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## To Destroy a People: Sexual Violence as Genocide during Conflict

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To Destroy a People:  
Sexual Violence as Genocide during Conflict

An Honors Thesis  
Presented to  
the Program of International Studies  
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In Partial Fulfillment  
of the Requirements for the Degree of  
Bachelor of Arts, with Honors  
in International Studies

by Rachel Sitkin

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## Abstract

Sexuality is one of the most central elements of human existence. Throughout history, attacks on women have been common during armed conflict. Frequently military forces have viewed sexual violence as a spoil of war, a punishment to defeated populations, or as the deviance of rogue soldiers. However, there are conflicts in which sexual violence is used as a weapon. In these conflicts, sexual violence evolves from a facet of conflict to genocide. When a military force's command utilizes systematic and widespread sexual violence as a weapon of war, in both intent and effect, it fulfills every condition of the Geneva Convention standards of genocide.

Three cases are analyzed within this thesis: Chile under the Pinochet dictatorship, Rwanda during its genocide, and Bosnia during the break-up of the former Yugoslavia. Motivations for each of the conflicts varied. However, the constant in all three conflicts was the intended elimination of a specific group and the implementation of a policy of sexual violence in order to do so.

In order for crimes to be considered genocide they must fulfill one of the following conditions, as stated in Article 2 of the Geneva Conventions,

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- A. Killing members of the group;
- B. Causing serious bodily or mental harm to members of the group;
- C. Deliberately inflicting on the group the conditions of life calculated to bring about its physical destruction in whole or in part;
- D. Imposing measures intended to prevent births within the group;
- E. Forcibly transferring children of the group to another group.

Egregious acts of sexual violence and torture were utilized by all three respective commands in order to murder, incur grievous mental and physical harms, destroy the group's ability to procreate in the future and impose measures upon the group intended to bring about its end.

This work demonstrates that irrespective of the cause of a conflict, when systematic and widespread sexual violence is used as a weapon of war, it is genocide.

Keywords: genocide, sexual violence, Geneva Conventions, sexual torture, wartime sexual violence

## Introduction

Conflict is a part of the human experience. At its roots, conflict is a quest for power. Throughout history, the nature of this quest has changed dramatically. War has evolved and so has the violence it brings. Conflict has traditionally targeted all members of a society, combatants and non-combatants. However starting at least in the 8th and 9th centuries BCE in India, efforts were made to argue against the intentional harm of civilians. In short, the targeting of non-combatants was viewed as immoral. This changed significantly during World War II when non-combatants were extensively targeted as a means to end the war. Furthermore, WW II saw the modernization of mass killings of civilians in the Holocaust. After World Wars I and II, a number of treaties were signed to stop the targeting of non-combatants. Yet recently, there has been a return to the targeting of civilians, including the systematic use of sexual violence as a weapon of war. This thesis argues that the systematic use of sexual violence meets the standard definition of genocide as defined in the international system, and must therefore be treated as such.

Sexual violence is especially morally abhorrent. Yet it has been a common occurrence in conflicts. Sexual violence has previously been explained as a spoil of war, or the sporadic deviance of rogue individuals. To a certain extent this has been accepted by legal authorities. Rape and theft have long followed military campaigns - in many cases the prospects of rape and pillage have been used by political and military leaders to motivate soldiers and as a reward for successful military operations. Without question war brings out the worst sides of people. However, there is a stark difference between incidences of sexual violence committed by rogue soldiers, or as a temporary reward for success in battle, and the implementation of a systematic, widespread policy of sexual violence. In the latter case, the intent is not to reward the soldier but to fulfill the objective of the ultimate defeat and destruction of enemies. This is a different type of

act that should be understood as fundamentally distinct from the more common forms of sexual violence that are associated with war.

The importance of differentiating between renegade acts and command-mandated sexual violence cannot be understated. Any form of sexual violence during conflict (rogue soldiers or policies rewarding success in battle) is never acceptable. However, widespread and organized sexual violence with the specific intent to destroy a civilian population through the most scared element of their existence, their sexuality, is genocide. Human sexuality is the root not only of human being's survival, but their intimate connections to one another. Sexual violence prevents not only the stable procreation of a group, but the ability of the group to bond with one another. Healthy and protected sexuality is a mandatory foundation on which families are built. Families create societies and societies create nations. The nature of sexual violence destroys not only the victim themselves, but the community to which they belong. The dissolution of an individual's sexuality, reproductive rights, and sexual health is a direct attack on their group. The destruction of the individual as a member of a group and the group itself is genocide. Systematic, widespread sexual violence used as a tool of war is genocide. In both intent and effect, sexual violence is the same as any method used to destroy a population, and must be recognized as such.

The world has become increasingly interconnected. The continued stability of social, political, and economic systems relies on the ability of these systems to reach across borders. Harm caused to one nation has a notable effect on other nations. World War II provides a strong example of nations' interconnectedness. The genocide committed by the Nazis destroyed the social, political, and economic stability of continental Europe. The international community realized the depths of this interconnectedness after witnessing the devastation of World War II. As a result, the international community began to increase its willingness to be involved in domestic affairs of its members. One important step was the substantial measures undertaken

by the international community to prevent future genocides. After World War II, the United Nations replaced the ineffective League of Nations and heralded a new age of intergovernmental cooperation. The 1948 Geneva Conventions focused on outlawing genocide. Genocide was recognized as damaging to all nations.

The proper labeling of crimes is important. When a crime is labeled improperly, it risks being ignored or punished improperly. Properly labeling genocide encourages international intervention. During the Nuremberg Trials, there was no proper label for the Nazis' genocide. As a direct result, Nazi criminals were not tried for genocide, though there is no question that their acts were genocidal. It was apparent that a new term was needed to describe the depravity of the Nazis' crime. Polish-Jewish lawyer Raphael Lemkin is credited with giving the Nazi's crimes a name. Lemkin was initially inspired by the Armenian genocide of the early 20th century and later the Holocaust. The term genocide is derived from two Latin terms, "genos", meaning race or tribe, and "cide," meaning killing, aptly characterizing the atrocities committed. Due in equal parts to his legal background and keen intellect, Lemkin was highly cognizant of the innate power of words. Lemkin believed if a proper label was applied, the international community would have no choice but to intervene when groups were targeted for elimination (Power 49).

The 1948 Geneva Convention on the Prevention and Punishment of the Crime of Genocide was the first time that genocide was recognized on the world stage. When genocide is labeled properly, the international community can respond properly. To this day, the definition of genocide declared at the Geneva Convention is the world standard. Governments found in violation of these statutes are liable to criminal prosecution by the United Nations Security Council. The international community continues to amend the definitions of genocide, but organized sexual violence has not yet been fully accepted as constituting genocide.

Sexual violence has only recently become a focus of the international community. It's inclusion in the definition of genocide is mandatory. If systematic, widespread sexual violence

used as a weapon of war is not included in the definition of genocide, the definition is incomplete.

Article 2 of the 1948 Geneva Convention defines genocide as

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- A. Killing members of the group;
- B. Causing serious bodily or mental harm to members of the group;
- C. Deliberately inflicting on the group the conditions of life calculated to bring about its physical destruction in whole or in part;
- D. Imposing measures intended to prevent births within the group;
- E. Forcibly transferring children of the group to another group.

For acts to be considered genocide, they must fulfill at least one of these points.

The systematic use of sexual violence as a tool of warfare fulfills not one, but all five conditions of genocide. The first condition states that the killing of a member of a group qualifies as genocide. Victims of sexual violence frequently die during assaults. The intention of most sexual violence during conflict is to end the victim's life. If a victim does not die from the assault, they are permanently harmed both mentally and physically. When practiced in an intentional fashion, then, sexual violence is genocide.

The second condition is "causing serious bodily or mental harm to members of the group." Sexual violence destroys both the physical and moral lives of victims. Sexual violence disintegrates a woman's sense of self. A woman's sexual assault is the worst moment of her life. Immediately following the assault, women are in a state of shock and frequently experience deep emotional trauma and numbness. Underneath this numbness, women feel dirty, ashamed, and subhuman. Memories of the assault are constantly replayed in women's minds and put women in a state of continual torture. Women never escape these memories. Women's feelings of horror and shame seldom diminish in potency, leaving women in an almost constant state of trauma. Victims of sexual violence are unable to function as they did before the assault. Women are unable to be contributing members within their families and communities. Women frequently

experience social ostracization after their assaults, compounding the trauma they have endured. Some are even abandoned and rejected by their communities. After women survive sexual violence they need the support of their communities more than ever before. When women are shunned, rejected and/or abandoned by the only support system they have, the trauma of sexual violence is even greater.

Husbands experience guilt and shame from failing to protect their spouses from sexual violence. Many women become pregnant from their rapes, and they may choose to abort the fetus or abandon the child. Women's instincts are to nurture their young. Women who are forced to choose between either raising their rapists' child or discarding their young are additionally traumatized by having to make the choice at all. Thus, the capacity of the group to continue as such is diminished as a result of organized sexual violence, making it genocide.

The third condition is the deliberate infliction on the group of "the conditions of life calculated to bring about its physical destruction in whole or in part." Women who have endured sexual violence frequently have vaginal and anal trauma that prevents both their availability to perform daily activities and their ability and desire to have sex. Women who have endured brutal sexual violence frequently find menial day-to-day tasks difficult. The physical trauma women have experienced frequently leads to debilitating and chronic pain. Sex is the most intimate act a man and a woman can participate in. When a woman is raped, she correlates sex with trauma. This correlation is particularly traumatic for young girls who have no sexual experience prior to their assault. The destruction of a young girl's sexuality damages her ability to have sexual experiences in the future, potentially preventing her from bearing children. For women who had sexual experiences prior to their assaults, sex is permanently altered. Sex is no longer a pleasurable, connecting experience with her partner. Sex is an act that re-traumatizes her and directly inhibits her ability to have children. The bond between a husband and wife is harmed both morally and physically. The husband and wife's relationship is the foundation of the family.

The destruction of the husband and wife's relationship leads to the destruction of the family. The destruction of the family leads to the destruction of the community, which is genocide. When husbands and wives do not engage in intercourse because of sexual violence, sexual violence is responsible for preventing the continuation of the genetic line. This brings about the physical destruction of the group. Clearly, this is genocide.

The fourth and fifth conditions are concerned with procreation and children of a group. The fourth condition is the imposition of "measures intended to prevent births within the group" and the fifth condition is the forcible transfer of children of the group to another group. Women's bodies are damaged by their assaults. Frequently, women are unable both physically and emotionally to have sex and bear children. Sexual violence permanently damages women's bodies and frequently disables their ability to bear children. Their reproductive systems are subjected to brutal violence. Foreign implements such as machetes, arrows, knives and broken bottles are used to vaginally and anally rape women. Open flame and heated metals are used to burn women's breasts and genitals. Brutal vaginal and anal rapes rip delicate tissues. More often than not, women are unable to gain access to medical care after the assaults. Their uteruses, vaginas and anuses heal improperly, prohibiting their ability to procreate. This fulfills the genocidal intent of perpetrators. When women are physically or emotionally unable to bear children as a result of sexual violence, it ends the genetic lineage of that woman, eliminating her contribution to the group.

Sexual violence frequently results in children of rape. When a woman is pregnant with her rapists' child, she is unable to become pregnant with the partner of her choice's child. Additionally, children of rape present a new and unwanted genetic element into the community. This new genetic element is a representation of sexual violence and the woman's trauma. Children of rape are often not accepted into their families or communities as other children are.

Frequently, perpetrators of sexual violence have the express intent to prevent women from birthing more children. The elimination of the group by sexual violence is achieved in two ways. One, the physical and emotional damages to women's sexuality and reproductive systems are so great they are unable to procreate. And two, the death of women as a result of sexual violence. As a result of conflict, many children are orphaned. These children are transferred out of their groups and forced into other groups in order to survive. Other children are kidnapped from their families and placed in the homes of perpetrator. Based on the Geneva Convention's definition of genocide, systematic sexual violence used a tool of war unequivocally qualifies as genocide.

In every case within this work, victims and their groups experienced at least one of these effects. Victims frequently die from their sexual assaults, experience serious bodily and mental harm as a result of sexual violence, are unable to bear children and/or bear a child of rape that ostracizes both the mother and child from society, and subject to measures intended to prevent birth within the group. The damages caused by sexual violence are irreparable, ending in either the permanent weakening or destruction of the group. The intended use of widespread sexual violence creates the same effect - genocide.

The complete and immediate annihilation of a group is not necessary for acts to be considered genocide. Not every victim of sexual violence is killed, but the intent of organized sexual violence is to damage and destroy both the individual and the group. Further, genocide is not just when the acts are committed. Article 3 of the Geneva Convention stipulates genocidal crimes punishable under the Convention as

- A. Genocide;
- B. Conspiracy to commit genocide;
- C. Direct and public incitement to commit genocide;
- D. Attempt to commit genocide;
- E. Complicity in genocide (Convention for the Prevention and Punishments of the Crime of Genocide, 1948).

Sexual violence is the same as other methods of genocide in both intent and effect. The planning of sexual violence is a conspiracy to commit genocide. Perpetrating forces incite the public to participate in sexual violence. Civilians perpetrate sexual violence against other civilians with the encouragement of perpetrating forces. Every member of perpetrating forces that commit sexual violence is complicit in genocide. Individuals do not have to commit genocidal sexual violence to be guilty. Individual's involvement, willful ignorance, encouragement and inaction towards genocidal sexual violence makes them as guilty as perpetrators. Passive or active involvement in widespread, systematic use of sexual violence as a tool of conflict is genocide.

This work focuses on female victims of sexual violence, but it is important to note that sexual violence isn't reserved solely for women. Male victims of sexual violence are excluded from this work for a variety of reasons. First, taboos around male sexual violence and homosexuality deter many male victims from reporting their assaults. This underreporting doesn't allow for the accurate study of male sexual assault victims. Second, the inclusion of all genders experience of sexual violence is out of the scope of this work and the resources of the author. The comprehensive study of victims of sexual violence would require extensive time, travel and field research. Finally, women are traditionally the most frequent targets of sexual violence. During conflict, male community members are generally fighting or deceased, leaving women vulnerable to attack. Women bear the brunt of the trauma of sexual violence.

The three conflicts referenced in this work vary in motivation, but all present decisive evidence that the systematic use of sexual violence within them was genocide. The Chilean conflict was fueled by political upheaval. General Augusto Pinochet's authoritarian military dictatorship targeted politically left individuals and attempted to wholly eliminate them. Systematic and widespread sexual violence was used frequently to achieve Pinochet's end goal, the decimation of leftist political groups in Chile. In Rwanda, the Tutsis, a higher

socioeconomic class, were targeted by the Hutus, a lower socioeconomic class. The conflict in Rwanda had an ethnic basis, but was primarily motivated by class warfare. The sole purpose of sexual violence in Rwanda was to destroy the Tutsis. In the former Yugoslavia, conflict was based on religion. What started out as an effort to “ethnically cleanse” parts of the former Yugoslavia quickly turned into a program by the Serbs to eliminate all Muslims living in Bosnia. Sexual violence was an especially prominent feature in Serbian attempts to eliminate Bosnian Muslims. This work will show that any form of systematic, widespread sexual violence utilized as a weapon of war is genocide, regardless of the motivation for the conflict.

#### Case Study: Chile

The early 1970s in Latin America were characterized by massive social and political conflicts. To the great discomfort of ruling elites in both Latin America and the United States, waves of socialist movements spread throughout the continent. Threatened by the potential of leftist leaders and policies to challenge American dominance of the region’s economies, the United States and its Latin American allies sought to eliminate these perceived threats.

President Salvador Allende was the first democratically elected socialist leader in Chile. He led the Popular Unity Coalition (PUC), which included both Marxist and more traditional center-left parties. The PUC advocated principles deemed threatening to the United States, including the nationalization of foreign firms and closer association with Cuba and the Soviet Union. Thus the PUC became an instant target for the US and its allies in Chile. On September 11, 1973, a coup d’état successfully overthrew President Allende and installed a military junta. A short time afterwards, General Augusto Pinochet was declared commander-in-chief of the military junta.

A nihilist, Pinochet’s drive was unending sociopolitical power and control over Chile by whatever means necessary. The beginning of Chile’s 17-year Pinochet nightmare was the bloodiest. Tens of thousands of civilians were targeted solely based on their political leanings,

perceived or actual. Pinochet's regime utilized a wide array of violence to gain complete social control, such as executions, public beatings, and rampant sexual violence. The targeting of Chilean civilians was broad. One didn't have to necessarily be leftist to be a victim. Knowing someone with leftist political beliefs, being deemed unsupportive or not supportive enough of Pinochet's cause was sufficient evidence to be damned as a state subversive. Under the control of Pinochet, the Chilean government sanctioned sexual violence. Systematic and widespread sexual violence was an effective and popular method used to eliminate leftism in Chile.

### Sexual Violence

Sexual torture and assaults were conducted at over 1,000 detention sites throughout Chile. Some of these sites were formal prisons, others were reconstituted commercial or residential spaces and others were military installations (such as naval ships). The entire Chilean government actively perpetrated violence against Chilean civilians. This included each military branch (Army, Navy and Air Force), intelligence agency (DINA, Dirección de Inteligencia Nacional or the National Intelligence Directorate and its successor, CNI, Central Nacional de Informaciones or the National Information Center), police force (officers and detectives were known as Carabineros and Investigaciones, respectively), and prison staff. With the encouragement of the Chilean government, civilians were also active participants in the violence (National Commission on Truth and Reconciliation 156).

After the end of the Pinochet dictatorship, the Chilean government ordered two investigative commissions to fully account for the atrocities the state had committed and make reparations to Chilean society. The first report was called the National Commission for Truth and Reconciliation Report (or Rettig Report) and was led by Paul Rettig. The report painstakingly documented the deaths of tens of thousands of Chileans. It included the causes of death and detention methods of the deceased. However, it did not include testimonies of the surviving victims of the Pinochet regime. The second report, the National Commission on Political

Imprisonment and Torture Report (or Valech Report), was headed by Bishop Sergio Valech. This report made up for the Rettig report, documenting almost 36,000 instances of torture committed by the Chilean government where victims survived. The Valech report had two phases and the final copy of the report was produced in 2011. The full publication of the victim's testimonies was sealed for 50 years. Both reports contain victim statements of methodical and organized sexual violence perpetrated and sanctioned by the Chilean state in efforts to eliminate the political left.

Chilean forces were creative in the torture methods used on women. Victims were almost always stripped naked. Forced nudity was used to intimidate and demean women. By exposing women's bodies, the violence against them was sexualized. Victims were burned, using cigarettes, hot irons, and open flames. Their bodies were mutilated by cuttings. Women were placed in front of simulated firing squads. Women were subjected to the 'submarine,' where they were submersed in tanks filled with filthy water, chemicals, urine and human excrement until near drowning. The 'dry submarine' was another popular torture method. Women were placed in the same tanks as the 'submarine' but their heads were covered with plastic hoods in order to simulate suffocation. Women were beaten brutally. Torturers deliberately ruptured women's eardrums, aiming to permanently deafen them. Women were forced to ingest pharmaceutical drugs and undergo hypnosis. They were starved and/or given insufficient food and water and deprived of sleep. Women were hung by their wrists and knees for long periods of time in order to permanently damage their joints. Irreparably damaging women's bodies made them incapable of fulfilling their social and economic roles as they had previously, which served to damage and destroy the group (National Commission on Truth and Reconciliation 159). Pinochet's government used torture to not only harm, but to terrorize leftists. Its express aim was the physical and mental destruction of the group. The actions and intent of the torture and sexual violence perpetrated by the Chilean government fulfills

conditions of genocide by resulting in the deaths of leftist women and intentionally damaging leftist women physically and mentally.

Electroshock, nicknamed 'roasting', was used by perpetrators as a form of torture and as an enhancement to prior torture sessions. Electroshock currents were applied to open wounds from previous torture sessions. During some instances of electroshock, water was poured over women's bodies to amplify the electric current. Electric current was commonly applied to women's vaginas, nipples, or lips. 'La Parilla' (the grill) was a favored electroshock technique. Victims were strapped naked upon a metal frame, generally a bed frame, and electrical currents surged through their body. In a vicious evolution, metal bunk beds were employed to torture family members simultaneously. One individual was strapped to the top bed, another to the bottom and electrical currents were applied. Traumatizing family members together damaged and destroyed the relationships family members had previous to their detainment, reinforcing the Chilean state's intent to eliminate leftist groups.

Many victim's accounts contain almost identical details of sexual violence. These similarities show the organized and intentional manner in which Pinochet's regime used sexual violence as a tool of conflict. Chilean government forces aimed to eliminate the political left by decimating the moral, intellectual and physical integrities of the group through sexual violence, making it genocide.

Humiliation was a prominent aspect of sexualized violence towards women. Women were raped in rooms full of male perpetrators. Women were tortured in front of their families or other groups of men, almost always naked. Women were tied to chairs and beaten. Frequently, when women were arrested they were beaten in public. Public beatings contributed to the ostracization that victims experienced if they were released. When neighbors or acquaintances witnessed the beatings, they avoided later interactions with the women to avoid being labeled as leftist themselves and being subjected to the same violence. The ostracization of leftist

individuals damaged the group as a whole. The political left was an active part of Chilean society. When its members were shunned, its ability to engage with Chilean society was prohibited. Humiliation served the government's goal of damaging the leftist groups by destroying the morale of its members. Highly public demonstrations of violence displayed the total power the military had over the Chilean population. When the government publicly exerted total control over civilians, it displayed its ability and intent to eliminate any group deemed subversive.

Forced bestiality was a horrific form of sexual violence common in Pinochet's Chile. Women reported live rats and spiders, among other animals, being forcibly inserted into their vaginas and anuses. Chilean authorities trained dogs to rape women, and women were forced to engage in sexual acts with animals.

Seconds later, a group of men surrounded them [a group of Chilean women] and took them to La Venda Sexy...The women in these places were raped a thousand and one times, even by German Shepard dogs (qtd. in Moenne and Webb 153).

Forced bestiality violates every sexual norm instilled within humans. It is an especially degrading and perverse sexual assault. Pinochet's forces used bestiality to humiliate and destroy women as individuals and as parts of the group. The training and use of animals to sexually assault women was a direct manifestation of Chilean state's intent to destroy the group, both mentally and physically. Women who are raped by dogs will associate any future sexual activity with the most disturbing experience of their life. When a woman's sexuality is damaged it inhibits her emotionally and/or physically inhibits her ability to procreate. Forced bestiality not only causes serious emotional and physical harm to a woman, it imposes measures upon her that are intended to prevent her from bearing children, which is a condition of genocide.

Fathers, sons and husbands witnessed the rapes and sexual tortures of their female family members, unable to do anything to stop the violence. Most appalling was repeated

reports of forced incest where male family members were forced to rape female and/or sexually assault ones. One woman recounted,

I was raped and sexually assaulted with trained dogs and with live rats. They forced me to have sex with my father and brother who were also detained. I also had to listen to my father and brother being tortured (Foote 3).

Forced incest was used to destroy both the individual and the family unit as a whole. Individuals create families, and families create communities. When family members are forced to rape one another their relationships are permanently damaged. Forced incest fulfilled the Chilean government's goal of destroying the political left, making it genocidal.

In almost every victim statement, women were raped by Chilean government forces. Sexual violence against women was not limited within prison walls, though it predominately occurred there. When sexual violence is systematically used as a tool of war, it is intended to damage and destroy the targeted group.

Leftist women were given to men as presents and prizes at parties and within detention centers. Both in and out of detention centers, women were subjected to individual and gang rapes. They were raped alone and/or in groups of other women. Both vaginal and anal rapes occurred, using foreign objects and body parts. Women's testimonies in the Rettig Report stated that hot iron implements were inserted into their vaginas and anuses (160). A victim recounts, "some officers started by sticking their fingers in my vagina, hoping to excite me" (Rojas 207). Women were forced to perform fellatio, among other sexual acts, upon guards as well as other detainees. Furthering the horror of women's sexual assaults, perpetrators expressed taking pleasure in the crimes while they were ongoing (Rojas 208). Survivors of sexual assaults are deeply traumatized. When perpetrators express their enjoyment during the assault, it deepens the trauma, further damaging victims.

Chilean women were unable to receive proper emotional and physical care after their assaults. Without proper care, emotional and physical wounds were left to heal by themselves.

This generally meant the wounds healed improperly, furthering the damage and destruction incurred by the group. Many women died or were 'disappeared' after their detentions (National Commission on Truth and Reconciliation 164). Women were seriously harmed, both physically and mentally, from the assaults. Chilean forces deliberately used sexual violence to bring an end to the left group by traumatizing women so badly that they were incapable of bearing children or functioning as productive members of society in the future. All of these effects fulfill the Geneva Convention conditions of genocide.

Women were forced to be naked in groups of large men. These men groped, jeered and verbally abused the women, ridiculing their ethnic and socioeconomic status and furthering women's demoralization. Women were forced to remain nude and in compromised positions for long durations. Sexually violent phrases were used to further the damages of assaults. One woman reported perpetrators telling her "Move, you Marxist whore, if you don't respond you're going to have to suck cock, even for General Pinochet, you shitty whore". (Rojas 207) Women were forced to repeat phrases such as "I am a cunt, I am a cunt, I am a cunt" until their captors were satisfied the women were sufficiently demoralized (Rojas 207). Victims of sexual violence experience horrific flashbacks of their assaults. The addition of sexually violent verbal abuse to these flashbacks deepens the trauma of victims and furthered the Pinochet regime's goal of damaging and destroying the group.

Pregnant women were not exempt from sexual violence. Women who were pregnant prior to their imprisonment were raped and tortured to the same degree as others. Many pregnant women miscarried after repeated torture sessions. One general was quoted as saying that by killing leftist women they could raise no children to be leftists. Sexual violence and torture was intentionally used by Chilean forces to abort children of leftist women and prevent future generations from being born. As a result of rapes, some women became pregnant with their rapist's child. By forcibly impregnating them, women were unable to procreate with

members of their group (Carrera 4). Women were forced to carry a child which represented the worst moments of their lives. Not only does forcible impregnation prevent births within the group, it causes extensive mental harm. As stated in Article 2 of the Geneva Convention, “imposing measures intended to prevent births within the group” is a condition of genocide, making forcible impregnation, resulting from systematic sexual violence, genocidal.

Women who delivered children while imprisoned were rarely allowed to raise them. Frequently, the infant was removed from the mother’s care immediately after birth. The mothers were told their children were receiving medical care, but the infants were never returned. In collusion with the Catholic Church, the Chilean government placed the children in family homes deemed more suitable. Generally, these homes were middle or upper class conservative homes, all of which supported Pinochet. In many instances, the rapists adopted the children of the women they tortured (Henneberger 3). Article 2 of the Geneva Convention defines a condition of genocide as “forcibly transferring children of the group to another group.” The Pinochet regime intentionally prevented future generations of leftists from developing by forcing adoptions, which is genocide.

Under the Pinochet dictatorship, sexual violence and torture was organized, widespread and state sanctioned (Human Rights Watch 1). The intention of the violence was to damage and destroy a singular group, leftists. Sexual violence in Chile wasn’t motivated by ethnic or religious reasons, but it’s aims were synonymous with other genocides: the elimination of a group. Members of the leftist political group were killed and sexual violence imposed serious bodily and mental harm upon them and their families. Pain and suffering were deliberately inflicted to bring about the physical destruction of the group and children were forcibly transferred outside of the group. The sexual violence perpetrated by the Chilean government during Pinochet’s dictatorship fulfills every condition of Article 2 of the Geneva Convention. The Chilean government’s guilt is furthered by 17 years of conspiracy to continue the elimination of the

political left. As stated in Article 3 of the Geneva Convention, victims of genocide don't have to die to be considered victims.

### Case Study: Rwanda

The Rwandan genocide was a conflict fueled by tensions between two ethnic groups, the Hutus and the Tutsis. In one hundred days, almost one million Rwandan citizens were murdered. Sexual violence was a significant part of the conflict. The sexual violence seen in Rwanda was organized and encouraged by the state. Thousands of women were raped and sexually tortured by Hutu extremists in efforts to eliminate the Tutsi population.

Hutus make up approximately 85% of Rwanda's population. Tutsis account for approximately 14% of the population. Despite their minority status, the Tutsis have historically maintained social, economic, and political dominance over the Hutus. Generations of class based inequalities forged deep resentments between the groups. European colonization in Rwanda antagonized these class differences. Colonizers gave preference to Tutsis, regarding them as more civilized than Hutus. Hutus suffered from European favoritism and were unable to reach the same political, economic, and social levels as Tutsis ("Rwanda: A Brief History of the Country" 1-6).

Geneticists have struggled to find significant differences in the genetic markers of the two groups. Tutsis are generally taller with slimmer noses than Hutus, but this is not a rule. Not only do Hutus and Tutsis share more similarities than differences genetically, they share a number of social practices. Both groups generally practice Christianity, speak the same language, and live within the same geographical area. Thus the most notable divide between the two is their class (Middleton and Miller 2702).

This class based distinction is reinforced by social practices. Hutus were able to promote themselves to the Tutsi group if they amassed enough wealth, and Tutsis could be demoted to the Hutu group if they became poor. Tutsis and Hutus are typically understood to be two

ethnically distinct groups and the Rwandan genocide is regarded as an ethnic conflict (“Rwanda: A Brief History of the Country” 1-6). Yet as authors Middleton and Miller state, their ethnic differences are minimal (2702). In addition, Tutsis were not the only individuals targeted. Moderate Hutus were subject to the same fate as Tutsis, re-emphasizing that class warfare, in combination with ethnicity, were the origins of the Rwandan conflict.

The Hutu Peasant Rebellion from 1959 to 1961 was the first major outbreak of interethnic conflict in the post-colonial era. Hundreds of Tutsis were murdered and thousands fled to neighboring countries. Though the conflict lasted less than two years, it created a dramatic shift in Rwandan class structures. The late 1980s and early 1990s were marked by multiple incidents of ethnic and classist violence. Both groups targeted the other, with violent outbreaks such as Tutsi refugees attacking Hutu civilians and the Rwandan government retaliating against Tutsi civilians.

In 1987, the Rwandan Patriotic Front (RPF) was founded by Tutsi refugees in neighboring Uganda. In 1990, the RPF orchestrated a major attack against Rwanda. This attack was a watershed moment in Rwandan history. The international community realized the danger of heightened ethnic tensions and intervened between the Rwandan Hutu-led government and the RPF. This intervention produced the Arusha Peace Agreement, which was intended to solve the differences between the two groups. However, reconciliation efforts soon failed. Evidence later came to light that extremist Hutu factions were planning the Rwandan genocide while the accords were being negotiated (Green 736).

On April 6, 1994 the Presidents of Rwanda and Burundi were assassinated when their plane was shot down by a rocket attack. Tensions between the Hutus and the Tutsis exploded and the Rwandan genocide began almost instantly after their deaths. Hutu extremists, who had been planning their attack for years organized quickly and effectively. Radio Television Libres Des Miller Collines (RTLM) was a key media resource used to disseminate propaganda and

organize the genocide. The RTLM incited ethnic tensions and encouraged 'good' Hutus to murder their Tutsi countrymen and report Tutsi whereabouts to Hutu militias. The RTLM played a pivotal role in encouraging the Rwandan genocide and without its influence, it is doubtful that there would have been as many victims (Green 733).

The Rwandan genocide is regarded as one of the most effective in history, not necessarily for the number of murdered individuals, but for the efficiency with which it occurred. In 100 days, over 800,000 human beings were slaughtered and approximately 850,000 Rwandans had fled the country ("Rwandan: A Brief History of the Country" 1-6). Every Tutsi man, woman and child was a target, but Tutsi women in particular were subjected to a special set of horrors.

#### Sexual Violence

The Rwandan genocide was a conflict wherein "rape was the rule, and its absence the exception" (qtd. in "Sexual Violence and Armed Conflict: United Nations Response" 15). Sexual violence of any sort is beyond reproach, but the sexual violence against Rwandan women was especially heinous. Victims include children as young as two and women over the age of fifty. Many perpetrators knew their victims, which contributed to goal of decimating the Tutsis (Nowrojee 43). Whether victims survived is not the defining condition, the occurrence and intent of systematic sexual violence is sufficient to label it as genocide.

Sexual violence predominately targeted Tutsi women. Yet moderate Hutu women were targeted as well. Hutu women who were not supportive enough of the extremist Hutu government or married to Tutsi men were vulnerable to attack. The inclusion of Hutu women as victims of sexual violence is important. If the Rwandan genocide had been solely motivated by ethnic conflict, Hutu women regardless of their family or social affiliations, should have been safe from sexual violence. The inclusion of women of both groups shows that the roots of the

conflict were class-based, re-emphasizing that regardless of conflict's cause, when systematic, widespread sexual violence is used as a weapon of war, it is genocide.

Sexual violence in Rwanda was state sanctioned and perpetrated. Various government bodies contributed to the systematic sexual assaults of thousands of civilian women. The Interhamwe were a Hutu paramilitary organization backed by the Rwandan government and the most prolific perpetrators of sexual violence. Other bodies included enlisted Rwandan soldiers and officers, the National Police, and elite soldiers of the Presidential Guard (Nowrojee 19).

Sexual violence in the Rwandan case had many goals. First was the humiliation of victims, often achieved by raping and mutilating women in front of their families and friends. Elizabeth was at her dinner table when the Interhamwe burst into her home (Nowrojee 38). Two women were selected by the militiamen and gang-raped in front of the group. The Interhamwe then sliced the women's skin with knives. While the women were dying of their injuries, the Interhamwe took food from Elizabeth's dinner table and stuffed it into the women's vaginas. The women "were left dead with their legs apart" (Nowrojee 38). Elizabeth's husband was murdered after he tried to close the women's legs. Elizabeth was then taken to the home of the head of the militia and raped.

Rapes were not isolated events. Perpetue's rapes began just three days after the conflict began (Nowrojee 34). She was held captive by various militiamen throughout a three-month period and personally knew three of her rapists. One group of men

sharpened the end of the stick of a hoe. They held open my legs and pushed the stick into me. I was screaming. They did it three times until I was bleeding everywhere. Then they told me to leave. I tried to stand up but I kept falling down...I tried to ask someone...for help, but they...just ignored me.

Perpetue's sexual assaults led to serious vaginal trauma. Years after the end of the conflict, Perpetue had still not resumed normal menstrual cycles. Her stomach was swollen from the trauma of her assaults and she experienced night terrors. Perpetue regularly experienced

suicidal thoughts, “I even see some the Interhamwe who did these things to me and others around here. When I see them, I think about committing suicide” (Nowrojee 34).

Rwandan women were also forced into sexual slavery, both individually and in groups. Women were given to militiamen as prizes for good performance. Many were forced to marry their rapists and their family's murderers. Enslaved women were no longer regarded as human beings, but as objects used to exert dominance over their group and fulfill the sexual desires of their captors. For example, Marie and two hundred other women were forced into collective sexual slavery shortly after the outbreak of violence (Nowrojee 48). After being forced to bury the bodies of hundreds of murdered Tutsi men, the women were forced on a weeks long march. They endured dehydration, starvation, beatings and repeated gang rapes during their march. The Interhamwe told the women they were saved from death in order to be raped more in the future. Many women died of exhaustion during the march and only thirty of the original two hundred survived. When the women arrived at their final destination, the Hutu militia followed through on their promise and gang raped the women (Nowrojee 48).

The rape and use of Tutsi women as sexual slaves was not limited to adults. Nadia was 11 years old at the outbreak of violence (Nowrojee 55) . After witnessing her parents and brothers dismemberment, Nadia was saved by a militiaman. He told the other Interhamwe that he would keep her and kill her himself later. Nadia was locked in her assailant's kitchen and told she was his wife. She was repeatedly raped, and subjected to isolation and starvation. Nada's rapist threatened her with a machete while he raped her. Children are innocent and unable to protect themselves. The rape of a child is incomprehensible. It is intended to destroy the child, their family, and their future. Childhood sexual violence survivors are left with extensive physical and emotional traumas, which can prevent them from bearing children in the future and/or being productive members of their groups. Nadia was targeted because she was a Tutsi child. The

sexual violence forced upon Nadia was used to damage and destroy both her and the Tutsi group as a whole, making it genocide.

Motherhood was a focal point of Hutu violence. Chantalle was two months pregnant when the fighting began. While pregnant, she was raped by a soldier of the Presidential guard. Her attacker told her the military “must kill Tutsi women, we must rip them apart” (Nowrojee 42). The rape of a pregnant woman is a further attack on the victim and her family, amplifying the trauma of sexual violence. The victim feels as if she has failed to protect her unborn child. Her partner also feels as if he has failed to protect her and his unborn child. If and when the child is born, the child is a constant reminder of the assault. Some pregnant women miscarried due to the trauma their bodies endured. A miscarriage alone is a deeply traumatic experience, but miscarriage as a result of sexual violence while pregnant is especially harmful. Mothers were forced to murder their own children (Nowrojee 40). These assaults deepened the family’s trauma and continued the damage of sexual violence. When the family is damaged, so is the group.

Physical mutilation was common. Denise was gang raped by six militiamen, some of whom were her neighbors. After raping her, the men held both of her legs open and told the rest of the militia group to gather and observe what the inside of a Tutsi woman looked like. The men inserted a knife into Denise and cut out pieces of her vaginal tissue, “he took the flesh outside, took a small stick and put what he had cut on the top....[and] stuck the stick in ground outside the door.” After the violent assaults her rapists beat her more (Nowrojee 52).

The perpetrators devised increasingly brutal ways to sexually torture and mutilate Rwandan women. Boiling water and acid were poured into women’s vaginas. Women’s vaginas were mutilated with weapons such as sharpened sticks, knives, arrows and machetes. Their breasts and buttocks were mutilated or cut off entirely. Features considered ‘Tutsi,’ such as long fingers and thin noses, were mutilated and/or removed. Joints were intentionally damaged, as

repair is exceedingly difficult and damage to the joint would most likely leave victims permanently disabled. Women were doused in gasoline and set on fire. The bodies of deceased Tutsi women were raped by Hutu militiamen. Women were literally ripped apart by their attackers. One witness stated, "I saw one woman ripped apart and hung. One leg was in one place, the other leg in another" (Nowrojee 42). Multiple reports indicate that women had their unborn fetus cut out of their uteruses. The systematic, widespread sexual violence in Rwanda was used to destroy the Tutsis and was genocide.

Frequently, Rwandan women were forcibly impregnated. Forced pregnancy had a multitude of harmful effects. Women were no longer in control of their own bodies or reproductive options. When a woman is pregnant with her rapist's child, she is constantly reminded of her trauma and is unable to be the mother she would have otherwise been. Forcible impregnation divides families. Pregnancy outside of marriage is heavily stigmatized in Rwandan culture. After their rapes, women's pregnancies resulted in social ostracization, further damaging the group. As stated in Article 2 of the Geneva Convention, when systematic sexual violence results in forcible impregnation, it is "intended to prevent births within the group" and is genocide.

Many women attempted to abort their rapist's child. Due to the lack of medical assistance available during the conflict, many died from botched abortions or gave birth to stillborn babies. Other women violated their maternal instincts, killing or abandoning their children of rape. Some women were able to deliver their infants. Children of rape were frequently ostracized. These children were a constant reminder of Hutu crimes against the group, both re-traumatizing and reinforcing the damage to the Tutsis.

HIV was also used as a weapon. Rwanda has one of the world's highest rates of HIV-positive individuals. Hutu forces intentionally transmitted HIV by raping Rwandan women, with full knowledge that the availability of HIV medication in Rwanda was limited at best (Nowrojee

61). Perpetrators knew that an HIV-positive status would ensure a slow, painful death. Infected women risked transmitting HIV to their children if they became pregnant (“Background Information on Sexual Violence used as a Tool of War” 1-6). Forced infection not only harms the women who are infected, it prevents further generations of the group from surviving, by either infecting children or causing their premature death. The intentional transfer of HIV is a method of elimination and is genocide.

Finally, forced marriages were commonplace in the Rwandan genocide. Many women lost their entire families during the genocide, had no skill sets developed to survive alone and/or were forced to move to neighboring countries with the ‘husbands’ forced upon them by the Hutus. These women felt as if they had no other option but to remain married to their captors, even after the conflict ended (Nowrojee 54). Forced marriages prevented individuals of the group from marrying one another and creating the familial bonds or offspring needed to continue to the existence of the group. When forced marriages result in women’s pregnancies, perpetrators prevent births from within the group. Many women felt deep rooted shame from their forced marriages, feeling as if they had betrayed their families and their identities as Tutsi. Forced marriages were a form of sexualized violence that was intended to damage and destroy the Tutsi group.

Therefore, humiliation was a major component of the planned sexual violence. The Hutus used a variety of methods to increase the intensity and longevity of harm to victims. Many victims knew their rapists as neighbors and acquaintances. Family members and loved ones were frequently forced to participate in sexualized violence. Children were forced to witness the rapes and deaths of their mothers and female family members. This traumatized the next generation of Tutsis, continuing the effects of the genocide for years to come. Every individual plays an important part of a group, whether it is their family or community at large. When individuals are traumatized by sexual violence, they are unable to fulfill their needed role within

their groups. This inability damages and destroys the unity and cohesion of a group. When systematic sexual violence is used as a tool of conflict, it is an intentional attempt to damage and destroy an individual and a group, and is genocide.

Raping dead women or stuffing food into a dying woman's vaginas intensified the trauma and degradation. Maimed women and mutilated genitalia were put on public display, increasing the terror and intimidation felt by the Tutsi community. The relationship between women and their families are the foundations that communities are built upon. By sexually assaulting and humiliating women in front of their loved ones, Hutu extremists traumatized the group as a whole. Traumatization has both short and long term effects such as post-traumatic stress-disorder, self-harm, suicide, sleep disorders, depression and disassociation. These effects prevent victims from participating in their individual lives and communities as they had previously and are ways sexual violence is used to damage and destroy the group.

#### Case Study: The Former Yugoslavia

Ethnic tensions in Yugoslavia were present long before the genocide in the 1990s. Yugoslavia's Muslim population had been a longstanding target of hostility from the rest of Yugoslavia's ethnic groups. During World War II, Serbs and Croats specifically targeted Muslims for elimination. Yugoslavian Serbs in particular were vested in creating an ethnically homogenous nation. During the conflict, sexual violence in the Bosnian republic was a step in the Serbian plan to ethnically cleanse and eliminate other ethnic groups within Yugoslavia. The eruption of genocidal violence was a result of decades of anti-Muslim sentiment within Yugoslavia.

Following the end of World War II the former Yugoslavia was reunited under the leadership of Josip Broz Tito. His leadership required immense skill and balance to manage the large and ethnically diverse territory. Tito was popular both domestically and abroad for his

abilities to unify Yugoslavia. His death in 1980 set off a chain of national events that would begin the worst conflict on the European continent since World War II (Power 256).

The former Yugoslavia was composed of six separate republics within the confederation. After Tito's death, the central Yugoslavian government struggled to maintain political, economic, and social control over the nation. The inadequacy of Yugoslavia's central government, the collapse of the USSR, and other external factors, such as the withdrawal of American political support and economic investment, continued to destabilize Yugoslavia ("Timeline: Break-up of Yugoslavia" 2).

The late 1980s and early 1990s were a period of dramatic political unrest in Yugoslavia. Yugoslavia experienced strong waves of hyper-nationalism and fighting between ethnic groups. Yugoslavia was a failing state and individual republics began to leave the confederation. The Serbian Socialist Party, led by Slobodan Milosevic, was the primary opponent of the dissolution of the Yugoslavia. Serbs had dominated the post-WW II Yugoslav military, and while Tito had held the country together by including Croats, Slovenes, and others in the government, ethnic tensions never fully abated. Serbs living in other parts of Yugoslavia, especially Croatia, feared a return to the extreme violence of the WW II era.<sup>1</sup> Serbs in Bosnia-Herzegovina, in contrast, saw an opportunity to acquire more territory in the province with the greatest ethnic diversity and where they constituted a very large share of the population. Serbian leadership believed that they had to take immediate and decisive action in order to preserve the Serbian way of life (Power 249).

In March 1992, Bosnian Croats and Muslims formed an alliance to outvote Serbians in the upcoming independence referendum. They were successful. The independence referendum

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<sup>1</sup> Violence in Yugoslavia during WW II was extreme, and ethnically determined. While Tito's communist partisans accepted all individuals committed to socialism regardless of their ethnicity, they were led primarily by Serbs. The fascist Ustase in contract were Croat, and were supported by the Nazis. Muslims in Bosnia were the target of the Ustase as well as royalist Serbs, although the Nazis recruited many to fight against Tito. About one million Yugoslavs died in WW II, out of a population of about 15 million. It was literally a war of all against all.

passed with 60% Bosnian voter support. In April of 1992, the Serbian population declared their own independent republic within the borders of Bosnia. Milosevic continued to stoke the flames of ethnic resentments between Serbs and other ethnic groups. Shortly thereafter, war broke out in Bosnia. With relative ease, Serbian military forces took control of over half of the newly independent Bosnia. Bosnia was immersed in complete chaos and all three ethnic groups fought one another simultaneously (Power 248).

### Sexual Violence

During the conflict Muslims, Croats, and Serbs were responsible for sexual crimes. However, Serbian sexual violence differed in one important way. Serbian sexual violence was an organized and widespread policy, whereas “there [was] no Muslim or Croatian *policy* of territorial expansion, of extermination Serbs, of raping Serbian women” (qtd. in Engle 788). Serbian use of sexual violence was specifically intended to destroy to Bosnian Muslims.

The Serbian government sanctioned and encouraged sexual violence as a weapon of war. Soldiers were not only permitted to sexually assault Muslim women, they were given physical spaces to do so, in the formation of rape camps and bordellos (Bassiouni and McCormick 5). Sexual violence was used as a weapon and a reward. Soldiers were encouraged to sexually assault Muslim women to punish them for being Muslims. Soldiers were also given women to sexually assault to reward them for their performance on the battlefield. Serbian leadership was aware of the decimating effect sexual violence would have on the Bosnian Muslim community (Bassiouni and McCormick 5). They deliberately implemented a policy of sexual violence to achieve the aim of eliminating Muslims, making it genocide.

Almost one hundred different detention facilities were utilized by Serbian forces to sexually assault Muslim women. Perpetrators included paramilitary groups, police, and military forces (Bassiouni and McCormick 5). Detention centers were intentionally structured to demoralize and degrade Muslim prisoners. Inadequate, if any, medical care was available, food

supplies were poor and irregular, and unhygienic living conditions such as open pits of human waste alongside living spaces were common. No Bosnian Muslim female was spared, with victim's ages ranging from five to eighty-one years old (MacKinnon 9). Serbian forces organized a campaign of sexual violence that not only terrorized women's bodies, but their minds as well. Women were terrified that they or their female loved ones would be raped at any time.

Women occupied a protected and important space within Bosnian Muslim society, different from any other society. Within Muslim society, women are regarded as chattel, but chattel that must be protected from other men. Muslim faith requires a comprehensive commitment to and protection of women. Violations of women are especially traumatic in Muslim culture. Though Bosnian Muslim culture was less repressive of women than other Muslim regions, it was still significantly more repressive than other Yugoslavian republics. Sexual violence within Bosnia was more traumatic and destructive to the group than Muslim focused violence in other republics (Bassiouni and McCormick 6). Sexual violence upon Bosnian Muslim women destroyed the foundation of Bosnian Muslim society. By targeting women for sexual violence, Serbian forces sought to eliminate Muslims from in Bosnia, making the sexual violence genocidal.

Young women, virgins, community leaders and educated professionals were specifically targeted because of the important roles they had within Bosnian Muslim society (Bassiouni and McCormick 10). By raping influential and vulnerable women, Serbian forces were able to damage the group with greater depth and efficacy.

Rapes were frequently public and intentionally humiliating. One report involving an older Bosnian Muslim woman reported, "Militiamen compelled a drunk, 19-year-old Serb boy to rape her in the public square while her family and neighbors were forced to watch" (Bassiouni and McCormick 16). By publicly degrading this woman, militiamen effectively destroyed the woman's honor and place within Muslim society.

Rape was constant. Women were raped vaginally, anally, and orally, both as individuals and in groups. Rapes were brutal and repetitive. Women were raped by foreign objects such as broken glass bottles, rifles and truncheons (Bassiouni and McCormick 20). Women incurred permanent and devastating trauma to their reproductive systems, which served to prevent births within the group, making it genocidal .

Vicious gang rapes were routine. The number of perpetrators in reports varies between two to over twenty. Mirsada described her gang rape:

The White Eagles [a Serb militia group which was responsible for significant amounts of sexual violence] would come to get us every night. There were nights when more than 20 of them came. That seemed to be some kind of honor...It cannot be described, and I don't want to remember...They raped and slaughtered some girls right in front of us. Those who resisted had their breasts cut (Hirsch 7).

Many women were acquainted with their attackers, which increased the humiliation and devastation of the assaults. Witness 50 and her rapist rode the bus alongside one another for years prior to the conflict. She reported that while she was assaulted, her rapist laughed, "I had the feeling that he was doing this precisely because he knew me, to inflict even more evil on me" ("Voice of the Victims").

Many women were raped with such brutality that they died. Women who survived their attacks were unable to return to a sense of normalcy. Women's sexual assaults destroyed their ability to participate in their lives and communities as they had before. Rape was strategically used by Serbian forces to create an ethnically pure Serbian state through the destruction of Bosnian Muslim women.

Forced impregnation was a major element of Serbian sexual violence. The intention of the planned sexual violence was to eliminate the Muslim population from Bosnia by whatever means necessary (Engle 789). When Serbian forces forcibly impregnated Muslim women, they prevented the births of Muslim children and forced the births of Serbian ones. Forcible impregnation was the express intent of many rapes (Engle 789, Bassiouni and McCormick 18).

Women were raped repeatedly until they were impregnated. When they became pregnant, they were detained until they were unable to abort the child. However, rates of abortion rose dramatically during the conflict. There are deep stigmas in Bosnian Muslim society attached to women who have sex (voluntarily or not) and children outside of marriage (Engle 792). Many women felt as if they had no other option but to abort the fetus to survive in their families and community. The chastity and honor of Bosnian Muslim women was the glue that kept their families and their communities intact. Damage to their chastity and honor damaged and destroyed the group.

Children were used as leverage to sexually assault their mothers. The rapists threatened to hurt children if their mothers resisted being raped. Children were forcibly separated from their mothers and many children witnessed their mother's sexual assaults (Hirsch 5). Raping mothers in front of their children traumatized the next generation of Bosnian Muslims and helped achieve Serbian aims of elimination.

Torture and mutilations were frequent in sexual assaults and used to dominate and damage women. During her ICTY testimony, Witness 48 stated her perpetrator "bit her nipples until they bled and pinched her breasts until she fainted from pain" ("Voice of the Victims"). While wielding a knife, Witness 50's rapist threatened to 'baptize' her by carving a cross into her back and cut off her arms and legs if she didn't readily submit to rape. Women's bodies were disfigured, their breasts were cut off, and their vaginas and anuses were permanently damaged by sexual assaults ("Voice of the Victims").

Sexual enslavement was a pronounced feature of the systematic and widespread sexual violence. Forced prostitution occurred across Bosnia, most frequently in bordello and rape camps. Women were treated as commodities and sold among soldiers for companionship or entertainment. Bordellos were placed strategically along the Bosnia/Serbia border. Women were chosen specifically by assailants, "men [would] go into the women's sleeping quarters at night,

flash their lights at the women they like and take them out” (“Voice of the Victims”). Many times women held in bordellos were murdered after they had been sold and/or assaulted for extended periods.

Serbian forces made women’s sexual assaults as humiliating as possible. By increasing the humiliation of sexual assaults, perpetrators made the experience more traumatic and damaging to the group. Family members were forced to witness the rapes of their daughters, sisters, and mothers. In multiple reports, men were forced to sexually assault their female family members. Prisoners were forced to sexually assault their fellow inmates in public view of guards and other detainees (Hirsch 5).

Muslim women were forced to undress and perform both sexual and domestic acts in front of men. Among other degrading tasks, women were forced to dance, run on public roadways or do jumping jacks while naked. Witness 87 reported:

“I do remember that he forced us to take all our clothes and to stand there naked [the soldiers] just sat there and watched...[He] forced me to take my clothes off, to climb on a table, and to dance to music. He was sitting on the bed with a pistol pointed at me” (“Voice of the Victims”).

Once again, Muslim culture places tremendous value on the modesty and honor of women. When Serbian assailants forced women to be naked in front of men who were not their husbands, they knowingly damaged the women and their families. Forced nudity robbed women (and their communities) of dignity and autonomy. It was used by Serbian forces to eliminate Muslims from Bosnia.

As a part of their sexual slavery, many women were forced to perform domestic duties for their sexual assailants. During her ICTY testimony, Zika stated her rapists

made us clean the rooms in the hotel, made us wash the floors...then one of two Chetniks told me to undress. He said if I didn't do what they wanted, they would cut my throat...So they both raped me, one after the other...then they took me out...with the other women....We were all told to clean the hotel again and after we had done this they took us back (“Voice of the Victims”).

Forcing women to clean the physical spaces they're sexually assaulted in enhances the trauma of the assault. Women were intentionally humiliated to destroy them physically and mentally.

Serbian forces in Bosnia had the express aim of eliminating Muslims altogether. They intended to complete the genocidal efforts of the Croats and Serbs in World War II. The formation and use of rape camps and bordellos show the favored method of genocide of Serbian forces. Serbian leadership put significant effort into developing a method of warfare, sexual violence, that would decimate Bosnian Muslims (Bassiouni and McCormick 21). When Serbian forces targeted Muslim women through a policy of systematic, widespread sexual violence they intended to irreparably damage women, their families, and the Bosnian Muslim community at large, making the policy genocidal.

### Conclusion

Article II of the Geneva Convention defines genocide as

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- A. Killing members of the group;
- B. Causing serious bodily or mental harm to members of the group;
- C. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- D. Imposing measures intended to prevent births within the group;
- E. Forcibly transferring children of the group to another group.

I have argued that when a state sanctions a policy of widespread and systematic sexual violence as a weapon of war, the state commits genocide. State-sanctioned sexual violence is not seen as a spoil of war. Rather, it is intended to eliminate a group or class of people, whether that group is defined politically, economically, or on the basis of religion. Motivations varied in all three cases, but the intent and effect of sexual violence was the same - destruction of a targeted group. Organized sexual violence is a method of elimination of targeted groups. It is a form of genocide by definition and fulfills each Geneva Convention conditions listed above.

Article III of the Geneva Conventions further expands on crimes punishable considered genocide as,

- A. Genocide;
- B. Conspiracy to commit genocide;
- C. Direct and public incitement;
- D. Attempt to commit genocide;
- E. Complicity in genocide.

It is important to note that the physical elimination of a group is not necessary for crimes to be considered genocidal. If the intent to commit genocide is present, corresponding acts, such as conspiracy, incitement, and complicity, are also considered genocidal. When sexual violence is used methodically and intentionally to damage and destroy a group, whether or not victims survived is inconsequential. Sexual violence is genocide if the target is killed, or irreparably damaged so as to no longer be able to function as part of the group. Genocide includes not just the act, but the intent to commit the act either directly or through incitement of others.

The motivation in each case study is different, but the use of systematic sexual violence was intended to serve the same genocidal purpose - elimination of the targeted group. Under the Pinochet dictatorship, women were sexually assaulted to destroy all Chilean leftists. Class warfare fueled the conflict in Rwanda. Tutsi women were specifically targeted with sexual violence by Hutu extremists in order to eliminate the Tutsi group as a whole. In the former Yugoslavia, religion and ethnic cleansing was the motivation for sexual violence. Bosnian Muslim women were victims of sexual violence in order to decimate Muslims in Yugoslavia.

Since World War II, wartime sexual violence has received increased attention in the international community. The International Criminal Tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY) set important precedents for the condemnation and prosecution for sexual violence used in genocides. In 1998, former Rwandan mayor Jean-Paul Akayesu was found guilty of using sexual violence to perpetrate genocide. The ICTR was the first international court to convict a defendant of sexual violence used to commit genocide. The judgement was pivotal

for future persecution of sexual violence and “held that rape and sexual assault constituted acts of genocide....as they were committed with the intent to destroy, in whole or in part, the Tutsi ethnic group” (“Background Information on Sexual Violence used as a Tool of War”). In 2001, following the ICTR’s precedent, the ICTY convicted three Serbian guards, Radomir Kovač, Zoran Vuković, and Dragoljub Kunarac, of rape as a crime against humanity. The ICTY was the first international court to convict defendants of rape as a crime against humanity. Yet full recognition of organized sexual violence as a form of genocide has not been achieved.

While the importance of international recognition of sexual violence as crimes against humanity and perpetrations of genocide cannot be understated, these rulings are preliminary steps (Sellers 312). Both precedents of the ICTR and ICTY were set within already established parameters of genocide. In order to prevent and properly persecute sexual violence during conflict, the international community must expand its definition of genocide and the manner in which it views organized sexual violence. In both intent and effect, sexual violence is a genocide in itself. Irrespective of a conflict’s cause, when systematic and widespread sexual violence is used as a weapon of war, it is genocidal.

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