

Briefing on reparation for children born of conflict-related sexual violence

Exploring survivors' perspectives from the Global Reparations Study

June 2024

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I. Introduction

1. BACKGROUND

The victims of gross violations of international human rights law and of serious violations of international humanitarian law - including survivors of conflict-related sexual violence - have a right to reparation. Children born of conflict-related sexual violence are also entitled to reparation in their own right for the “significant harm they endured as a direct consequence of the sexual violence”, as stated by the International Criminal Court.¹

This briefing, prepared by the Global Survivors Fund (GSF), explores the perspectives of survivors of conflict-related sexual violence regarding the reparation needs of their children born of conflict-related sexual violence. The survivors shed light on their challenges and those faced by their children born of conflict-related sexual violence, highlighting the importance of ensuring these children’s place at the heart of reparation discussions and guaranteeing their access to child-centred reparation programmes.

During the last decades, significant numbers of children have been born (and continue to be born) as a result of conflict-related sexual violence, profoundly affecting both the children and the survivors who gave birth to them. Whilst accurate data on the exact number of children born of conflict-related sexual violence remains elusive, tens of thousands of such children have been identified worldwide over the years. However, these figures only scratch the surface of the issue, as multiple barriers contribute to under-reporting.² Despite the lack of precise numbers, existing information on specific countries can provide an idea of the magnitude of the problem. For example,

the widespread use of sexual violence against women and girls led to an estimated 20,000 children born of conflict-related sexual violence during the civil war in Sierra Leone alone, as documented by the Secretary-General of the United Nations in his 2022 report on *Women and girls who become pregnant as a result of sexual violence in conflict and children born of sexual violence in conflict*.³

The United Nations Security Council Resolution 2467 and the ensuing Secretary-General’s report have highlighted specific challenges faced by children born of conflict-related sexual violence, including economic and social marginalisation, physical and psychological problems, statelessness, stigma, discrimination, and lack of access to reparations.⁴ These challenges have profound impacts on children’s wellbeing and their development throughout their lives, and hamper their access to essential services and education - leading to increased vulnerability to abduction, recruitment and use by armed groups and forces, trafficking, and sexual exploitation.⁵ These deepen transgenerational trauma and undermines social cohesion, which - in turn - can fuel further conflict and destabilise peace. It is essential to understand and address such challenges to shape brighter futures for these children, supporting communities to put an end to the transgenerational impacts of conflict-related sexual violence. Given the significant harm they suffer as a direct consequence of the sexual violence, children born of conflict-related sexual violence must be recognised as direct victims and entitled to reparation, as established by the International Criminal Court (ICC) jurisprudence.⁶

1 International Criminal Court (ICC), Prosecutor v. Ntaganda, ‘Reparations Order’, ICC-01/04-02/06 (8 March 2021), para. 122, p. 46, <https://www.icc-cpi.int/court-record/icc-01/04-02/06-2659>, accessed November 2023.

2 United Nations Security Council, ‘Report of the Secretary General on Women and girls who become pregnant as a result of sexual violence in conflict and children born of sexual violence in conflict’, doc S/2022/77, (31 January 2022), (UN Security Council doc S/2022/77), p. 3, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2022/02/report/auto-draft/N2223437.pdf>, accessed November 2023.

3 Ibid, para 7, p. 3.

4 United Nations Security Council, ‘Resolution 2467’, doc S/RES/2467, (23 April 2019), https://www.un.org/shestandsforspeace/sites/www.un.org/shestandsforspeace/files/unsr_2467_2019_on_wps_english.pdf; UN Security Council doc S/2022/77, p. 3.

5 UN Security Council doc S/2022/77, p. 1.

6 International Criminal Court (ICC), Prosecutor v. Ntaganda, ‘Reparations Order’, ICC-01/04-02/06 (8 March 2021), para. 122, p. 46, <https://www.icc-cpi.int/court-record/icc-01/04-02/06-2659>, judges underlined that children born of conflict-related sexual violence are to be considered as direct victims due to the significant harm they endured as a direct consequence of the sexual violence. Moreover, they can also be recognised as indirect victims, given the transgenerational harm they have endured due to the profound impact of conflict-related sexual violence on their mothers: see para 182; this was reaffirmed in: ICC, Prosecutor v. Dominic Ongwen, ‘Reparations Order’, ICC-02/04-01/15 (28 February 2024), para 125, p. 76, <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd18078e195.pdf>

This was also affirmed in the *Kinshasa Declaration on the Rights to Reparation and Co-creation of Survivors and Victims of Conflict-Related Sexual and Gender-Based Violence*, in which survivors of conflict-related sexual violence from across Africa - supported by

civil society organisations - called for children born of conflict-related sexual violence to be “*duly included in reparation processes and their specific needs addressed appropriately*”.⁷

2. DEFINITIONS AND TERMINOLOGY

For the purposes of this briefing GSF has opted to adhere to the commonly-used term “*children born of conflict-related sexual violence*”, to refer to children born of rape, sexual slavery, forced prostitution, forced pregnancy, forced marriage and any other form of sexual violence of comparable gravity that is directly or indirectly linked to a conflict. The use of this term does not preclude the use of different terminology in specific contexts where it is felt to be more appropriate based on the wishes of survivors and their children. Moreover, many of the individuals referenced have grown into adolescents or adults, therefore the term “*children*”

should be interpreted more widely. In this briefing the term “*children born of conflict-related sexual violence*” covers all individuals born in these circumstances - including persons over 18 years old - without oversimplifying their complex and diverse experiences.

In this briefing the term “*mother*” is used to refer to an individual who has given birth to a child following conflict-related sexual violence. This term is not intended to exclude any individual who has given birth to a child who may not identify as female.

3. METHODOLOGY AND LIMITATIONS

GSF’s mission is to enhance access to reparations for survivors of conflict-related sexual violence around the globe.⁸ In partnership with over 30 international and local partners, it conducts a comprehensive Global Reparations Study (GRS), which gathers the perspectives of survivors of conflict-related sexual violence from over 25 countries to identify the prevailing challenges and opportunities for reparations.⁹ During discussions on reparation, survivors highlighted the challenges faced by their children born as a result of conflict-related sexual violence. The primary focus of this briefing is to identify overarching patterns, shared experiences, and distinctive challenges encountered by these children, as perceived by their mothers.

This briefing covers 16 countries where GSF conducted a study as part of the GRS, taking into account the experiences and views of survivors from Bosnia and Herzegovina (BiH), Burundi, Cambodia, Central African Republic (CAR), Colombia, the Democratic Republic of the Congo (DRC), the Gambia, Kenya, Mali, Nepal, South Sudan, Sudan, Syria, Timor-Leste, Uganda and Ukraine. This briefing incorporates the transcripts of focus group discussions and interviews of survivors that were conducted to map survivors’ perceptions of reparation in nine of these countries.¹⁰ In total, 259 interviews and focus group discussions were thematically analysed using NVivo software and was complemented with information from the 16 GRS Country Reports and secondary research.

7 ‘Kinshasa Declaration on the Rights to Reparation and Co-creation of Survivors and Victims of Conflict-Related Sexual and Gender-Based Violence’, (November 2022), (Kinshasa Declaration), para. 1, p. 2, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Reports/GSF_Kinshasa_Declaration_EN_Nov2022_WEB_1.pdf, accessed January 2024.

8 Global Survivors Fund, ‘About us’, <https://www.globalsurvivorsfund.org/who-we-are/about-us/>, accessed January 2024.

9 Global Survivors Fund, ‘Global Reparations Study’, <https://www.globalsurvivorsfund.org/how-we-work/global-reparations-study>, accessed November 2023.

10 Ibid.

The primary limitation of this briefing lies in the lack of direct input from children born of conflict-related sexual violence themselves. While a few of the participants of the interviews and focus group discussions were children born of conflict-related sexual violence, most of the information came from their mothers. This briefing relies mostly upon the accounts of survivors of conflict-related sexual violence who were asked about their perceptions of reparation and the impact of conflict-related sexual violence upon themselves and their children. However, it does not deal with the specific vulnerabilities faced by children born of conflict-related sexual violence, nor does it engage directly with them. GSF acknowledges that this limits our ability to comprehensively represent

the perspectives of children who have already been long-overlooked and ignored. It is likely that focusing mainly on the voices of mothers will not be sufficient to fully grasp all the specific needs of children born of conflict-related sexual violence - needs that may differ or even be in tension with those of their mothers.¹¹ The findings indicate that much more needs to be done in order to give children born of conflict-related sexual violence safe opportunities to come forward, share their voices and perspectives, and receive support and reparation. This briefing serves as an opportunity to underscore the need to prioritise the inclusion of children in discussions about reparations so that they can participate in the design and implementation of adequate reparation programmes.

11 Brigitte Rohwerder, 'Reintegration of children born of wartime rape', Institute of Development Studies, (17 June 2019), (Brigitte Rohwerder 2019), p. 3, https://assets.publishing.service.gov.uk/media/5d431080ed915d09d7280ce4/628_Reintegration_of_Children_Born_of_Wartime_Rape.pdf, accessed November 2023.

II. Experiences and challenges faced by mothers and their children born of conflict-related sexual violence

There is a possibility that the harm survivors suffer and the specific challenges they face will be passed on to their children - in particular when survivors are their primary caregivers.¹² The scope of this intergenerational harm encompasses a wide range of shared challenges faced by survivors and their children born from conflict-related sexual violence. However, it is crucial to recognise that these children also face unique challenges in their own right that stem directly from the violations and discrimination they themselves have experienced, including specific health issues and other direct harms.

1. SHARED STRUGGLES: KEY CHALLENGES FOR MOTHERS AND THEIR CHILDREN BORN OF CONFLICT-RELATED SEXUAL VIOLENCE

1.1. Stigmatisation

Survivors of sexual violence often face stigma both from within themselves and from their community. External stigmatisation comes from the community's discriminatory behaviour towards survivors, while internalised stigma is the psychological response, such as shame, caused by being stigmatised by others.¹³ Survivors who became pregnant as a result of sexual violence tend to suffer from double stigmatisation for being survivors of conflict-related sexual violence and for being mothers of children born of conflict-related sexual violence.¹⁴ Their role as mother and caregiver of such children leads to more intense social exclusion.¹⁵ Furthermore, a third layer of stigmatisation exists for survivors who were enslaved and gave birth to children as a result, as they are perceived as having sided with the enemy.

“No other family member welcomed me at home; they treat me as a rebel including my baby that we can in turn kill people.”¹⁶

- A survivor from Uganda

Survivors who took part in the GRS mentioned suffering from exclusion and abandonment from immediate family members and their community, and having to leave their home to raise their newborn child. For example, a gang rape survivor from South Sudan said: *“My husband and other members of my family do not like the child and my husband abandoned me”*.¹⁷

A young survivor from Burundi, following her rape, was abandoned by her parents upon learning of her pregnancy, as they reportedly asserted that a child without a father would bring shame upon the family.¹⁸

Another survivor from Timor-Leste shared:

12 LSE Centre for Women, Peace and Security, Joanne Neenan, ‘Closing the protection gap for children born of war, Addressing stigmatisation and the intergenerational impact of sexual violence in conflict’, (2017), (Joanne Neenan (2017)), p. 11, <https://www.lse.ac.uk/women-peace-security/assets/documents/2018/LSE-WPS-Children-Born-of-War.pdf>, accessed November 2023.

13 Ibid, p. 22.

14 Ibid, p. 9.

15 Platform for action, ‘Promoting The Rights And Wellbeing Of Children Born Of Conflict-Related Sexual Violence, (2022), (Platform for action (2022)), p. 10, <https://assets.publishing.service.gov.uk/media/63810511d3bf7f154a5d56cd/platform-for-action-promoting-the-rights-and-wellbeing-of-children-born-of-conflict-related-sexual-violence.pdf>, accessed November 2023.

16 Focus Group Discussion (West Nile, Uganda, 25 May 2021).

17 Focus Group Discussion 01 (Juba, South Sudan).

18 Study on the Status and Opportunities for Reparations for Survivors of Conflict-Related Sexual Violence in Burundi (Global Survivors Fund and Light for All), [Forthcoming].

*"I still experience discrimination in the community, including from my husband's family. They also discriminate against my two children", despite the sexual violence occurring more than twenty years ago.*¹⁹

"I was raped by an Indonesian soldier and had a child. In 1999, my own family members tied me up and beat me. Since then, I have lived alone with my child. The community still discriminates against me and my child."²⁰

- A survivor from Timor-Leste

These challenges faced by survivors are likely to be passed on to their children,²¹ who also suffer as a result of their mothers' stigmatisation, social exclusion, and discrimination.²² On top of this, these children are themselves stigmatised as children born of sexual violence.²³ Discrimination stemming from structural gender inequality is a common cause of stigmatisation, as - in patriarchal and patrilineal societies - children born of conflict-related sexual violence are considered to *"belong to their biological father and to have inherited their characteristics"*.²⁴ This can be illustrated in many countries by stigmatising name-calling,²⁵ where derogatory nicknames often associate children born of conflict-related sexual violence with the

perpetrator. For example, children born of conflict-related sexual violence in Colombia are sometimes called *"paraquitos" (little paramilitaries)* - in the context of sexual violence perpetrated by paramilitary soldiers - or *"children of the green people"* amongst indigenous communities who have suffered sexual violence by the armed forces.²⁶ In Mali, children born of conflict-related sexual violence are called *"rebel's child"* or *"jihadist's child"*.²⁷ Similarly, in Darfur, Sudan, children born of conflict-related sexual violence are branded as a child of the enemy and referred to as a *"Janjaweed child"*.²⁸ This discrimination increases in cases of children born in captivity, who are born enslaved, as their mothers are considered to have sided with the enemy. According to a survivor from South Sudan, children are sometimes given names that represent what their mothers experienced - for example, one survivor gave her son a name which translates as *"during difficulty"*.²⁹

Children who have different phenotypic traits to others in their community may face increased levels of stigmatisation,³⁰ as their facial features can be more easily seen to reflect those of the perpetrator, thus identifying the child as an 'enemy' within the community. This phenomenon has been reported in Colombia for instance.³¹ In CAR, children born of conflict-related sexual violence perpetrated by foreigners - particularly by mercenaries - are most

19 'Timor-Leste Study on the Status and Opportunities for Reparations for Survivors of Conflict-Related Sexual Violence', (Asia Justice and Rights, Assosiasaun Chegal Ba Ita and Global Survivors Fund, December 2023), (GRS Timor-Leste), p. 32, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/Report_Timor-Leste_Dec2023_EN_Web.pdf, accessed April 2024.)

20 Ibid, p. 31.

21 Joanne Neenan (2017), p. 9.

22 ICTJ, 'From Rejection to Redress Overcoming Legacies of Conflict-Related Sexual Violence in Northern Uganda', (2015), (ICTJ (2015), p. 17, <https://www.ictj.org/sites/default/files/ICTJ-Report-Uganda-Children-2015.pdf>, accessed November 2024.

23 Joanne Neenan (2017), p. 9.

24 Ibid, p. 11.

25 UN Security Council doc S/2022/77, p. 6.

26 Clara Sandoval Villalba and others, 'Study on the situation and opportunities of the right to reparation for victims and survivors of conflict-related sexual and reproductive violence in Colombia', (Asociación de Mujeres Afrodescendientes del Norte del Cauca, Caribe Afirmativo, Genfami and Global Survivors Fund, June 2022), (GRS Colombia), p. 39, see footnote 108, , accessed November 2023. https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSFReportColombia_ENG.pdf, accessed November 2023.

27 'Study on the Status of and Opportunities for Reparations for Survivors of Conflict-related Sexual Violence in Mali', (L'association des juristes maliennes, Avocats sans frontières Canada, Global Survivors Fund, Groupe de recherche, d'étude et de formation Femme-Action and Women in Law and Development in Africa) (GRS Mali), [Forthcoming].

28 Mariana Goetz and others, 'Sudan Study on the Status of and Opportunities for Reparations for Survivors of Conflict-related Sexual Violence', (Global Survivors Fund, Nuba Women for Education and Development Association, Rights for Peace and Salmeen Charity, June 2023), (GRS Sudan) p. 26-27, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_SUDAN_EN_June2023_WEB.pdf, accessed January 2024. The Janjaweed are a Sudanese Arab militia group that operates in Sudan, particularly in Darfur.

29 Cara Priestley and Mariana Goetz, 'South Sudan Study on the Status of and Opportunities for Reparations for Survivors of Conflict-Related Sexual Violence', (Centre for Inclusive Governance, Peace & Justice, Dialogue & Research Institute, Global Survivors Fund and Rights for Peace, March 2022), (GRS South Sudan), p. 15, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSFReportSouthSudan_ENG_FINAL_1_.pdf, accessed November 2023.

30 UN Security Council doc S/2022/77, p. 6.

31 Ibid.

likely to be stigmatised as it is harder to hide the circumstances of their birth.³² In Darfur, children with Arabic features are not accepted by the community.³³ In Mali, a survivor mentioned that *“Sometimes the distinction between the child born of conflict-related sexual violence and the survivor’s other children is flagrant because of the skin colour difference”*.³⁴

In Cambodia, children who are not considered to be born of traditional marriages are generally not accepted by communities, and as a result lead to the entire family being socially ostracised. This lack of community support, social cohesion and a feeling of belonging - coupled with a general sense of “othering” - is seen not only within the community, but also within families themselves.³⁵

The effects of stigmatisation continue to impact children’s lives as adults, as evidenced in Timor-Leste. Even two decades after the end of the conflict many of them, who are now adults, continue to face stigmatisation.³⁶

“My children and I still do not live freely, because people in the community speak badly about us and treat us as if we are worthless. My children always feel this pressure when they are out in public in the community.”³⁷

- A survivor from Timor-Leste

1.2. Trauma and associated mental health issues

Survivors of conflict-related sexual violence face high risks of poor mental health, including post-traumatic stress disorder, depression and suicidal thoughts.³⁸ These challenges can have an impact on their parenting and affect their child’s psychosocial development and mental health.³⁹ As a survivor from Colombia mentioned: *“Children also are impacted by the violence suffered by the family. Many times, it affects so much the mother’s mental health that the children end up also being affected.”⁴⁰*

Survivors often struggle with an ambivalent relationship towards their child born of conflict-related sexual violence.⁴¹ It can be challenging for mothers to separate their child from the traumatic circumstances of their conception, leading to difficulties in forming a loving bond. As one survivor said in Kenya:

“What are you going to do to not associate the child with what happened? It is extremely, extremely mentally challenging because you have to manage the child and be careful not to abuse the child.”⁴²

This complex relationship can have detrimental effects on both the mother and the child’s mental health. One survivor from Burundi, living in a refugee camp in Rwanda said: *“I face my biggest nightmare every day every time I see my daughter. I don’t like her because she reminds me every day of the rape I suffered and my life which was ruined”*.⁴³ Similarly, several survivors in Colombia have also shared that the first feeling they had toward their child born of conflict-related sexual violence was rejection.⁴⁴ As illustrated by a survivor from Bosnia and Herzegovina, the trauma of the mother can be transmitted to the child:

32 Virtual interview with GSF Project Coordinator for Central African Republic (November 2023).

33 GRS Sudan, p. 26-27.

34 GRS Mali.

35 Interviews KP001, KP002, KP003, KP004, KP005, KP006, KP008, KP009, KP011, KP013, TK001, TK004, TK005, UMC001, UMC004, KCN004 (Cambodia).

36 GRS Timor-Leste, p. 32.

37 Ibid.

38 Joanne Neenan (2017), p. 24.

39 Ibid.

40 Focus group discussion 04 (Colombia).

41 Mochmann, Ingvill C., ‘Children Born of War - A Decade of International and Interdisciplinary Research’, Historical Social Research, 42(1), (2017), p. 324, <https://doi.org/10.12759/hsr.42.2017.1.320-346>, accessed November 2023.

42 Mariana Goetz and others, ‘Study on the situation and opportunities of the right to reparation for victims and survivors of Conflict-related Sexual Violence in Kenya’, (Grace Agenda, Global Survivors Fund and Civil Society Organisation Network, May 2023), (GRS Kenya), p. 28, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_KENYA_EN_May2023_WEB.pdf, accessed November 2023.

43 Interview 11 AI (Survivor from Burundi, in Rwanda).

44 Research conducted by partner organisation ASOM (Colombia, 18 September 2021).

*“Literally, I feel that I transfer a part of my trauma to my daughter by raising her.”*⁴⁵ On top of that, children also have to face personal trauma that can come with the knowledge that they were born as a result of rape.⁴⁶ Personal trauma can also be caused by exposure to abuse and neglect by the child’s family and community. The impact of this can be profound and long-lasting, affecting their emotional, psychological and even physical wellbeing. Like their mothers, children born of conflict-related sexual violence are also vulnerable to mental health challenges such as post-traumatic stress

disorder and anxiety.⁴⁷ One interviewee from Burundi who was born of conflict-related sexual violence said: *“my mother never loved me and would hit me without any reason, she used to say she wanted me dead.”*⁴⁸ Another survivor from South Sudan said her son had *“developed an attitude of hating anybody”*, worrying that *“My son is continuing to live with a stepfather who does not like him and without support, I do not think my child will have a future. I often think, death is a right option to my son.”*⁴⁹

1.3. Interrupted education and economic hardship

Survivors who became pregnant at a young age often mention feeling robbed of their childhood, having had to abandon school and give up on their aspirations to take care of their newborn child. This has a detrimental impact on their future opportunities and on their livelihood, which has a subsequent impact on their children’s lives.⁵⁰

“The truth is that I was a teenager at the time. I stopped being a teenager and became a mother. At that time many people who were studying we could no longer study. That was as far as the studying went. There was no more studying. [...] I know that if I hadn’t had to become a single mother when I was a child, I would have been able to study. I mean, all that time I spent raising children, I could have studied. My studies wouldn’t have stopped where they did. I could be someone today. I could have prepared myself to get a job. And if I hadn’t also had this fear of everything I went through, this mistrust, and I would be a different person.”⁵¹

- A survivor from Colombia

“I couldn’t study due to the incident. Had I been able to continue my study I could have been financially independent now. I wouldn’t have to face the situation that I faced in the past nor the situation that I am facing now.”⁵²

- A survivor from Nepal

The financial challenges experienced by single mothers or families caring for children born of conflict-related sexual violence intensify pre-existing difficulties in their living conditions. This significantly compounds the broader problem of economic hardship within families, and has a detrimental impact on the wellbeing of both parents and children. Other family members can also be affected, especially older women, who may have to care for both the survivor and her child.⁵³ For example, in Mali the extended family - including grandparents and siblings - will sometimes step in to provide care and support for survivors as they navigate the journey of healing from their trauma.⁵⁴

45 Adrijana Hanušić Bećirović and others, ‘Study on Opportunities for Reparations for Survivors of Conflict-related Sexual Violence in Bosnia and Herzegovina’, (Global Survivors Fund, TRIAL International and Vive Zene, March 2022), (GRS BiH), p. 32, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_BiH_EN_March2022_WEB.pdf, accessed November 2023.

46 Ibid, p. 28.

47 GRS Kenya, p. 28.

48 Interview 2J (Burundi).

49 GRS South Sudan, p. 16.

50 Focus group Discussion (Colombia, 18 September 2021); Interviews 2, 3 (Burundi).

51 GRS Colombia, p. 37.

52 Elena Naughton and Dr. Susan Risal, ‘Nepal Study on the Status of and Opportunities for Reparations for Victims and Survivors of Conflict-related Sexual Violence’, (Conflict Victim Women’s National Network, Global Survivors Fund, International Center for Transitional Justice and Nagarik Aawaz, June 2022), (GRS Nepal), p. 50, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_Nepal_EN_June2022_WEB.pdf accessed November 2023.

53 GRS Colombia, p. 21.

54 GRS Mali.

This is also the case in Colombia where women in the family have stepped in to care for both the child as well as the survivor.⁵⁵

Additionally, in some countries where inheritance of land is governed by a patrilineal system, single mothers and their children are prevented from inheriting land. This was reported in Timor-Leste and

Uganda, for example, where children born of conflict-related sexual violence were not able to access and inherit land as they were considered “fatherless”.⁵⁶ In Uganda, familial access to land was restricted for boys born of conflict-related sexual violence, as they were perceived as having “rebel blood”.⁵⁷ In rural areas, this can exacerbate poverty and has had damaging intergenerational economic impacts.

2. INDIVIDUAL STRUGGLES: SPECIFIC CHALLENGES FACED BY CHILDREN BORN OF CONFLICT-RELATED SEXUAL VIOLENCE

2.1. Physical health issues

Some children born of conflict-related sexual violence can suffer from diverse health problems directly associated with the specific circumstances of their conception. This includes several cases where children have suffered from health conditions believed to originate from unsuccessful abortion attempts,⁵⁸ a concern raised by a survivor from Kenya.⁵⁹

“We have got children who have had a disability because some of them are meant to be aborted. And then the abuse of the abortion backfired. And then the child came out with a disability or with a limitation.”⁶⁰

- A survivor from Kenya

Additionally, some children born of conflict-related sexual violence are diagnosed as HIV-positive.⁶¹ Another survivor from Kenya shared her experience of raising a HIV-positive child whilst advocating for a social fund for mothers and children: “Some of the children were born with HIV, they were infected and they just didn’t see it. [...] But it just takes something very small to trigger off an attack of rashes that will make that will go septic and make a child will be hospitalised [...]”.⁶²

2.2. Increased vulnerability to neglect, violence, exploitation and abuse

Within their homes children born of conflict-related sexual violence may face violence and neglect from survivors because of the survivors’ own unresolved trauma.⁶³ They are also vulnerable to violence from other members of the family and the community - survivors’ husbands or partners “pose a particular risk

as a source of violence, including sexual violence, and rejection”.⁶⁴ In South Kivu, children born of conflict-related sexual violence are often mistreated and blamed for ‘disrupting the peace’. This denial of their worth can trigger negative attitudes and abuse towards them, in particular from their stepfathers.⁶⁵

55 GRS Colombia, p. 21.

56 GRS Timor-Leste, p. 34; Focus Group Discussion (Lango, Uganda, 27 May 2021).

57 Focus Group Discussion (Lango, Uganda, 27 May 2021).

58 Kimberly Thiedon, ‘Hidden in Plain Sight: Children born of wartime sexual violence’, (2015), p. 3, <https://www.journals.uchicago.edu/doi/epdf/10.1086/683301>, accessed November 2023.

59 Interview 01 (Kenya, 13 September 2021).

60 GRS Kenya, p. 33.

61 UN Security Council doc S/2022/77, p. 7.

62 Interview 01 (Kenya, 13 September 2021).

63 UN Security Council doc S/2022/77, p. 6-7.

64 Joanne Neenan (2017), p. 35.

65 Mauwa, J.K., Kaye, S.B., Mukwege, D.M., ‘Protecting and Nurturing Children Born from Rape in South Kivu Communities: A Challenge for Civil Society’, (2022) *The Anthropocene: Politik—Economics—Society—Science*, vol 34. Springer, Cham, p. 413.

In Uganda it has been reported that several stepfathers care for their own children, attacking the child born of sexual violence verbally but also withholding food and other basic necessities, and in some cases sexually abusing these children.⁶⁶ As mentioned before, this exposure to abuse, violence and neglect can cause mental health difficulties for these children, including post-traumatic stress disorder and anxiety. A lack of food can also lead to starvation and impact their physical and mental development. In some cases, stepfathers may even kill - or attempt to kill - children born of conflict-related sexual violence. In South Sudan many survivors shared details about infanticides and attempted infanticides of babies born of conflict-related sexual violence in their communities, some of which they had personally witnessed.⁶⁷

Children born of conflict-related sexual violence are at a higher risk of violence, exploitation and abuse due to their marginalisation and poor economic situation.⁶⁸ They are particularly vulnerable to abduction, recruitment and use by armed groups and forces,⁶⁹ and some children face an increased risk of this due to their geographic proximity to armed groups.⁷⁰ Another contributing factor is that many of these children have not benefited from basic education, which has negatively affected their ability to earn

a livelihood.⁷¹ In Colombia, for instance, some survivors fear that their children may join armed groups, as this could potentially represent the only possible source of income available to them in certain regions.⁷² Additionally, some survivors have voiced their reluctance to reveal the identity of the perpetrator out of fear that the genitor,⁷³ - if affiliated with a paramilitary group - could attempt to recruit their child.⁷⁴

Children born of conflict-related sexual violence in captivity are prone to sexual violence from immediate family members who tend to perceive them as children of the enemy and not as part of the family. As one survivor from Uganda explained: *“Children born in captivity are facing challenges. Imagine you have returned without your husband [enslaver] and later married another man, but your brother-in-law will want to defile your daughter. Why? [Because] they claim that that child has no relationship in that family.”*⁷⁵ Beyond the family, children born of conflict-related sexual violence in captivity are also prone to violence from the wider community as they are considered ‘worthless’. One survivor from Uganda said: *“Sometimes we think it’s because they are returnees from the bush and so they could be treating them as the rebels’ children”*.⁷⁶

2.3. Impact of lack of legal identity

Children born of conflict-related sexual violence face challenges related to the denial of their right to a legal identity and nationality.⁷⁷ The circumstances surrounding their birth, such as the unknown identity

of their genitor, coupled with legal, administrative, and practical barriers, often prevent them from accessing legal identity⁷⁸ which is often a prerequisite for accessing fundamental rights and essential services

66 ICTJ (2015), p. 18

67 GRS South Sudan, p. 17.

68 Platform for action (2022), p. 21.

69 UN Security Council doc S/2022/77, p. 1,7.

70 Platform for action (2022), p. 21.

71 UN Security Council doc S/2022/77, p. 7.

72 GRS Colombia, p. 44.

73 The word “genitor” means the male biological parent. The aim of using this word is to acknowledge that a man who conceives a child by committing sexual violence during conflict is not socially recognised as a father figure and has no father role, only a biological one.

74 Ibid.

75 Focus Group Discussion (Lango, Uganda, 27 May 2021)

76 Focus Group Discussion (Acholi, Uganda, 25 May 2021).

77 Legal identity are the “basic characteristics of an individual’s identity, e.g. name, sex, place and date of birth conferred through registration and the issuance of a certificate by an authorised civil registration authority following the occurrence of birth”, more information at, <https://unstats.un.org/legal-identity-agenda/>.

78 GSF, ‘Outcome Report, Expert roundtable on children born of conflict-related sexual violence Breaking down barriers to accessing the rights to identity and nationality’, (June 2023), (GSF Outcome Report), p. 3, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Policy_Briefs/Outcome_report_roundtable_children_born_of_CRSV_March24_web.pdf accessed February 2024.

like education, healthcare, and social protection, as well as for accessing reparation.⁷⁹

Mothers may avoid registering a child born of conflict-related sexual violence because of fear, stigmatisation and trauma, or to shield their child from the trauma of disclosing the circumstances of their conception.⁸⁰ Moreover, there exists a fear among some mothers that registering their child could potentially lead to an unwanted connection with the genitor.⁸¹ Some survivors may lack awareness of the importance of birth registration, particularly those who live in remote or marginalised areas with limited access to information. Language barriers further exacerbate this issue, hindering the dissemination of vital information regarding birth registration.⁸²

Moreover, some countries have gender discriminatory birth registration laws and practices making it difficult for children to be registered by their mother alone or to acquire nationality through their mother.⁸³ In Timor-Leste, for instance, children born of conflict-related sexual violence had difficulties accessing official documents as Civil Registration officials insisted on determining the child's biological father in order for them to obtain documents - even though this is not required under domestic law.⁸⁴ Similarly, it is difficult for children born of conflict-related sexual violence in Syria to obtain nationality or citizenship as only men can pass their nationality to their children.⁸⁵ In this context women wishing to register their children will face major administrative obstacles, such as

having to request a police report to investigate the circumstances of the conception of the child - which can be extremely stigmatising and re-traumatising for them.⁸⁶

Some survivors may not know the identity, real name or other required information relating to the genitor, such as his place of birth - which can present an additional barrier to registering their child when the provision of this information is considered mandatory. In some instances - for example when they have been gang raped - survivors may not be able to determine the identity of the child's biological father. One survivor from Burundi said that she does not know who her child's genitor was, as she was raped by several men.⁸⁷ Another survivor said that she was raped by both the rebels and the Ugandan soldiers, thus preventing her from even knowing to which group the genitor belonged.⁸⁸ Other reasons that prevent mothers from providing information about the genitor include their fear that, if he is affiliated with a paramilitary group, he could attempt to recruit the child, as shared by survivors in Colombia.⁸⁹

In some countries, such as Bosnia and Herzegovina, administrative forms require the name and identification number of both parents to be able to access services. This creates an additional barrier where - even if the child is legally registered - their access to basic rights and services is hindered. This requirement has no legal foundation and stems from patriarchal norms and discrimination.⁹⁰

79 Ibid.

80 Ibid, p. 6.

81 Ibid.

82 Ibid, p. 6-7.

83 Ibid, p. 7.

84 GRS Timor-Leste, p. 33.

85 Legislative Decree 276 (1969), Syrian Nationality Law, article 3, <https://www.refworld.org/pdfid/4d81e7b12.pdf>, accessed January 2024.

86 Amal Nassar, 'Syria Study on Opportunities for Reparations for Survivors of Conflict-related Sexual Violence', (Association of Detainees and the Missing of Sednaya Prison, Global Survivors Fund and Women Now for Development, August 2023), (GRS Syria), p. 55,, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_SYRIA_EN_Sept2023_WEB.pdf, accessed January 2024.

87 Interview 10 D (Burundi, in Rwanda).

88 Focus Group Discussion (West Nile, Uganda, 25 May 2021).

89 GRS Colombia, p. 59.

90 GSF Outcome Report, p. 8.

This can be illustrated by the testimony of a now-adult child born of conflict-related sexual violence from Bosnia and Herzegovina:

“When I was enrolling in school, all the children were standing in line, we were handing over our documents; in puberty, the first feeling appeared that something is wrong, because when the lady that I was handing documents to asked me for my father’s name, I said I didn’t know it – my mother was outside with my stepfather at that time – and she asked again: ‘How come you don’t, where is your father?’ I replied that he had died, to which she said, ‘Well, I need his death certificate then’ and I didn’t have that.”⁹¹

One survivor from Syria recounted the case of a child she knows who has no official documents other

than a birth certificate from a prison. As a result, his mother is not able to enrol him in school and faces questions about whether or not the child is legitimate.⁹² Another survivor from Syria worried that such children would not be able to lead a normal life without legal documents as they cannot be registered at school or benefit from any basic rights or services, and are looked down upon and harmed by society.⁹³

Due to these barriers to accessing legal identity, children born of conflict-related sexual violence struggle to access essential services, as well as reparation, as it often holds legal identity as a pre-requisite to access them. Children born of conflict-related sexual violence are also often stateless. Addressing these barriers requires comprehensive efforts, - including legal and policy reforms, awareness-raising and advocacy campaigns, capacity-building and targeted interventions, as well as initiatives to secure reparation for children born of conflict-related sexual violence.

⁹¹ GRS BiH, p. 29.

⁹² Interview 01 (Syria).

⁹³ Interview 05 (Syria).

III. Key considerations for providing reparation to children born of conflict-related sexual violence

Drawing upon the voices of survivors from interviews and focus group discussions as part of the GRS, it became evident that children are profoundly affected by the challenges their mothers encounter, as outlined previously. The following section of this briefing will focus on analysing how improving the economic, psychosocial and health situation of mothers can significantly improve the wellbeing of their children. Many survivors have highlighted that children born of conflict-related sexual violence have been overlooked for far too long, and this serves as a powerful reminder of the urgent need to provide specialised support and resources tailored to a child's age and developmental stage. Thus, the following section will also explain how specific measures should directly target and address the distinct challenges faced by the children themselves.

“The State has neglected them and disregarded their very existence.”⁹⁴

- Global Reparations Study, Colombia

1. BALANCING THE NEEDS OF SURVIVORS AND THEIR CHILDREN IN THE REPARATION PROCESS

Children born of conflict-related sexual violence and the survivors who gave birth to them face “*distinct and overlapping challenges*”.⁹⁵ Since children are impacted by the challenges their mothers face - as illustrated above -, improving the economic, psychosocial, and health situation of a mother (particularly when she is the primary caregiver) is likely to enhance the life of her child.⁹⁶ A fitting approach to mitigating the challenges faced by children born of conflict-related sexual violence would thus be through successfully tackling the challenges faced by their mothers.⁹⁷ Survivors’ testimonies and impact evaluations of GSF’s interim reparative measures (IRM) projects in multiple countries suggest that children do benefit indirectly from the reparations provided to their mothers and caregivers. For instance, in Guinea and DRC, IRM allowed survivors to send their children to school.⁹⁸ In another case, a male survivor from DRC, whose wife is also a survivor of rape, shared that the IRM resulted

in his non-biological daughter, born of conflict-related sexual violence, obtaining her birth certificate and being “*acknowledged and treated like any other child in the house*.”⁹⁹

In Iraq, IRMs implemented in partnership with Nadia's Initiative (NI) reached 233 boys and 213 girls amongst a group of 1042 Yazidi survivors - providing financial and medical interim measures along with English classes and legal assistance. The impact evaluation conducted with a sample of adult survivors suggests an increase in their mental wellbeing and self-assessed quality of life, which could also benefit their children.¹⁰⁰

Whilst tackling challenges such as these faced by survivors will positively impact the living conditions of children born of conflict-related sexual violence, specific measures nevertheless should directly target and address the distinct challenges faced by the children in their own right.

94 Research conducted by ASOM (Colombia 18 September 2021).

95 Platform for action (2022), p. 6.

96 Joanne Neenan (2017), p. 43.

97 Brigitte Rohwerder (2019), p. 11.

98 Netherlands Institute for the Study of Crime and Law Enforcement, ‘Examining Effects of the Interim Reparative Measures of the Global Survivors Fund on Survivors of Conflict-Related Sexual Violence in Guinea and the DRC’, (February 2023), p. 3, https://nscr.nl/app/uploads/2023/03/NSCR_Factsheet_IRM_CRSV_GSF.pdf, accessed April 2024.

99 Global Survivors Fund, ‘Martin & Georgette - Survivor testimonies from DRC’, (14 February 2024), https://www.youtube.com/watch?v=2cX_7nyY8TQ.

100 Global Survivors Fund, ‘Final Impact Evaluation for Iraq’, (2024), (to be published).

2. CHILD AND VICTIM-CENTRED REPARATION PROGRAMMES

The right to participation of children is enshrined in Article 12 of the *Convention on the Rights of the Child*, which provides that children who can express their views should be enabled to freely do so in all matters concerning them.¹⁰¹ Children should also have the chance to be heard in legal and administrative proceedings, either directly or through a representative.¹⁰² The UN Committee on the Rights of the Child (CRC) defined a set of requirements which should be respected to guarantee children's effective, ethical and meaningful participation. In particular, the process should be transparent and informative, voluntary, respectful, relevant, child-friendly, inclusive, supported by training, safe, sensitive to risk and accountable.¹⁰³

A few countries have recognised children born of conflict-related sexual violence as victims and included them in the scope of their reparation programmes. In Colombia, the Victims and Land Restitution Law recognises victims of conflict-related sexual violence, including children born of rape, as war victims, therefore making them eligible for reparation.¹⁰⁴ In Peru, children have been recognised as victims and thus entitled to reparation, yet, they were considered indirect victims.¹⁰⁵ More recently, in July 2022, the Brčko District of Bosnia and Herzegovina adopted a law that recognised children born of conflict-related sexual violence as civilian victims of war.¹⁰⁶ However, governments rarely recognise children born of conflict-related sexual violence as direct victims eligible for reparations. For example, Iraq's 2021 Yazidi Female Survivor's Law was enacted to provide a reparation framework for the survivors of the violence perpetrated by the Islamic State of Iraq and the Levant

(ISIL), but it excludes children born of conflict-related sexual violence.¹⁰⁷

In the Kinshasa Declaration survivors affirmed that children born of conflict-related sexual violence, including those who have reached adulthood, should be “*entitled to victim-centred, transformative and gender-responsive reparations in their own right.*”¹⁰⁸ It is crucial that these children take a central role in every stage of the reparation process as they are direct victims of these crimes and, as such, are entitled to reparation along with survivors of conflict-related sexual violence.

“At times, we tend to overlook their needs. I firmly believe that there exists a significant responsibility towards them. It is crucial to formulate plans, strategies, care initiatives, and reparations, as they are an integral part of our reality, our households, and our community. They are human beings entitled to rights and deserving of our attention.”¹⁰⁹

- Global Reparations Study, Colombia

Reparation programmes should guarantee the active participation of children in a manner that safeguards their interests and prevents further stigmatisation or exclusion. Reparation measures need to be considered in a child-sensitive manner, including by shaping reparation policies and practices around the best interests of the child. Reparations also need to be gender-sensitive and age-appropriate, as children's needs evolve significantly depending on their gender, age and abilities.

101 UN General Assembly, 'Convention on the Rights of the Child', (20 November 1989), Article 12.1, <https://www.refworld.org/docid/3ae6b38f0.html>, accessed 24 November 2023.

102 Ibid, article 12.2.

103 UN Committee on the Rights of the Child, 'General comment No. 12', (2009), para. 133–134, <https://www.refworld.org/legal/general/crc/2009/en/70207>, accessed February 2024.

104 Law 1448, 'Victims and Land Restitution Law', (10 June 2011), art. 181, <https://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Leyes/1680697>, accessed November 2023.

105 'Ley N°28592 – Ley que crea el Plan Integral de Reparaciones' – PIR 297798, (2005), art. 5 c), <https://cdn.www.gob.pe/uploads/document/file/1562505/ley28592.pdf.pdf?v=1664580086>, accessed December 2023.

106 TRIAL International, 'Children born as a result of wartime rape get their first legal recognition in Bosnia and Herzegovina', (4 August 2022), <https://trialinternational.org/latest-post/children-born-as-a-result-of-wartime-rape-get-their-first-legal-recognition-in-bosnia-and-herzegovina/>, accessed January 2024.

107 Parliament of Iraq, 'Yazidi Female Survivors' Law', (1 March 2021), deleted art. 6, <https://ekurd.net/iraqi-parliament-passes-yazidi-2021-03-02>, accessed January 2024.

108 Kinshasa Declaration, para. 3, p. 2.

109 Focus group discussion, (Cauca, Colombia).

IV. Priority areas of reparation for children born of conflict-related sexual violence identified by survivors

During focus group discussions and interviews conducted as part of the GRS across multiple countries, survivors demanded various individual, collective, material and symbolic forms of reparation. When asked about their perspectives on reparation, mothers and caregivers often mentioned that their children – including those born of conflict-related sexual violence – should be considered as beneficiaries of reparation programmes. For example, they mentioned the need for the construction of schools and the provision of scholarships for their children. When asked about their own needs in terms of health, survivors often demanded psychological counselling for their children as well. The following section of this briefing will explore the needs of children born of conflict-related sexual violence in terms of reparation measures, from the perspective of their mothers and/or caregivers. It will also illustrate how these needs call for both immediate and long-term measures, and will explain the necessity for a holistic approach to children's healing and wellbeing.

1. EDUCATION AS A PRIORITY FORM OF REPARATION FOR CHILDREN BORN OF CONFLICT-RELATED SEXUAL VIOLENCE

“Now the challenges I see is that, the life of children born from captivity is very difficult. They cannot go to school and now they have become Aguu (street kids). They have nothing, they have been chased away from their land.”¹¹⁰

- A survivor from Uganda

To break the cycle of poverty it is essential to ensure that children born of conflict-related sexual violence have access to education, as this plays a crucial role in shaping their futures.¹¹¹ When asked about their perspectives on reparation, mothers in Timor-Leste prioritised addressing the disadvantage that their children faced in terms of discontinued education and limited life opportunities.¹¹² When it came to education, the mothers' purpose was to secure a livelihood for their children and for them to be able to provide financially for their families, especially when they are adults or nearing adulthood.

“Survivors' children continue to suffer, both in stigma and in poverty. Many couldn't complete their education – in their communities they were discriminated against and left out. Now they can't get jobs, they don't have good housing and they can't give their mothers the support they need.”¹¹³

- A survivor from Timor-Leste

Survivors also expressed the need for scholarships to guarantee access to education for their children. A survivor from Uganda said: *“My son is in boarding school and the school fees is high. I cannot afford and am afraid he may not complete his education.”¹¹⁴*

Many survivors from Burundi - most of them living in refugee camps - have voiced a pressing need to secure access to education for their children born of conflict-related sexual violence. A significant number have insisted that this education should be free.¹¹⁵

110 Focus Group Discussion (Acholi, Uganda, 25 May 2021).

111 Joanne Neenan (2017), p. 11.

112 GRS Timor-Leste, p. 37.

113 Ibid, p. 32.

114 Focus Group Discussion (West Nile, Uganda, 25 May 2021).

115 Interviews 7, 9, 10, 11, 12, 13, 16 (Survivors from Burundi, in Rwanda); Interviews 1, 3, 4 (Burundi).

Survivors from Cambodia demanded scholarship programmes for their children to pursue different fields of study, such as medical school,¹¹⁶ mechanical¹¹⁷ and electric engineering,¹¹⁸ or even scholarships starting from regular primary school.¹¹⁹ In other contexts, suggested scholarship programmes entailed providing microfinancing to grow businesses in sectors such as agriculture.¹²⁰

Survivors' perceptions of children's vocational training needs were systematically documented during the GRS study in Cambodia. As Fig. 1 and 2 show (Tables p. 18), the two most requested forms of reparation for children and children born of conflict-related sexual violence in Cambodia were educational scholarships and vocational training - highlighting the survivors' priority for securing their children's future livelihoods. In terms of vocational training the strongest preferences were for mechanical and agricultural skills, including car and bike mechanics, blacksmithing, agroforestry, animal husbandry, etc. Petitions for vocational training in the service sector included health & beauty, tailoring, hospitality, packing and tourism. Some largely-overlooked measures - such as the provision of life insurance and the construction of schools - were also mentioned.

Similarly, survivors in Timor-Leste identified vocational training, university scholarships and access to

governmental job opportunities for their now-adult children as priorities.¹²¹ Vocational training needs are region-specific and vary depending on what jobs are available nearby. For example, the demand for vocational training in Cambodia included *"technical skills on agriculture cultivation because more than 80% of Cambodians do farming, other support of high-tech machines, and technical schools."*¹²² Another survivor mentioned the value of vocational training for children on *"packing vegetable and fruit, growing animals, fixing cars and motorbikes, wedding facility."*¹²³ Survivors in Colombia also expressed the need for measures such as entrepreneurship training and income-generating projects for young individuals who lack opportunities.¹²⁴

"Government should pay children born in captivity fees in school and they should reach any level they want to. Because if they studied, that is our future."¹²⁵

- A survivor from Uganda

Stigmatisation, bullying, and harassment of children born of conflict-related sexual violence have led several children to drop out of school. This was found to be a prevalent issue in various countries of focus, including Bosnia and Herzegovina,¹²⁶ Uganda,¹²⁷ Timor-Leste,¹²⁸ the Gambia,¹²⁹ and Cambodia.¹³⁰

116 Interview KCH007 (Cambodia).

117 Interview KCN002 (Cambodia).

118 Interview KCH006 (Cambodia).

119 Interviews KP002, KP006 (Cambodia).

120 Interviews KP003, KP006, TK001, UMC001, KCN004 (Cambodia).

121 GRS Timor-Leste, p. 37.

122 Interview BTB002 (Cambodia).

123 Interview KP001, KP006 (Cambodia).

124 Research conducted by partner organisation ASOM (18 September 2021, Colombia).

125 Focus Group Discussion (Acholi, Uganda, 25 May 2021).

126 GRS, BiH, p. 29.

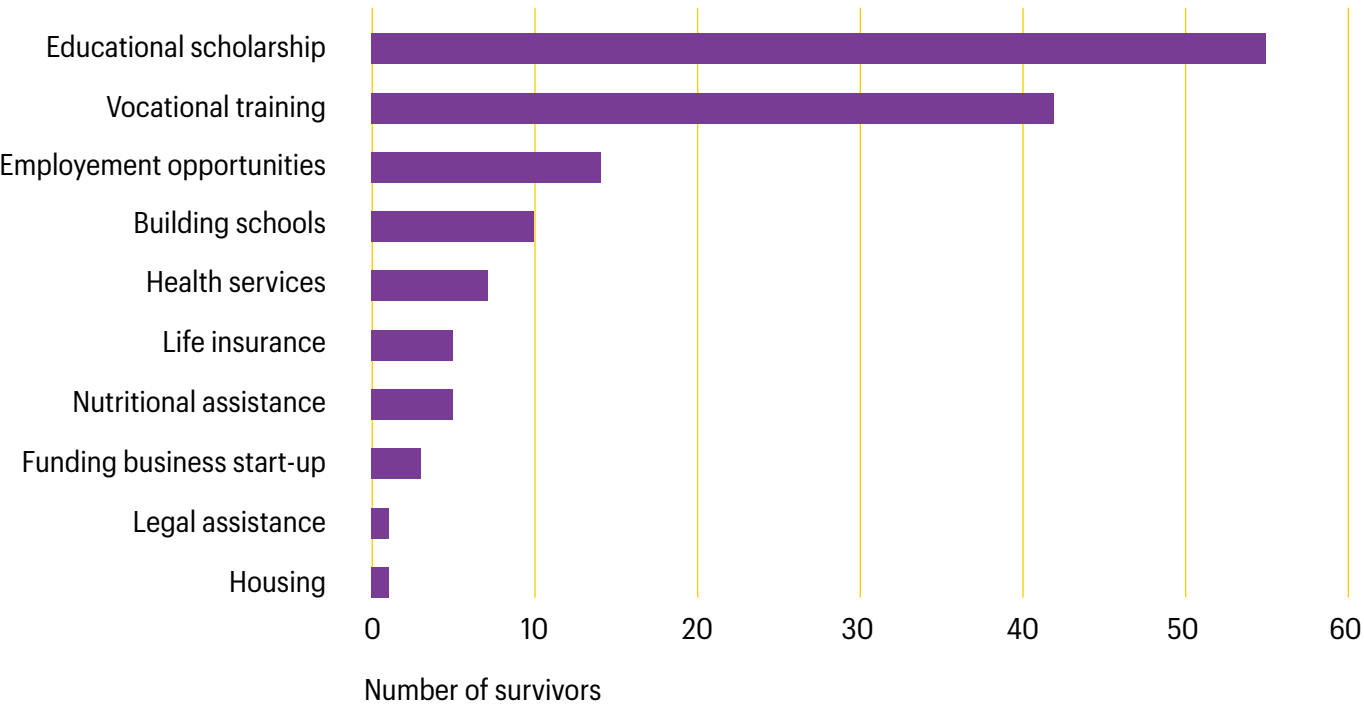
127 Marianne Akumu and others, 'Uganda Study on Opportunities for Reparations for Survivors of Conflict-related Sexual Violence', (Global Survivors Fund, International Center for Transitional Justice and Women's Advocacy Network, May 2022), p. 31, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_Uganda_EN_May2022_WEB.pdf, accessed on January 2024.

128 GRS Timor-Leste, p. 33.

129 Didier Gbery and Maimuna Manneh, 'The Gambia Study on Opportunities for Reparations for Victims and Survivors of Sexual and Gender-based Violence', (International Center for Transitional Justice, Women Association for Victims Empowerment, Gender Platform for Transitional Justice and Global Survivors Fund, June 2022), (GRS Gambia) p. 24, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_Gambia_ENG_June2022_WEB.pdf, accessed on January 2024.

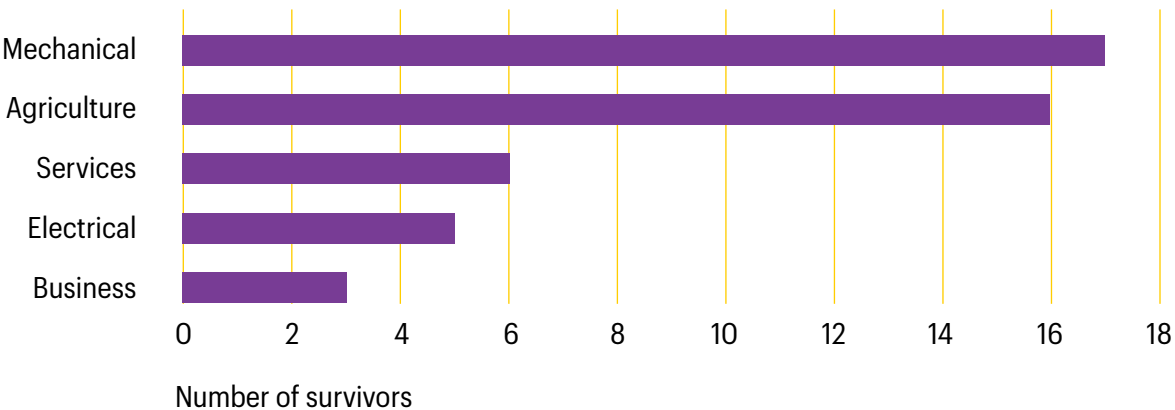
130 Lisa-Marie Rudi, 'Cambodia Study on Opportunities for Reparations for Survivors of Conflict-related Sexual Violence', (Global Survivors Fund, Kdei Karuna and REDRESS Trust, March 2022), (GRS Cambodia), p. 30, https://www.globalsurvivorsfund.org/fileadmin/uploads/gsf/Documents/Resources/Global_Reparation_Studies/GSF_Report_Cambodia_EN_March2022_WEB.pdf accessed November 2023.

FIG 1. FORMS OF REPARATION DEMANDED FOR CHILDREN AND CHILDREN BORN OF CONFLICT-RELATED SEXUAL VIOLENCE - CAMBODIA



Source: The Global Reparations Study, Cambodia, 2022

FIG 2. TYPES OF VOCATIONAL TRAINING DEMANDED FOR CHILDREN AND CHILDREN BORN OF CONFLICT-RELATED SEXUAL VIOLENCE - CAMBODIA



Mechanical: Car/Bike service, Blacksmith.
Agriculture: Crop cultivation, Agroforestry, Animal husbandry.
Services: Beauty salon, Tailoring, Hotel, Packaging, Tourism.
Electrical: Electrician, Repair of TV/Radio/Computer & other electronic appliances.
Business: Company management.

Source: The Global Reparations Study, Cambodia, 2022

In South Sudan survivors of conflict-related sexual violence reported instances where their husbands excluded and discriminated against children born of conflict-related sexual violence by denying them financial support for their education.¹³¹ Whilst many survivors wished that their children could attend regular schools without being stigmatised, survivors from Colombia and South Sudan suggested the establishment of specialised education programmes or schools that are tailored to meet the unique needs of children born of conflict-related sexual violence.¹³²

On the other hand, specialised schools could increase stigmatisation as singling out victims or specific groups of victims for special measures like education can inadvertently lead to further stigmatisation and discrimination against them.¹³³ As such, programmes that have included children born of conflict-related sexual violence alongside other vulnerable children have had more success in comparison to programmes that have singled out children born of conflict-related sexual violence.¹³⁴ In the Kinshasa Declaration survivors remarked that all of their children should be entitled to reparation, not just their children born of conflict-related sexual violence.¹³⁵ For example, survivors in the Democratic Republic of Congo expressed their wish to have all their children included in education

programmes, including children not born of conflict-related sexual violence.¹³⁶ Similarly, survivors in Nigeria have expressed that education provision should be inclusive and not just provided to individual victims, but further extended to all children and siblings within the affected families. This broader approach helps avoid singling out specific individuals or groups and mitigates the risk of backlash or further discrimination against survivors in the community.¹³⁷

"If the government decides to give our children free education, that will still not be enough if there is stigma in schools because their fellow students will still be mocking them, at the end of the day they will fail to concentrate in class or even perform poorly and come back home eventually. So there is need for sensitisation of teachers to ensure that children born from captivity feel welcomed in schools, give them guidance and counselling, talk to their fellow students not to stigmatise such students because it discourages, this will help them persevere their education."¹³⁸

- A survivor from Uganda

2. ACCESS TO PHYSICAL AND MENTAL HEALTHCARE

Rehabilitation measures aim to provide victims with essential services that are needed to help them move on and live their lives in a dignified manner.¹³⁹ Given the seriousness of the harms suffered, children born of conflict-related sexual violence should have access to adequate and timely mental and physical health services. Once the children reach adolescence and adulthood, if their traumas have not been addressed,

they may suffer from various mental health conditions such as depression or issues such as violence or drug and alcohol dependency.¹⁴⁰

"He acts like a time bomb waiting to explode. I just hope that soon, we'll be okay."¹⁴¹

- A survivor from Kenya

131 GRS South Sudan, p. 16.

132 Focus Group Discussion (Bentiu, South Sudan, 11-12 June 2021); Research conducted by ASOM (18 September 2021, Colombia).

133 Clara Ramírez-Barat, C. & Roger Duthie, 'Education and Transitional Justice: Opportunities and Challenges for Peacebuilding', ICTJ/UNICEF (2015), p. 32, <https://www.ictj.org/publication/education-transitional-justice-opportunities-challenges-peacebuilding>, accessed February 2024.

134 Joanne Neenan (2017), p. 43.

135 Kinshasa Declaration, para. 3, p. 2.

136 Interview with GSF senior advocacy and policy officer, 2023.

137 GSF, 'Education and Reparation for Children affected by Conflict-Related Sexual Violence,' internal document, unpublished.

138 Focus Group Discussion (Acholi, Uganda, 25 May 2021).

139 'Guidance Note Of The Secretary General Reparations for Conflict Related Sexual Violence', (June 2014), p. 18, <https://www.ohchr.org/sites/default/files/Documents/Press/GuidanceNoteReparationsJune-2014.pdf>, accessed January 2024.

140 UN Security Council doc S/2022/77, p. 7.

141 Focus Group Discussion 04 (Kenya, 3 May 2021).

Survivors from Burundi, Cambodia, Colombia and Nepal who were heard within the framework of the GRS expressed the urgent need for psycho-social support for them and their children born of conflict-related sexual violence.¹⁴² One survivor from South Sudan

demanding a rehabilitation centre with counselling services and free medication for mothers with children born of rape as most of the time they find themselves being sent to clinics where they are unable to afford the medicines.¹⁴³

3. ENCOURAGING COMMUNITY ACCEPTANCE AND INCLUSION

In the Kinshasa Declaration survivors declared that - in order to make reparation accessible and meaningful - reparation programmes should address discriminatory and stigmatising taboos through awareness-raising on the impacts of war.¹⁴⁴ One survivor from South Sudan strongly emphasised the need for sustained campaigning efforts to combat stigma: *“Need to do a lot of campaigning for children born of rape so that everyone knows they are human. [They] have to understand they are human and [it is] not their fault.”*¹⁴⁵

Addressing stigmatisation and discrimination at the community level is crucial to ensure respectful treatment of children born of conflict-related sexual violence.¹⁴⁶ A survivor from Uganda emphasised the importance of initiating campaigns against stigmatisation in schools. Schools not only shape the values of the next generation during their formative years, but also serve as the setting where children born of conflict-related sexual violence interact with peers not born of conflict-related sexual violence.¹⁴⁷ Therefore, it is vital to educate and encourage the next generation to break the cycle of stigmatisation and prevent the isolation of their fellow classmates.

The Secretary-General of the United Nations 2022 report on *Women and girls who become pregnant as a result of sexual violence in conflict and children born of sexual violence in conflict* recommends engagement with survivor

networks and women-led organisations at global, regional and national levels through targeted programmatic, policy and advocacy support, including fostering peer support and solidarity networks.¹⁴⁸ Survivors from Colombia highlighted the transformative potential of such collective actions, expressing that their participation in collective processes has resulted in *“networks of support, solidarity, and friendship.”*¹⁴⁹ Survivors from Timor-Leste have shared that *“small-scale NGO programmes in their communities have made a difference to the social attitudes of stigmatisation and victim-blaming.”*¹⁵⁰ However, they said that an official and large-scale programme is needed to stop the cycle of re-victimisation in the long term.¹⁵¹

Some children who are born of conflict-related sexual violence are unaware of the circumstances of their conception. In some cases, mothers or other caregivers might choose to disclose this to them when the child is older. Creating discussions regarding paternity and circumstances of their conception for children born of conflict-related sexual violence can foster self-acceptance and help with identity-development - provided that the timing and manner of disclosing such information is appropriate and that the disclosure takes place in a pre-existing supportive environment.¹⁵² While disclosure can help, it can also trigger emotional challenges for the mother and the child.¹⁵³

142 Interview 4 Ch (Burundi); Interview 13 MA (Burundi, in Rwanda); Focus Group discussion (Sans Miguel, Colombia); GRS Nepal, p. 94; GRS Cambodia, p. 31.

143 Focus Group Discussion 05 (Yei, South Sudan).

144 Kinshasa Declaration, para. 10, p. 3.

145 Interview 01 (South Sudan).

146 Hogwood et al. 'I Learned Who I Am: Young People Born From Genocide Rape in Rwanda and Their Experiences of Disclosure', (2017), (Hogwood et al. (2017)), p. 17, <https://survivors-fund.org.uk/wp-content/uploads/2017/06/I-learned-who-I-am-full-paper.pdf>, accessed November 2023.

147 Focus Group Discussion (Acholi, Uganda, 25 May 2021).

148 UN Security Council doc S/2022/77, p. 13.

149 GRS Colombia, p. 62.

150 GRS Timor-Leste, p. 39.

151 Ibid.

152 Brigitte Rohwerder (2019), p. 12; Hogwood et al. (2017), p. 5.

153 Ibid.

For instance, one survivor from Colombia explained that she did not disclose it to her children born of conflict-related sexual violence as she did not want to hurt them by *“telling them all the time how they came into this world.”*¹⁵⁴

However, given the complexity surrounding disclosure, it is important that mothers or other caregivers receive adequate support in the process, should they choose to do so.¹⁵⁵ The child coming to terms with their truth and the community accepting that child are two sides of the coin that need to be addressed simultaneously and cautiously. Whilst raising community awareness about the realities and needs of children born of conflict-related sexual violence is vital for addressing the unique challenges they face, it is equally important for awareness campaigns to consider the potential risk of re-traumatisation. Such negative outcomes can inadvertently arise if these campaigns are not conducted with careful anticipation of these potential risks and do not contemplate adequate response mechanisms to these risks. Such mechanisms can include various short-term and long-term measures, such as counselling, guidance, access to resources that can help mothers or other caregivers during the process, and other post-disclosure support for children that focuses on their emotional wellbeing and looks after their best interests.¹⁵⁶ Campaigns can also provide

insight into the disclosure process, such as learning from those who have disclosed their HIV status to children, or the way in which they have disclosed an adoption.¹⁵⁷ These measures, whilst varied, might provide strategies for managing sensitive disclosures effectively.

Awareness-raising initiatives in the community that highlight positive outcomes can play a pivotal role in dispelling misconceptions on sexual violence, fostering empathy, and - as a consequence - reducing the hesitation of mothers towards disclosing the truth to their children, should they wish to do so. *“My neighbours, children, and relatives feel empathetic and shocked to have learned that our people were forcibly married with hundreds of couples at the same time, and they feel horrified that this devastating horror happened to our country”*, one survivor from Cambodia said.¹⁵⁸ The situation described by this survivor has been created because of the community’s commitment to preserving the collective memory of the atrocities that occurred during the Khmer Rouge regime. Therefore, showcasing positive examples through awareness campaigns, with a focus on condemning the acts of perpetration rather than perpetuating survivors’ victimhood, could be crucial in eradicating stigma and fostering community acceptance.

154 Focus group discussion (Cauca, Colombia).

155 Brigitte Rohwerder (2019), p. 12.

156 Hogwood et al., (2017), p. 17.

157 Ibid, p. 15.

158 Interview BTB002, BTB005 (Cambodia).

V. Conclusion

Across the 16 countries covered by this briefing, survivors have provided invaluable insights that lay the foundation for a better understanding of the complex challenges faced by children born of conflict-related sexual violence, and of their perspectives in relation to their reparation needs. Rooted in the narratives and experiences of survivors, this briefing brings to light an often invisible and marginalised category of victims and underscores the necessity of addressing the specific harms and challenges faced by children born of conflict-related sexual violence.

Bringing reparation to children born of conflict-related sexual violence will contribute to preventing the intergenerational transmission of harm, and improve their wellbeing and empower them to envision a promising future. Raising community awareness, promoting acceptance, and combating stigmatisation are essential to fostering inclusive communities where these children can thrive. But these elements alone would not work. Children born of conflict-related sexual violence also need to have access to education, healthcare, and legal recognition, as these are key forms of reparation that can help breaking the cycle of poverty and vulnerability and empowering these victims.

Furthermore, adopting a co-creative, survivor-centric, and child-centric approach in the design, implementation, monitoring and evaluation of reparation programmes is crucial. This approach not only ensures the meaningful participation of children born of conflict-related sexual violence - taking into account their specific age groups and the evolving nature of their needs within reparation processes - but also empowers survivors to heal and rebuild their lives and fosters a sense of hope. By recognising their agency, rights, and unique perspectives, we aim to create a world where all victims, including children born of conflict-related sexual violence, can envision a brighter tomorrow.

“If children born from captivity can be supported, they could bring brilliant ideas in our country, and they would not be beggars. For instance, if they are educated, there would not be land conflict victims, because they would get their own land and meet their own needs.”¹⁵⁹

- A survivor from Uganda

159 Focus Group Discussion 04 (Kenya, 3 May 2021).

VI. Recommendations

1. To Governments

Governments are the primary duty bearers for framing and implementing reparation programmes for the children born of conflict-related sexual violence. Responding to the urgent needs identified in this briefing, governments should:

- Ensure that children born of conflict-related sexual violence are recognised as direct victims of conflict-related sexual violence and ensuing violations. Additionally, that they have access to adequate, prompt and effective remedies and victim-centred reparation for the harms they have suffered.
- Design and adopt child-sensitive, gender and age-appropriate reparation policies and programmes that follow the best interests of the child that are adapted to the specific needs and situation of children.
- Include education, livelihood training, medical and psychological support, as well as unhindered access to the right to a legal identity and nationality, as forms of reparation for children born of conflict-related sexual violence.
- Promote and uphold the right to universal birth registration and ensure every child, including those born of conflict-related sexual violence, is officially recognised and provided with a legal identity.
- Promote and uphold the right to available, accessible, acceptable, and quality education of children born of conflict-related sexual violence.
- Prioritise the provision of education as a form of reparation for children born of conflict-related sexual violence, incorporating comprehensive support systems that include psychological support and trauma-informed teaching and learning methods.
- Provide specialised psychological care and accompaniment of pregnant women and mothers, as part of long-term psychological support for both the mother and the child.
- Develop systems that enable children born of conflict-related sexual violence to participate in reparation processes. These systems should be survivor-centred, trauma-informed, child-sensitive, gender-sensitive and age appropriate.

2. To the international community

The international community should:

- Push for states to recognise children born of conflict-related sexual violence as victims of conflict-related sexual violence, and to uphold other rights that have been hindered, such as the right to legal identity and nationality.
- Press governments to uphold children born of conflict-related sexual violence's right to victim-centred reparation.
- Ensure reparation programmes for children born of conflict-related sexual violence, as well as programmes supporting mothers, are sufficiently and sustainably funded.
- Raise awareness about the issues and difficulties faced by children born of conflict-related sexual violence. This could be achieved by organising meetings at the United Nations, such as an Arria-formula meeting of the United Nations Security Council, specifically focused on this topic.
- Promote the right to available, accessible, acceptable, and quality education and universal birth registration.
- Support and sustainably fund national initiatives aimed at ensuring that every child, including those born of conflict-related sexual violence, is provided with education and a legal identity.

3. To civil society organisations

Civil society organisations should:

- Conduct awareness-raising campaigns targeting the international community, government officials, service providers and communities to promote the understanding of the rights and needs of children born of conflict-related sexual violence and of their mothers, and to sensitise authorities and society at large about the importance of reparation for these children. Awareness-raising campaigns should address the multiple and intersecting barriers faced by children born of conflict-related sexual violence, with a focus on the vulnerability and trauma of the mother. These campaigns must safeguard the best interests of the child and avoid stigmatisation of children born of conflict-related sexual violence.
- Promote community and peer-to-peer engagement to challenge social norms, reduce stigma, and create a safe, accepting and supportive environment for children born of conflict-related sexual violence and their mothers.
- Provide comprehensive psychological support to both children born of conflict-related sexual violence and their mothers. This support should address the unique challenges they face due to the circumstances of their situation and help them cope with trauma.
- Collaborate with survivors of conflict-related sexual violence and children born of such violence to co-create reparative measures. Utilise the unique trust CSOs have with children and survivors to effectively facilitate their participation in reparation processes.
- From the outbreak of a conflict, and in cooperation with other stakeholders, including the UN, form working groups that immediately start addressing the needs of pregnant mothers and new-borns at all levels, such as registration, psychological support, legislation, and awareness raising.

