

# Post-Conflict without Justice: Sexual Violence in Burundi

Nottingham University Annual Law Conference  
Mind the Gender Gap  
22 March 2014

Nathalie EJ Dijkman (n.e.dijkman@lse.ac.uk)  
In cooperation with *Vrije Universiteit Amsterdam* and *Université Libre de Bruxelles*



# Outline

1. History and background

2. Methodology

3. Results:

Quantitative: (a) prevalence and risk

Qualitative: (b) profile of victims and perpetrators

(c) relation to the civil war (d) legal reactions and challenges

4. Conclusion, some discussion points



# Burundi's violent past

- 1962: Independence from Belgium, 'Tutsi' Government
- 1962-1993: Several hutu-massacres
- 1993: First democratically elected president assassinated, followed by tutsi-massacres and genocide (100.000 deaths in a couple of months)
- 1993-2005: civil war
- 2005: Cease fire, peace accords, but violence continues until at least 2008
- 2011: initial ideas about a Truth and Reconciliation Commission

# Methodology

- Mixed-methods approach: quantitative data analysis + qualitative interviews
- Data analysis: 2002 and 2005 household surveys with a violence-module (N>9000); descriptive analysis and multivariate regression
- Interviews: 35 Interviews: 15 'experts', 15 victims, 5 focus groups (4 with victims/1 with ex-combatants), conducted in August-September 2012 (Bujumbura + four rural provinces)

# Results, (a) prevalence of sexual violence

- 2002 and 2005:  
20-25% gender-based-violence  
10% sexual violence  
3% rape victims
- 2012: prevalence of sexual violence has not decreased;
- Bujumbura 'rape centre' had average of 120 victims a month between 2006-2011
- some NGOs report even a rise in the amount of victims
- *Dark number: stigmatisation, taboo*
- No pre-war data

# Results (b) profile of victims and perpetrators

Victims: increasingly YOUNG women or even children, urban areas, '*domestiques*'/nannies, without schooling

Perpetrators:

- (1) neighbours, strangers, (ex-)combatants
- (2) armed groups pillaging a household
- (3) (ex)husbands, marital rape

# Results (b) Sexual and domestic violence by life-phase

Sexual and domestic violence victimisation during life-phase, in percentages (UNFPA, 2002)

Life phase/Type of violence	Childhood	Adolescence	Adulthood before marriage	Adulthood during Marriage	Adulthood after departure/d eath husband
Rape	6,8	42,9	23,1	16,3	10,9
Sexual violence (incl. rape)	5,5	35,4	17,4	28,9	12,9
Other Gender based violence	11,6	6,1	3,8	74,4	4,1

# Results (c) war-related violence

Neighbours perpetrate as much as combatants?

Sexual violence cases by context and perpetrator, in percentages (UNFPA, 2002)

Perpetrator/Context	Husband or partner	Family	Family-in-law	Neighbours and acquaintances	Uniformed or armed men	Unknown
Conflict	9,0	0,9	0,9	30,6	16,2	42,3
Every Day life	47,0	4,3	3,2	17,8	1,6	26,0

# Results (c) war-related violence

*Why does sexual violence rates stay high despite end of conflict?* Respondents say...

...degradation morals and values

...normalization of violence

...vengeance in neighborhoods

...poverty and lack of schooling

...psycho-traumatic problems

...problematic integration of ex-combatants in society

## Results (c) war-related violence

*“We are getting used to seeing death around us. Even if someone screams at night – before, we used to react to this, but nowadays, we close our windows and stay in. The solidarity that used to exist before has left us.”*

(mother of a 12-year old victim, Gitega)

*“I was raped by a young man, and I was shocked by the fact that he picked a lady as old as I am. Because of my age I was not so scared to talk about it. It happens very often, it could have happened to anyone. Everyone took the incident as normal.”*

(65 year old woman, Bubanza)

*“It’s a psychological change, a certain mindset that many of them still are in. There is a continuing violent mindset [‘l’ésprit de violence est encore là’] “*

(ex-FNL rebel, Bujumbura)

# Results (d) legal reactions and challenges

Action of victims of sexual violence, in percentages (MICS, 2005)

Type of Action	Advised by others	Action taken by victims of sexual violence	Action taken by victim of rape
Consult a doctor or medical assistant	68,2	9,9	19,3
Report to police	17,3	17,6	21,8
Tell someone in confidence	4,5	22,5	17,6
Take revenge	0,2	1,9	1,7
Do nothing	9,9	48,1	39,5

## Results (d) legal reactions and challenges

IMPUNITY for crimes both during and after the war, fosters new violence, because...

...stigmatisation and taboo

...fear for retaliation and disrupting communities

...lack of confidence in administration officials

...lack of means, legal aid and support to pursue a case

...lack of evidence

...culture of settling cases outside the law [*'à amiable'*]

...widespread corruption

...no reconciliation process

...immunity granted to ex-combatants in current government...

## Results (d) legal reactions and challenges

*“Because I had recognised the policeman who had raped me, I decided to accuse him at the police station. He was arrested and imprisoned for only two months. While he was in prison, other policemen continuously came to my house and threatened to kill me if I would continue pursuing the case. I was too afraid to continue.”*

*(50-year old woman, Bubanza)*

*“If you decide to pursue the perpetrator, people in the community will point their finger at you. Women are discriminated, because the whole topic is a taboo. They may arrest the perpetrator, but his family and the community will blame you for it.”*

*(Focus group, Bujumbura)*

*“After it happened again and again, I decided to go to the police. Officers came to my house to investigate the case, and arrested him. I thought he would finally be imprisoned and punished. But he came home two days later, having bribed the local administration. He paid them 9000 FBU [=£4]”.*

*(40-year old woman, Gitega)*

Fiche du patient/Agababo k'umurwayi

Numéro du dossier/Inshuro: UN107086536

Médecin/Umuganga

29/01/09

Infirmière/Umuforombyi

Vaccinations:

- Hépatite B Mois 1: Mois 6: 1 an: 29/07/09
- Tétanos Mois : Mois 6: 1 an:
- Autre:

Psychologue

29/08/09  
29/01/09

Assistante Sociale/Umushasha Muvy'imibano

Tel (22) 24.87.30

# Conclusion, Discussion

How can we understand sexual violence in a post-conflict setting?

- Combining quantitative and qualitative data in order to understand the scale and context of violence
- What is the point of prevalence rates if we don't have a basis to compare them to other countries?
- In its specific regional/cultural context, is it possible to use Burundi's research results for other case-studies?

# Conclusion, Discussion

- Cultural, historical, country-specific factors (i.e. ethnicity, religion, patriarchy, taboos)
- What are the effects of grassroots NGOs on women empowerment and violence rates?
- Disrupting effects of impunity: normalization of violence, cycles of perpetration
- What kind of justice?  
Reconciliation vs. prosecution



This presentation was based on a paper co-authored by prof. P. Verwimp and C. Bijleveld, *Sexual Violence in Burundi: Victims, Perpetrators, and the role of conflict*, currently under review with an international journal. Questions and comments can be directed to [n.e.dijkman@lse.ac.uk](mailto:n.e.dijkman@lse.ac.uk), Thank you!