

WAR AND HUMAN RIGHTS IN AFRICA: REFLECTIONS ON SEX RELATED ABUSES IN THE CONGOLESE, RWANDAN, LIBERIAN AND LIBYAN CONFLICTS

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Abstract

A normal, entirely peaceful and conflict-free world though, 'generally' desirable, is indeed utopia. Through the ages it has become increasingly manifest that war and peace are two sides of a coin. Put bluntly, wars of different kinds and degrees are common elements in human societies. To be sure, war is an organized, armed and usually prolonged conflict between groups, states and some other parties characterized by huge aggression, social disruption and normally, high mortality. However, sex-related crimes especially against women have increasingly become a regular feature in theatres of war across the world, particularly in Africa. This paper is a historical reconstruction of the trajectory of war time sex-related human rights violations in Africa, using the Congolese, Rwandan, Liberian and Libyan conflicts as case studies. The study shall examine the nature and dimensions of such violations, as well as their implications for sustainable development.

Keywords: War, Human Rights, Africa, Sex Abuse, Rwanda, Liberia, Congo, Libya.

Introduction

Sex related criminality especially against women has increasingly become a regular feature in theatres of war across the world, Africa in particular. Historically, the variety of African conflicts spans wars between African nations, civil wars within African nations, colonial conflicts, liberation wars in African nations and contemporary civil wars in post-colonial African states, etc. The causes of these conflicts vary, varying from

disputes between contending groups over land and other economic resources, to the struggle for political autonomy or outright secession and independence. In general, civil wars in Africa have resulted in widespread and devastating consequences for the land and people. However, the main objective of this chapter is to assess the nature and consequences of wartime human rights violations in Post-colonial Africa using the Democratic Republic of Congo (DRC), Rwanda, Liberia and Libya civil wars as selected cases. These case studies were selected based largely on considerations of regional balance for representation, as well as considerations of the scope of the conflicts and the extent of their consequences. The study is in four broad sections:

- (I) Introduction
- (ii) Some Conceptual Clarifications
- (iii) War and Human Rights in Africa: Selected Cases of the Congolese, Rwandan, Liberian and Libyan Civil Wars
- (iv) Conclusion

Some Conceptual Clarifications

The predominant concepts in this study include War, Sex Abuse and Human Rights. Since the pioneering efforts of the Prussian General, Carl von Clausewitz modern scientific study of war has received increasing attention from scholars. Clausewitz had postulated that: war is nothing but a duel on an extensive scale, or act of violence intended to compel our opponent to fulfill our will. Violence arms itself with the innovations of Art and Science in order to contend against violence. Violence, that is physical force, is therefore the means; the compulsory submission of the enemy to our will is the ultimate object. In order to attain this object fully, the enemy must be disarmed, and disarmament becomes therefore the immediate object of hostilities in theory. The worst condition in which a belligerent can be placed is that of being completely disarmed. --- the disarming or overthrow of the enemy must always be the aim of warfare --- (However) such total victory is rarely attained in practice and is not a condition necessary for peace. The idea of a complete defeat of the enemy would be a mere imaginative flight (Leonard, 1967).

Contemporary writers like Preston, Vise and Werner define war as any conflict between rival groups, by force of arms or by other means, which has claims to be recognized as a legal conflict. He adds that there may be a state of war without actual violence or clash of arms. He also asserted that warfare excludes riot and acts of individual violence but includes insurrection and armed rebellion, especially which is of sufficient extent to be reported as civil war (Preston, 1956). John Fuller, a renowned twentieth century theorist emphasized the relationship between war and policy which

Clausewitz had earlier expounded (Fuller, 1972). As Fourier notes, it is this relationship that gives war its claim to recognition as a legal conflict. This view is indeed apt, given the acceptance of war to be the result of the political interactions of governments (states) which, it is often assumed, is terminated by war. From this stand point, ‘war is nothing but a continuation of political intercourse, with a mixture of other means’ (Fourie, 1972).

The need to accommodate developments such as the Cold War, arms race, decolonization related violence, insurgency and counter-insurgency, etc has prompted a modification of the conceptualization of war. According to Alastair Buchan, ‘war is armed conflict between nations but not only those forms of violence that involve regular military forces; it must include conflict between organized groups within nations that is linked to an international conflict --- to include for instance the Spanish Civil War or Viethem --- (Buchan, 1968). From the preceding extrapolations, and in spite of the ‘newer’ strains of the contemporary discourse on warfare, it is evident that the underlying and constant features of wars (civil wars inclusive) include irreconcilable conflict between socio-political groups, armed violence, widespread chaos, general breakdown of law and order, and violations of human rights of all kinds.

Sex is a common, but very difficult term to define. This is principally so because there is no consensus among the generality of the people as to what the phrase ‘had sex’ means. To some people, sex simply means “having no air between the two bodies of the opposite sex --- for pleasure --- and love is not required to make such an act happen --- the only thing required for this is the right partner.”(Yahooanswers, 2013). Another viewpoint holds that sex “commonly denotes the insertion and the using of a whole penis into a female’s virginal for the purpose of sexual pleasure or reproduction. The term is also a description of other sexual interactive acts including oral sex, fingering, or use of a rap-on dildo” (Wikipedia. 2013).

Further more, sex has been defined as a “either” the male or female division of a species; the differences by which the male and female are distinguished; the attraction drawing one individual sexually toward another; (and) sexual intercourse” (Dictionary.com, 2013). Significantly, a recent study (Sanders *et al*, 2009) asserted that “having sex means any consensual behaviour between two or more individuals involving genital contact and bodily penetration. That means oral sex, and vaginal sex are all ‘sex’ --- it is also ‘sex’ if no orgasm or ejaculation occurs; --- (even) if it was probably short and unfulfilled for both parties, it was still sex ---; (Moylan, 2012). In spite of the divergent views over the true meaning of sex, we contend that consent between the parties involved is the predominant significant feature that distinguishes sex from rape and other sex related human rights abuses.

The term human rights (like the concept of sex) though common place, is also mired in controversy regarding definition. The ‘common’ perception of human rights is from the standpoint of freedom from specific abuses or restrictions that are under proscription (forbidden). As an illustration, the Unlimited States Bill of Rights precludes (except in extreme cases) the government from breaching the individual rights of Americans to practice their religion or express free speech, and from committing a number of other violations. In addition, ‘Proscriptive rights’ also cover certain things which the government is not allowed to do to groups, such as discrimination on account of race, sex, ethnicity, etc. It must be noted that private individuals and entities are also under obligation to abide by many of these rights. As an example, employers in the United States may not decide to employ only white males (Rourke, 2007).

On the other hand, a large cross-section of observers opine that beyond proscriptive rights, human beings are entitled to another category of rights tagged ‘Prescriptive rights’, which essentially are the basic necessities a government is prescribed (arguably) or obligated to provide in order to ensure a certain standard of qualitative life for all inhabitants of the community. Prescriptive rights required that everyone has the right to existence in tolerable conditions, at least. These cover rights to adequate education, shelter, feeding, health care, sanitation, dignity, security and individual productivity (Rourke, 2007).

In Obaseki’s own view, “Human rights --- (are) the rights of man of fundamental freedoms. They are claimed and asserted as those which should be or sometimes stated to be those which are legally recognized and protected to secure for each individual the fullest and freest development of personality and spiritual, moral and other independence. They are conceived as rights inherent in individuals as rational free willing creatures, not conferred by some positive law nor capable of being abridged or abrogated by positive law” (Obaseki, 1992). In other words, human rights are inalienable rights of man by virtue of his humanity and therefore should be guaranteed to everyone (Enemu, 1999).

For Galtung, the most appropriate way to conceptualize human rights is from the perspective of ‘serving basic human needs’. This is the notion that ultimately human rights are supposed to serve basic human needs. Such needs, which generate corresponding rights, include Survival Needs (the need to avoid and the right to freedom from individual or collective violence); Identity Needs (the need to avoid alienation and the right to self-expression, realization of individual potential, association and preservation of cultural heritage, etc). Others include Freedom Needs (the need to avoid repression and the right to receive and express opinions, to assemble with others, and to choose in such matters as spouses, jobs, lifestyle and place of

residence); Well-Being Needs (the need to avoid misery and the right to biological wants like food, water, movement, sleep and sex, as well as the right to protection against diseases and negative climatic and environmental effects (Galtung, 1994). Whichever conceptual perspective one adopts, what remains true is that human rights are ‘generally’ desirable basic human freedoms to which war and its associated conditions are inimical. Against this background, we now proceed to consider sex-related human rights violations during the Congo lese, Rwandan, Liberian and Libyan civil wars.

War and Human Rights in Africa: Selected Cases of the Congolese, Rwandan, Liberian and Libyan Civil Wars.

Rwanda

Post-colonial Rwanda started off as a society mired in political divisions epitomized in the Tutsi-Hutu dichotomy (Turshen, 2011). In the 1980s, complex socio-economic and political issues laid the foundation for future war. First, there was a sudden fall in the price of coffee, the foremost source of income for 60% of Rwandan households, in addition to a 40% currency devaluation in 1989 and a rapid inflation after 1990. Second, the government introduced a structural adjustment programme (SAP) that reduced social services and charged fees for health care, education and water. Third, drought in the southern parts of the country turned into famine. Last, was the paradox of democratization, which promoted opposition to the already embattled Rwandan repime (Newbury, 1999). Against this setting, the Rwandan civil war began in October 1990 following an invasion by the Tutsi-dominated Rwandan Patriotic Front (RPF) from Uganda. In the conflict what ensued half of the country’s 6-8 million population was uprooted while another 2 million fled to neighboring countries. In April 1994, Hutu extremists switched the struggle for power among the government, its opposition, and the RPF (which was near a diplomatic resolution in the heel of the Arusha Accords of August 1993) into a cruel and bloody genocide. Between April and June 1994, 500,000 – 1 million persons were killed either by the military, militias or civilians. Eventually in July the RPF achieved victory and thus snatched government power. Though both men and women were accused of the killings and other atrocities, the latter bore the brunt of the conflict (African Rights, 1995). Of greater relevance to this study is the fact that sexual violence occurred on a colossal and widespread scale. As one study vividly captures this scenario:

In the one hundred days of genocide that ravaged the small Central African nation of Rwanda --- an estimated 250,000 to 500,000 women and girls were raped --- Sexual violence occurred everywhere, and no one was spared. Grand mothers were raped in the presence of their grand children; young girls watched the massacre of their families before being taken as sex

slaves. To a lesser extent, boys and men also fell victim to sexual violence (Brouwer & Chou, 2009).

In a similar vein, the United Nations Outreach Programme on the Rwanda Genocide reports that “in Rwanda, between 100,000 and 250,000 women were raped during the three months of genocide --- (United Nations, 2012). A recent Human Rights Watch publication cites ‘tens of thousands’ rape victims (Forges, 1999). while the World Health Organization (WHO) released a revised figure of 15,700 women and girls between the ages of 13 and 65 years (World Health Organization, 2000) .

More worrisome is the adoption of sexual violence as a weapon and strategy of war during the conflict. Though the history of wars and conflicts is full of systematic incidents of sexual violence against vulnerable women, modern-day wars have been characterized by large-scale deployment of rape as a tool of war by combatants. Available evidence on recent armed conflicts (particularly in Africa) support the claim of the wide spread use of rape as a weapon of warfare. Akin to this is the emergence and deliberate transmission of Human Immune Deficiency Virus (HIV) to rape victims (Aginam 2012). With regards to Rwanda, the testimony of one of the numerous rape victims of the genocide is quite illuminating:

For 60 days, my body was used as a thoroughfare for all the hoodlums, militia men and soldiers in the district --- Those men completely destroyed me; they caused me so much pain. They raped me in front of my six children --- Three years ago, I discovered I had HIV/AIDS. There is no doubt in my mind that I was infected during these rapes (Nduwimana, 2004).

It may be noted that the notion that wartime rape is a significant factor in the spread of HIV either as deliberate plan or as a consequence of systematic sexual violence has been strongly contested by one school of thought led by some prominent African and Africanist writers such as Whiteside, Wall and Gebre-Tensae. These scholars, however, agree that there is strong evidence in favour of this assertion with regard to the Rwandan genocide, in which case, they contend, was a “concerted and systematic attempt to completely liquidate a population (Aginam, 2012) . Elbe has in fact, cited the account of one rape victim in Rwanda who the rapists taunted thus: “We are not killing you. We are given you something worse. You will die a slow death” (Elbe, 2008). A similar account reported that captured women in Rwanda were taken to HIV-positive soldiers specifically to be raped (Owen, 2011). All these indicate that women were raped as a strategy for ethnic cleansing, not merely to terrorize individual victims but also to cause collective terror on a particular ethnic group.

Liberia

In 1989, Charles Taylor who was a member of incumbent President Samuel Doe's cabinet led an invasion into Liberia through Cote D'Ivoire in an attempt to overthrow Doe's government. The civil war that followed was brought to an end by the Economic Community of West African States Peace Monitoring Group (ECOMOG) in 1996. The subsequent political transition programme brought Charles Taylor to power as an elected president in the same year. However, in 1999 a second civil war was launched by a rebel group named Liberians United for Reconciliation and Democracy (LURD) in Northern Liberia. In 2003, another rebel group Movement for Democracy in Liberia (MODEL) emerged in Southern Liberia thereby escalating the conflict further, leading to a complete breakdown of constitutional government, law and order that was eventually brought to an end in the Summer of 2003 by Nigerian peacekeeping forces under the auspices of the United Nations and U.S Marine expeditionary forces (www.mytholyoke.edu,2013).

Aside the high mortality and wholesale destruction of Liberia's socio-economic infrastructure, the fourteen years civil war also witnessed a high incidence of sexual violence and sex related human rights abuses including rape, sexual torture and slavery. To start with, children combatants were among the worst victims of the war. As available evidence shows, thousands of children were victims of rape and sexual assault, among other adversities. In addition to their military duties (often forced), girls with the armed groups were raped and sexually enslaved by the fighters. As an illustration, a girl survivor, who was fourteen years old at the time of her abduction, was raped by many fighters and later detailed to a commander as a wife. Indeed, girl soldiers were collectively known as 'wives', whether assigned to a particular soldier or not. Though some older girls were able to avoid sexual abuse, they sometimes achieved this by capturing other girls for sexual slavery (Human Rights Watch, 2004).

During the war children were exposed to HIV/AIDS and sexual transmitted diseases (STDS), while there was an upsurge in sexual violence in general. Many girls and women were abducted and subjected to systematic rape, torture, and forced marriages to rebels. According to a female respondent from Foya, Lofa country, "the ULIMO people raped my young sister's daughter and she got sick. She died because there was no medicine. My aunt also got crazy" (Liebling-Kalifani *et al*, 2011). Another woman from Pleebo reports how she was captured in 1992 and raped. She was with the rebels all through the bush until 1994, when she started falling sick and had to be hospitalized for a while. Later in 1997 she got very ill again and subsequently tested positive for HIV. Furthermore, sexual violence and torture occurred almost every where. According to a source:

Violations took place in bushes; others took place in homes and houses, by the roadside and in barracks of warring groups. AFL detained people. Some atrocities took place in churches. Violations were committed as a result of the civil war where there was no law and order. War lords saw themselves as their own gods. Power and greed took over their lives. They only looked at what they could do to gain power at all cost. Rape and torture were used as a weapon of war to weaken the opponents(Liebling-Kalifani *et al*, 2011).

Moreover, MODEL forces were described as killing machines, a torture group who used rape as a weapon of war, while the NPFL were said to have deployed civilians as labourers and also used rape as a weapon of war (Liebling-Kalifani *et al*, 2011).

Democratic Republic of Congo

The Democratic Republic of Congo (DRC) has been inured in violence since the country emerged from Belgian colonial rule in 1960. In more recent history, two successive and complex civil wars rocked the country between 1996 and 2003. The complex factors at the base of the endemic DRC conflict include the legacies of colonial and autocratic rule, wars in neighbouring Rwanda, Burundi and Uganda, as well as the military involvement of up to 9 countries and at least as many rebel groups (World Movement for Democracy, n.d.). In addition, the DRC conflict was fuelled by the country's rich natural resource endowments which include timber, diamonds, copper, cobalt, gold, uranium and coltan. As an illustration, local militias, supported by Uganda, Rwanda and mining multinationals, got food, money and military hardware supplies in exchange for smuggled mineral resources (Global Policy Forum, 2011).

In October 1996, DRC's first civil war broke out when Rwandan soldiers under the aegis of the Alliance des Forces Democratiques Pour la Liberation du Congo-Zaire (AFDL) led by Laurent Kabila invaded the DRC. Having being declared president, after forcing Mobutu to flee, Kabila in 1998 asked all foreign soldiers to leave the country. Most of these troops declined, and instead, the Rwanda-backed Rassemblement Congolese pour la Democratique (RCD) attacked the government forces in order to unseat Kabila. Following this, Angolan, Zimbabwean and Namibian forces intervened in support of DRC's government. Consequently, the RCD retreated to eastern DRC and in February 1999 the Uganda backed Movement pour la Liberation du Congo (MLC) entered the conflict and took control over the Northern part of the country. By mid-1999, DRC was practically divided into three sections, and the fighting had reached a deadlock (World Movement for Democracy, n.d.).

Although the war eventually came to an end in 2003 with the establishment of a transitional government, crimes against civilians continued without let. The incidence of rape and sexual slavery was particularly endemic. According to United Nations estimates, at least 200,000 women were raped in DRC within 12 years, just as the organization's Special Representative on Sexual Violence, Margot Wallstrom named the country "rape capital of the world" (United Nations, 2012; Globe & Mail, 2010). Similarly, a recent study reports that sexual abuse was rampant not only in conflict theaters but also in homes, with nearly one woman subjected to some form of abuse each minute. The study argues that the problem is bigger and more pervasive than it was previously thought to be. It discovered that 1,152 women were raped each day, translating to 48 per hour (Peterman, 2011). Significantly, this figure is multiple-fold higher than the previous United Nations estimate cited earlier in this work.

It also came to fore that 12% of women had fallen victim of rape at least once while 3% of women across the country were raped between 2006 and 2007. In addition, 22% had been forced by their partners to engage in sex or sexual acts against their wish. There have also been numerous reports and witness accounts of the group rape of young girls and elderly women by militias, as well as reports of men being raped too. Due to the stigma of rape, many married women were abandoned by their husbands. In all, the study claims that up to 1.8 million women out of the country's 70 million population have been victims of rape, with as many as 433,785 raped within one year (Adetunji, 2011).

Virtually all the parties to the conflict (civilians, militias, rebel groups and DRC armed forces) participated in the widespread, systematic rape and sexual violence. According to a source, in July 2010, Rwandan and DRC rebels gang-raped 200 women and some young boys over a four-day period within kilometers of a United Nations peace keepers' base in the eastern part of the country. For four days, the rebels numbering between 200 and 400 carried out extensive pillaging and systematic raping of women. Many of the women were raped in their homes right in front of their children and husbands; while some others were dragged into the nearby forest. Many women were also said to have been raped repeatedly by 3 to 6 assailants. By the time Non-Governmental Organizations (NGOs) gained access to the besieged town, it was already too late to administer drugs against HIV/AIDS. It is instructive to note that it took the United Nations more than three weeks to issue a statement on the incident, thereby fuelling the DRC government's earlier allegation that the UN Mission had failed in its primary mandate of protecting civilians against violence and abuse, including rape (Mail and Guardian online, 2010).The incident as a whole was an indictment on the

United Nations capacity to protect civilians against wartime rape and to provide timely support in the event of its occurrence.

Government forces, like their rebel counterparts, also engaged in widespread rape and other sex-related violence during the Congolese conflict. According to the Human Rights Watch, around September 2009, Congolese armed forces in a military operation in eastern Democratic Republic of Congo brutally killed hundreds of civilians and committed widespread rape over a period extending beyond three months. In a hamlet called Katanda, Congolese army soldiers raped 16 women and girls, including a 12 year-old girl, and later killed four of them. On September 28 and 29, Congolese soldiers based at Kinyumba village abducted and gang-raped two separate groups of young women and girls (numbering about 20 altogether) on their way to the market (Human Rights Watch, 2009). Till 2011 (and probably beyond), eastern and northern Congo remained volatile, and were characterized by frequent attacks against civilian, especially sexual violence against women and girls. As before, government troops frequently raped civilians, among other atrocities. For example, on the night of January 1, 2011 soldiers raped at least 67 women and girls in Fizi, South Kivu. In the same month, soldiers raped at least 47 women and girls in Bushani, North Kivu. In addition, government soldiers raped at least 35 Mbororo nomadic cattle women while fighting in the north against the Lord's Resistance Army (LRA), the notorious Ugandan rebel group. In fact, some of the women were taken to Congolese camps where they were detained and repeatedly raped (Human Rights Watch, 2012). Though it is the legitimate interest and responsibility of the Congolese state to preserve its security and sovereignty, criminal activities of the LRA militia and its ilk are no justification for Congolese government forces to commit war crimes and flagrant human rights abuses.

United Nations (UN) forces were not left out of the sexual atrocities. The UN peacekeeping mission in eastern Congo was in 2010 accused of providing food, fuel and logistical assistance to a Congolese colonel overseeing soldiers accused of gang rapes, massacres, and other abuses, months after UN Human Rights investigators listed him as one of the most abusive commanders. Though in November 2009 UN authorities promised to stop support to units indicted for human rights violations, Col. Zimurinda and one of his deputies soon declared in rare interviews that they were still receiving supplies in December of that year and January 2010 (Mc Crummen, 2010). Again, in July 2010 reports emerged regarding two UN peacekeepers (found in the company of Congolese sex workers in a hotel) accused of sexual exploitation and abuse. Indeed, and as available evidence demonstrates, the large UN peacekeeping force in the country had been embroiled in numerous scandals bothering on sexual abuse, mineral and

weapons trafficking since its first deployment in late 1999 (Global Policy Forum, 2010). That the above scenario is damaging to the world body's integrity and peacekeeping credentials is self-evident.

Libya

The 2011 Libyan Civil War fought principally between forces loyal to Colonel Muammar Gaddafi and those who sought to unseat his regime, was preceded by street protests in Benghazi, eastern Libya on 15 February 2011. Violent clashes soon emerged between protesters and government security forces who had earlier shot at the people. The protests eventually snowballed into a rebellion that soon engulfed the entire country, with the opposition forces forming an interim government called the National Transitional Council (NTC). But a cursory look into the past would reveal that the Libyan Revolution was a logical outcome of decades of Gaddafi's brutal dictatorship and corrupt, inept administration (en.wikipedia.org, 2013). In the end, after months of heavy fighting, rebel forces backed by UN-sponsored air power succeeded in capturing the capital city, Tripoli (CNN, 2011). Ultimately, on 16 September 2011, the NTC got the recognition of the UN as the legal administrative and political representative of Libya Reuters Africa, 2011).

Like the other conflicts earlier considered in this work, the 6-month old Libyan Civil War was marked by sexual violence and violations of all kinds. To start with, on 22 March, 2011 a New York Times war photographer, Lindsey Addarios the only female among a group of four journalists captured in Libya the previous week, claimed that she was sexually assaulted and threatened with death by pro-government troops while in detention. Addario's shoelaces were used to bind her ankles before the soldiers proceeded to beating her and fondling her breasts, which was the beginning of two days of harrowing sexual assaults by a series of armed men. According to Addario in a newspaper interview, "every man who came in contact with us basically felt every inch of my body short of what was under my clothes" (Goldman, 2011).

The likelihood of the deployment of rape as a means of war in the Libyan conflict also came to global attention in March when Iman al-Obeidi, a Libyan Law student took refuge in the wartime famous Rixos Hotel in Tripoli and declared to the foreign journalists resident there that pro-Gaddafi forces had held her captive and gang-raped her for two days (Wueger, 2012). Though the government made frantic efforts to play down the incident by claiming that al-Obeidi was suffering mental disorder, the damage had already been done.

Claims of a coordinated campaign of mass rape (though unsubstantiated) emerged in the course of the war. Dr. Seham Sergewa, a

Libyan psychologist claimed that her field study revealed at least 300 cases of rape, but believes that up to 6000 women may have been raped on the whole. Although other Libyan psychologists have disagreed with her claims and queried her research methodology, they however concede that her findings are worthy of independent review (Squires, 2011). Accounts by rebel soldiers of having found Viagra and condoms, ostensibly used to aid soldiers to rape, in burned-out-Ghaddafi loyalist vehicles could not also be substantiated. Nonetheless, in June 2011, Luis Moreno-Ocampo, the International Criminal Court (ICC) Chief Prosecutor, declared that there was evidence that Gaddafi had indeed ordered his soldiers to rape women who had expressed opposition to his government (Squires, 2011).

Credible evidence of systematic rape may remain scarce, but it is apparent that many cases of rape occurred, and that the threat of rape was used to instill fear in whole communities. According to Arafat Jamal of the United Nations High Commission for Refugees (UNHCR), “In Libya, when rape occurs, it seems to be a whole village or town which is seen to be dishonored”. In the same vein, Moreno-Ocampo in a report presented to the United Nations Security Council (UNSC) in November 2011 stated that “in Libya, rape is considered to be one of the most serious crimes, affecting not just the victim, but also the family and the community, and can trigger retaliation and honour-based violence” (Wueger,2012). Further accounts indicate that government forces used rape to punish rebel communities and to obtain information. Since rape is perceived in Libya to be an assault and stigma on a community’s honour, regime forces used it to punish disloyal elements. In a June report to the UN Human Rights Council (UNHRC), the International Commission of Inquiry (ICI) stated that in Benghazi, the father of a 30-year old Libyan woman told the body that his daughter was held in a house in Misrata for two days and raped by Gaddafi forces in one room, while trying to extract information about the rebels from her brother in another room. Human Rights Watch has also recorded incidents of rape whereby government troops raped family members of rebel soldiers either as punishment or means of obtaining information.

Furthermore, the ICI has also brought attention to the adoption and threats of rape as a strategy for securing allegiance to the Gaddafi government. According to the Commission, the primary reason why many Misrata civilians fled the city amidst the conflict was to protect family members against rape, while many residents of Nalut harboured deep concerns about the threats dished out on 18 February 2011 (by regime forces patrolling the streets) of dire consequences, including rape, if they did not support the government. In addition, it has been alleged that rebel forces adopted rape throughout the war as an avenue for revenge against regime supporters, particularly dark-skinned Africans, suspected to be mercenaries.

As an illustration, the ICI has information regarding the case of a Chadian woman raped by armed civilians in Benghazi on 26 February 2011. Even in the post-war period, since refugee camps also serve as make-shift prisons for Sub-Saharan Africans suspected to be mercenaries, like in other refugee camps the possibility of sexual violence remains (Wueger,2012).

Finally, the former Libyan leader Muammar Gaddafi himself was part of the sexual violence that featured in the Libyan conflict. Five women who were part of the former Libyan dictator's elite unit of female bodyguards, the Amazonian Guards, told Dr. Sergewa in 2011 that they were repeatedly raped and abused by Gaddafi and his sons. Sergewa, during an interview with the Sunday Times of Malta, laid bare the accounts of the former bodyguards she had met while trying to investigate allegations of Viagra-aided mass rape by government forces. According to widespread sources, one of the women was blackmailed into joining Gaddafi's female guard brigade after the government concocted a story that her brother was caught smuggling drugs into Libya from Malta, and that he would spend the rest of his life in prison unless she joined the unit. Moreover, a clear pattern emerged in the accounts given by the five former guards: they would be raped first by Gaddafi, then passed on to one of his sons, and eventually to high-ranking regime officials for more abuse before finally being released (Squires, 2011; Flock, 2011; Micallef, 2011, and Global Post, 2011).

Conclusion

Although this study detailed upon four out of the numerous civil wars in post-colonial African history, certain useful generalizations on the nexus between war, sex and human rights on the continent are feasible. First, rape and other forms of sexual violence are now a recurrent decimal, and in deed a major aspect of human rights violations in theatres of war across Africa. From Rwanda to Liberia, Congo, Libya etc, gross violations of the sexual rights of individuals and communities have become constant feature of armed conflict. Secondly, the nature of African conflicts seemingly has substantial influence on the incidence and extent of rape and other sex related violations of human rights. While this may not be exclusive to Africa, we may observe that because most African conflicts are usually between the forces intent on supplanting the incumbent regime and those determined to prevent this, the conflicts are usually protracted thereby creating room for a high incidence of cases of rape and related violations of human rights. In addition, the sectarian coloration of most of these conflicts has also heightened the degree and extent of these violations which are sometimes deliberately targeted at whole communities, not just individuals. A corollary to this is that an emergent pattern in African conflicts, especially in the post- 1990 period, is the use of rape as a weapon of war. As this study

has demonstrated, rape as a weapon of war has become a new and dangerous phenomenon as far as the African continent is concerned. Rape is now deployed by warring parties as an assault on the honour, cohesion and stability of a family and community, not merely isolated attacks against individuals. There is also the yet-to-be substantiated claim of willful transmission of HIV/AIDs through rape by some combatants as a strategy for the decimation of particular communities. If this is true, it will definitely aggravate the Aids scourge in Africa.

The overall impact of wartime sexual violence in Africa is multi-dimensional, encompassing both ‘the physical and emotional’. Aside the physical pain, torture and dehumanization that wartime rape brings forth, the emotional and psychological scars in the hearts of the victims remain indelible even in the post-war period. Systematic rape during civil wars also results in family break-ups and dehumanization of communities, thereby undermining the great potentials of women in Africa. Other social fall-outs of rape during armed conflicts include unwanted pregnancies alongside its attendant problems, social stigmatization, damaged mental, sexual and reproductive health, and sexually transmitted diseases (STDs), particularly HIV/AIDS which is already a decade for most African governments.

Paucity of evidence, largely due to the strong social stigma attached to rape in African societies, is no doubt a big challenge to the fight against wartime sexual violations of human rights. Nonetheless, there is the urgent and crucial need for concerted actions by governments of African States, the UNO, Ngos, victims of war rape themselves, as well as the international community at large towards a credible and sustained battle against the scourge and its perpetrators. Governments of affected countries should immediately commence the formulation and implementation of relevant and effective legislations to combat this malaise, while existing laws should be strengthened and implemented appropriately. The governments should also initiate and operate monitoring institutions specifically for the purpose of tracking information regarding cases of sexual violence during and after conflicts. African governments should also collaborate with NGOs to provide the necessary training for grassroots leaders, policy formulators in affected countries on the effects of war as well as the needed services and government reforms. It is also important for the ICC and national governments to work together in a way that would ensure that culprits of systematic rape and other forms of sexual violence are prosecuted, regardless of rank or status. Finally, victims of wartime violations of sex rights must strive to rise above the age-old barrier created by societal stigma attached to rape and come forward to provide the appropriate information and evidence required for judicial investigation and prosecution of suspects.

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