over-effect in parts of the continent such as the DRC and neighbouring countries.

The Council also underlined the importance of addressing the fundamental root causes of conflict-related sexual violence, including structural gender-based inequalities (PSC 23/7/19).

As seen above, the PSC mentions addressing the root causes of CRSV through a call for understanding the structural gender-based inequalities that plague societies and larger cultures, thus giving way for a more fundamental way of tackling the

issue (ibid). When discussing the fundamental root causes in combination with discussions on engaging with religious and traditional leaders shows an attempt at breaking long standing norms that persist in the perception of victims in the aftermath of the violence (PSC 23/7/19). The fundamental issues are thereby touched on with distinct attempts at reaching local and cultural agents that can help in breaking the stigma of the crimes. Sidestepping from a constricted way of understanding how to deal with sexual violence gives way for addressing victim's empowerment in post-conflictual societies as well as understanding the needs of the victim rather than assuming and replicating onto all post-conflictual societies. As such, the understanding of the larger inequalities that influence the conflictual gender dynamics is discussed through the approach of a broader consolidated approach in order to understand the root causes of CRSV.

#### 4.5.4 Conclusion

In conclusion there are two main perception on solutions to CRSV: strengthening legal actions and changing policies within AU troops. The dedication of the council to present solutions of CRSV that are within grasp, such as ending impunity, advocating for prosecution and regularly updating policy for their troops presents as semi-long-term solutions as they are concrete actions that can be taken in order to combat sexual violence. Looking for lasting solutions are not as prevalent within the council but is discussed sporadically through touching on the structural accounts for the violence, alongside larger questions such as gender inequality, the stigma that follows the victims and advocating for a cultural shift. The lasting structural solutions are touched upon, thus edging the discourses towards the 'feminist ideal type' with a combination of practical solutions and structural shifts presented as solutions.

## 4.6 Perceptions of sexual violence within the AU

The following section will provide a deeper analysis of the perception of sexual violence, stemming from the four subheadings above. An analysis of the common themes that stood out as crossing the line between, or connecting, the four questions. The chapter will analyse four themes: Firstly, with an analysis of the year 2010 when no discussions on CRSV took place and the evolution of the issue within the council. The following three themes are: gendered assumptions, accountability and addressing root causes.

### 4.6.1 The evolution on sexual violence within the PSC

One of the most striking evolutions on the discourse of sexual violence during the last decade was the large increase of attention to the issue, although the overall

number of discussions were comparatively low to the overall number of documents. Looking at the numbers on discussions on sexual violence, 2010 went without discussions on the issue, even though conflicts on the continent were plagued by the violence. The following years saw few discussions on CRSV, thus presenting a clear picture on how the council shifted their beliefs on the seriousness of the issue. The continuous heightened attention brought to the issue of sexual violence within the PSC, mirrors the international community's understanding of and concern. The special representative for sexual violence in conflict within the UN was created in 2010, after several ratifications of UN resolutions regarding specifically sexual violence (e.g., UNSCRs 1820). Assuming the documents reflect the discussions during meetings, there is a clear pattern that presents itself in the perception of sexual violence as being worth the time of the council. As many of the conflicts the council discusses throughout the decade have shown tendencies of sexual violence since 2010, the presumption one can make is thereby that the perception of the crimes has shifted within the council rather than there being a heightened count of the violence. The perception of sexual violence within the PSC could thus be said to have been increasingly seen as a structural issue, 'worthy' of the council's attention and policy focus. Having an increase in attention could support the assumption of sexual violence as having a larger impact and focus upon during the last years.

As the decade continued the presumption within the council and their view on sexual violence as an elevated issue progressed through the decade from a year of no discussions to the council dedicating an open session to the theme of "Sexual Violence in Armed Conflicts in Africa" (PSC 23/7/19). Hosting and dedicating an entire meeting to the issue shows the commitment of the council to highlighting the issue and presenting itself as at the forefront of combatting it. As with discussion on "new international norms" where Responsibility to Protect and zero-tolerance were noted in relation to sexual violence, the council presented itself, along with Africa as a whole, as at the pinnacle of representing these new norms (PSC 11/2/15). Shifting the framing of the issue as plaguing conflicts on the continent, to the AU as driving change and substantive actions against CRSV shows both the actions the council are willing to take in order to combat CRSV as well as their attempt at positioning the union in better lighting. Having eight conflicts discussed during the last decade as having sexual violence being part of the conflict, indicates a larger issue, rather than it simply being a cost-effective weapon. If governmental forces, armed groups, non-state actors and terrorist organisations all partake in rape during war, the assumption of the need for fundamental and specific meetings dedicated to rooting out the issue and preventing it, is sorely needed. As the discussions on sexual violence are elevated in the eyes of the council, so too is the perception of the human elements of the crimes where survivor-centred approaches and restoration is valued (PSC 23/7/19). Elevating the presumption of sexual violence from a by-product of war or 'women's issue' to grave enough to require an annual dedicated meeting to the issue. illustrates the way the council frames their commitment and the gravity of the structural issues the continent faces.

## 4.6.2 Gendered power assumptions

Having discussed the impression of victims and perpetrators of CRSV within the PSC the larger structural perception of gendered roles becomes apparent. Continuing the discourse on men as perpetrators of sexual violence and women as victims further entrenches the assumed gender dynamics of the crimes, thus continuing the gender dynamics through the conflict and beyond. As such, the perception of CRSV as being part of a larger systemic issue becomes pervasive within the council with discussions on larger inequalities seeping through in larger discussions. Although the larger discussions on gender-based violence (GBV) and the understanding of sexual violence as being part of a larger structural issue that goes beyond the confines of conflicts, continues the deeply gendered assumptions on victims and perpetrators (cf. Berdal 2012:309). Although women, as previously discussed, make up a significant majority of victims of sexual violence (AU 2017), the discussions such as “men can no longer take a back seat (...), thinking this only an issue for women” (PSC 2/6/14), further entrenches the perception of sexual violence as having been a “women’s issue”, and still is to a certain extent. Assuming men as having no part in the discussions on or solutions of CRSV deepens the presumed understanding of this type of violence as being inflicted on a certain part of the population and thus their responsibility. Furthermore, the continuous framing of the sexual violence as a deeply gendered type of violence maintains the presumptions of who is the victims, the perpetrators and how to understand and thus solve the issue. Although inclusive and broadened understanding of the victim-pool is discussed within the council, the underlying assumption of the victims as being ‘weak’ is deeply ingrained in the discourse. This is further demonstrated by the discussion on perpetrators, where women are completely left out as possible violators. As such, the assumed characteristics of the female sex clashes with the realities of wars and the capabilities within. Although statistically women make up the majority of victims and men making up the majority of perpetrators, the continuation of this narrative reaffirms the gender dynamics within society and thus the capabilities and possibilities after conflicts. The continuation of deeply presumed gendered roles within the context of sexual violence further shows how power is wielded and persistent within the PSC. Having discussions on ‘men taking responsibility’ positions them as being the ones to solve the issue, simultaneously as though they have been above the problem before. Subtle wordings such as that, that could be presumed as a positive step, rather reinforces the power dynamics, both between the sexes, and in regard to how sexual violence is perceived as a crime. Having the discussion that men ‘finally’ will partake in finding solutions to the violence, the sentiment that is conveyed is one of a saviour-narrative, that men or the council now has deemed the crimes as worth their time.

Having discussed the problematic discourse on assumed gender dynamics, an element that the PSC has elevated and shifted the narrative to a progressive stance, is both the gender-neutral description on victims or the inclusion of men and boys as being part of the victim-pool. Thereby, the council shows a growing understanding of the fact that a larger structure of sexual violence is ingrained into society. Furthermore, the acknowledgment of victim’s mental rehabilitation in the

aftermath of the crimes as well as their inclusion in DDDR-programms shows the way the council has come to value the victims. Moreover, the agency given to victims of sexual violence is an agency given to women as they continuously are described as the majority part of the victims, thus elevating and respecting the gendered discrepancies in how conflicts are perceived.

### 4.6.3 Accountability

A strong discourse within the PSC is the discussion on accountability within crimes of sexual violence as the way forward for perpetrators, victims and as a solution. Presenting accountability as the way forward for victims to heal is an interesting way of framing the healing of the victims as it places the victims' future acceptance on the actions of the perpetrators. Furthering the connection between victims and perpetrators, the agency of the victims which is discussed and promoted becomes secondary as the responsibility of accountability is placed on the perpetrators and thus leaves the victims at their mercy. Assuming that growth and healing is dependent on perpetrators taking accountability, strips victims of agency over their situation and further attaches them to actions taken by others. Assuming this, the power balance is continuedly placed in favour of the perpetrator as (s)he holds the power to determine if, how and when healing can commence. This continues the victimisation through court proceedings and societal perspectives as they continuously rely on others to define and acknowledge their agency.

Assuming accountability as being a comprehensive solution to sexual violence would entail the accountability for the ingrained reasoning behind the usage of rape in war being met. Having accountability as a building stone as a solution would need a fundamental shift within society as sexual violence continues long after hostilities end, thus indicating a larger systemic issue. Having perpetrators take accountability for their actions is a step towards mending a society but it lacks grounding in larger structures that uphold presumptions of perpetrators and victims. What the council touched upon but need to further develop is the understanding of a societal shift in the perception of sexual violence where accountability is met on all levels of society and not simply through judicial channels through prosecution. The presumption that accountability comes about through trials is misleading as a sentence doesn't equate fundamental understanding and accepting responsibility. As such, the adamant belief of accountability is presumptuous in a post-conflictual setting and should thus be combined with stronger cultural shifts of the perception of victims, perpetrators and possible societal solutions.

As the PSC holds accountability for crimes of sexual violence as an essential for both current conflictual settings as well as future societies, the interesting discourse that is sourly missed is the accountability within the council for the actions taken by troops they preside over and governmental troops. As there have been several instances where AU-troops commit crimes of sexual violence, the shift in responsibility and thereby accountability is concurrent with the assumption within the union of sovereignty as being fundamental for its existence. The transference of responsibility of perpetrators within AU-troops shows the cracks in

the façade that is the perceptions of violators. As the AU continuously step away from taking action, they perpetuate the understanding of their troops as being above or separate from issues of systemic CRSV. Moreover, the lack of accountability of governmental troops as perpetrators of sexual violence is, as the AU-troops, concurrent with the respect for the member states' sovereignty over their national actions. As such, the council is quick to point to non-state actors as perpetrators but without discussions on national military troops as committing sexual violence, the holistic picture of CRSV is missing. Hence, if the accountability or acknowledgement for the crimes is lacking, so too is the accountability for the victims, thus classifying victims of sexual crimes into categories of acceptance and making victims of the crimes second class-victims without recognition.

#### 4.6.4 Understanding sexual violence in conflict

The PSC and their understanding of sexual violence in conflict has been presented through several thematic lenses to break down the conceptualisation and give a deeper understanding of the council's perception. Attempting to understand the narrative of the discussions on sexual violence, there is an underlying, almost unspoken, element to the issue: conceptually how the problem is presented. The discourse on sexual violence has evolved since the 1990's with the understanding of CRSV being used as a weapon of war prevailing and overshadowing parts of the discourse. When discussing rape as a weapon of war, the discourse in and of itself gives power and legitimacy to the actions as it becomes integrated into warfare (cf. Leatherman 2011:167). Framing CRSV as a 'weapon' permits the users to lay them down, alongside continuing the narrative of sex being seen as an inanimate object, thus distancing the personal elements of the crimes from the perpetrator. Furthermore, understanding CRSV as a weapon allows for a more policy-driven discourse as it presents itself as a more straight-forward option. In presenting the crimes not as consequences of structural inequalities and larger cultural issues, but as a weapon that is laid down in a ceasefire, it is easier for policymakers to discuss and attempt to combat it when seen as an object (cf. Eriksson Baaz – Stern 59ff). In the discourse on sexual violence, the presumption of rape being used as a weapon is easier to conceptualise and take legislative measures against such as investigating and prosecuting perpetrators who wielded the weapon. Furthermore, in presenting sexual violence as "this scourge" evokes the perception of the crimes as being thrust upon the affected area, thus being determinate through space and time, rather than being part of a larger structural issue. The view of sexual violence as confined to simply the conflictual time, masks the violence that takes place after a peace treaty.

What the council's understanding has shown is the scope of their perspective actions to take in an attempt at combatting and preventing sexual violence as a part of war. Taking legal action or going for 'softer' approaches through TRCs shows how the council conceptually understands sexual violence through the way they try and stop it. Looking at the fundamental attempts of the council to handle the issue of sexual violence through legal actions or ending impunity shows the assumptions being that the issue can be handled through legal means, thus vast amounts of

prosecutions would be the deterring factor. Assuming deterrence through legal actions as the main way of hindering sexual violence in future conflict is a skewed way of perceiving the violence as it misses the underlying tendencies that inform and fuel the usage of sexual violence on a larger scale during conflict. Moreover, ending impunity for CRSV is an important step in perpetrators and military structures taking responsibility and accountability for their actions as well as giving victims the opportunity to claim acceptance for the crimes committed against them. Although, the structures of the legal system can only go thus far, the issue with sexual violence during conflicts needs to be fundamentally dealt with within society as it informs a larger systemic issue within the understanding of how gender inequality and perceptions of the role of women and men are presented. Having TRCs as part of the reconciliation-process of the society is important, but many of them have continuously faced difficulty when handling victims of sexual violence as they continue to be ostracised and stigmatised. As such, shifting the fundamental societal understanding of gender domination is important when rebuilding post-conflictual societies as it allows the victims dignity and agency moving forward.



## 5 Conclusion

This chapter will present a summary of the results and concluding remarks on the discourses within the Peace and Security Council on sexual violence in conflict. The section will end with recommendations on further research. This chapter will answer the research question: *How can the Peace and Security Council of the African Unions construction of sexual violence in Africa between 2010 to 2020 be understood?*

To summarise the results of the thesis, the first finding is the 47 documents out of the 1 351 found, that contained discussions on sexual violence. Following this, in regard to the ‘conflictual’ question, the council discussed sexual violence in connection with several conflicts, as well as larger thematic issues disconnected from specific conflicts. Furthermore, regarding ‘perpetrators’ the council had a broad understanding of both non-state actors and AU-troops as being perpetrators, but the council lacked deeper discussions on governmental forces committing the crimes, thus discussing true accountability for the crimes was eroded. On the same note, discussions on accountability permeated the decade and strong discussions on strengthening prosecution was seen as imperative. Within the third analytical question regarding ‘victims’, the council had a broad understanding of victims with both men and women being discussed. Moreover, the council had a dualistic approach to the perception of victims with discourses of ‘weak victims’ lacking agency alongside a ‘survivor/agent’-perspective. This showed how the council continues to battle with the conceptualisation of victims in the aftermath of the violence. Lastly, the main discourse on ‘solutions’ within the council was ending impunity and reevaluate and update training policy for the AU-troops. As such, there were attempts at finding long-term and sustainable solutions. These discourses were found alongside a smaller discourse on rooting out the structural issues of gender inequality and the stigmatisation of the victims, thus illustrating that the PSC understands the need for larger overarching solutions to CRSV.

The perception of sexual violence within the PSC has been varied with dualistic presumptions of victims, perpetrators and the conceptualisation of the issue. Firstly, the council’s perception on sexual violence has emerged as an increasingly important issue that the council highlights as an urgent issue to combat. The increased significance of the issue has led to the council searching for both concrete solutions such as prosecution for perpetrators and increased training for AU-lead troops, as well as looking at the larger structures that uphold the asymmetric power dynamic of war. As such, the council balances on the line of understanding the underlying power dynamics that inform and influence the perception of victims, perpetrators and how to conceptualise the issue of sexual violence, thus going between a deeper understanding of the issue, and falling over to simpler presumptions of who and what the issue is. Discourses on ‘vulnerable women’ and

bypassing governmental forces as perpetrators in favour of non-state groups shows the continued challenge the council faces in their understanding of sexual violence, through the lens of a feminist power theory. Assuming the simplistic notion of the sexes, thus bypassing a complex and holistic view, undervalues the deeply gendered and social fundamental problems that the issue faces, thereby limiting the council's perception and possibility of solutions. Where the council presents a more nuanced understanding of CRSV, the inclusive view of victims and the agency presented to them, shows the evolution on the understanding of the needs of victims in the aftermath of conflict. When the PSC discusses the challenges facing the victims and systemic evasions of justice for perpetrators, the council presents an intrinsic view of the complexity of how to deal with both victims and perpetrators and how they have been perceived throughout the decade and beyond.

This being said, where the perception of sexual violence was lacking within the council was primarily within the category of 'perpetrators' where governmental forces were overlooked as possible perpetrators, thus limiting the accountability and justice for the victims, as well as presenting an incomplete understanding of how sexual violence is used during conflict. Moreover, there is a stronger possibility to demand justice when states act as perpetrators compared to non-state actors, as governmental legitimacy comes from its citizens. Disregarding governmental forces entails a lack of accountability that states have over their forces as they have a responsibility towards its citizens. The one-sided presumption shows the lack of desire within the council to accuse nation states of CRSV crimes, thus showing the gravity of the perception of an accusation. As such, the conclusion one might draw is the unmistakable weight that sexual violence has come to have within the PSC, and thus in the AU, showing how the continent has come to embrace and value issues once deemed as 'women's issues' or an inevitable part of war. The ever-increasing importance of the issue shows the shift in the power dynamics within parts of conflict, thus implying an increase of attention and prosecution within the coming decade as the importance of sexual violence has come to light.

The few instances where the council departs from its given discourse on sexual violence, such as naming both sides of the conflict in South Sudan as being perpetrators is the exceptions that makes the rule. As an outlier in an otherwise coherent perception of sexual violence, it shows the way that the council would conceptualise the violence, rather than discussing the larger aspects of it, thus showing how the council continues to toe the line of the idea of sovereignty of the member states as being the foundation on which the union is built. The two-toned answers the council continues to give, shows the balancing act between an inclusive and arguably feminist view on how to conceptualise sexual violence. It also shows a perception that both is deeply influenced by traditional and narrow values and norms, as well as continued hesitation towards victims and fundamental change as they continue to transcend and permeate large parts of society. The continued duality in the perception shows how the council, as well as the African Union in general, persists in striving for a broader understanding of sexual violence, but continues to be deeply influenced by traditional perceptions on gender and war,

thereby showing the continued power struggle for the hegemonic presumption of how to perceive the issue of sexual violence in conflict.

Further research into the perception of sexual violence within the African Union would advantageously research deeper into other parts of the organisation such as the Women, Gender and Development department, the African Union Commission and the African Union as a whole. Such as the union is set up, it would be of high interest to further research into their perception of sexual violence and if it differs between departments. Furthermore, it would likewise be of interest to compare the perception within the union with actions taken in order to combat and prevent sexual violence, thereby connecting the policy discourses within the union to concrete actions taken throughout the continent. Along the same line, researching correlations between heightened accounts of sexual violence and the discourses within the union and if actions have matched the peaks of attention.

Sexual violence in conflict has long been an issue. However, with further research into the problem, alongside international bodies such as the AU prioritising and recognising the continued severity of the crimes, there are high hopes for sexual violence to continue to be high on the agenda, with the hope of eradicating the systematic use of sexual crimes during war.

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