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**Bodies as Battlegrounds: Conflict-Related
Sexual Violence in the Ongoing Sudan Civil
War**

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Bodies as Battlegrounds: Conflict-Related Sexual Violence in the Ongoing Sudan Civil War

ABSTRACT

The practice of raping women belonging to the community of the defeated or conflicting party, is worldwide and is found in every culture¹. It is usually seen as the ultimate expression of contempt for the rival as it is considered to symbolize their incapability to protect their women who are considered “the bearers of culture”. Feminists such as Arlene Eisen have classified rape as “classic act of terrorism which not only serves the political function of intimidating a rebellious population, but also allows the rapist to reassert his manhood.”² Rape is just one such violence. Sexual violence has a broader ambit to cover acts such as sexual slavery, forced pregnancy, abduction etc. This shows how sexual violence is normalized and categorised as a “socially acceptable” consequence of the conflict in a territory³. It is considered a part of the repertoire of combatants inflicting violence⁴. The main questions that come into one’s mind are (1) Why is such a brutal act normalised as a justified consequence of war? (2) What are the factors influencing the creation of such a normative? (3) What are the physical, psychological and social consequences on the survivors? The research aims to answer these questions focussing on the main argument that CRSV (Conflict-Related Sexual Violence) is not a mere byproduct of conflict but rather a deep-rooted issue with broader consequences. This would be done by framing the argument around the ongoing conflict in Sudan, which is widely ignored in the international domain, with less

¹ Gerda Lerner, 'The Rape of Black Women as a Weapon of Terror' [1972] *Black Women in White America: A Documentary History* 172.

² Arlene Eisen Bergman, *Women of Viet Nam* (People's Press 1974) 69.

³ Report of the Office of the United Nations High Commissioner for Human Rights, 'Analytical Study Focusing on Gender-Based and Sexual Violence in Relation to Transitional Justice' (United Nations Human Rights Council, June 30, 2014), para. 59. *United Nations High Commissioner for Human Rights* <https://www.ohchr.org/en/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_21_ENG.doc> accessed on 17th April 2025.

⁴ Elisabeth Jean Wood, 'Conflict-related sexual violence and the policy implications of recent research', *International Review of the Red Cross* (2014) <<https://international-review.icrc.org/sites/default/files/irrc-894-wood.pdf>> accessed 12 April 2025.

to none effective measures to end the conflict and provide humanitarian access to the survivors. The continuation of the conflict to date with the increasing number of victims is a living example. The research draws on supportive arguments and statements made by feminist scholars such as Susan Brownmiller, Arlene Eisen, Gerda Lerner etc. to provide a clear explanation on every question. To navigate, the paper will proceed as follows: firstly, it gives a brief introduction to the topic and places it within the ongoing Sudan conflict; secondly, it provides a quick theoretical framework giving a short clear understanding of how CRSV is understood with regards to the realist IR theory as compared to the Feminist IR theory; next it provides a short history of the conflict supplemented with additional information in the footnotes; the subsequent section would focus on the main subject of the paper to give a clear understanding of the concept of CRSV and the various debates surrounding it and, it describes the present prevalence in the conflict with evidence collected from various sources such as newspaper articles, published reports by international organizations, victim statements during news interviews etc. Lastly, as a conclusion it would describe and underscore the desperate need for international intervention and humanitarian access in order to mitigate its long-term impact on the Sudanese population.

KEYWORDS

Conflict-Related Sexual Violence (CRSV), Feminist International Relations Theory, Sudan Conflict, Patriarchal Militarism, Strategic Weaponization of Gender, Humanitarian Interventionism

I. INTRODUCTION

In the brutal predicaments of war, conflict-related sexual violence (CRSV) arises not only as an inevitable by-product but a calculated and devastating weapon of marginalisation. This was supported by known feminist scholars such as Gerda Lerner, Susan Brownmiller and Eisen Bergman who argued against the commonly accepted notion that sexual violence is a by-product of war or a rare transgression by individual men. It leaves permanent scars on individuals akin to society as a whole; it is characterised by a lack of consent and a constraining environment linked to conflict. Motivated by social, economic as well as military aims to control resources, it targets civilians, fracturing the overall social

fabric of a territory.⁵ Unfortunately, academic research lacks a clear unified understanding of this concept. Some scholars define it as an aggressive act mixed with sexual elements while some view it as a sexual behaviour carried out violently.

The present focus is more about how violence is linked to gendered separation of power, however, there is an absence of an in-depth understanding of how these violent physical acts intersect with sexuality, sexual feelings and their meanings. Sexual violence, is a broad concept which goes beyond penile rape, including sexual torture, forced nudity, genital mutilation and other various forms of non-consensual penetration. Dara Kay Cohen and Ragnhild Nordås, well-known professors of political science, argued for a broader understanding by stating, “*Sexual violence is not ubiquitous in war, rather it varies significantly across conflicts.*”⁶ Due to these understudied facets, it is hardly shocking that there is no general agreed-upon consensus to classify sexual violence as part of a broader conduct in war. The early literature looked at sexual violence as “opportunistic”, primarily driven by individual motives.⁷ This view was opposed by arguing that it acts as a weapon of war, perpetrated by the military during periods of wartime crisis.

Rape, as seen by scholars, is a cheap but highly effective weapon which is readily available. However, symbolizing sexual violence as a weapon of war is an unequivocally efficacious choice – one which enabled it to be accepted not only as a widely accepted security concern, but a concerning policy priority at the highest level.

The ongoing crisis in Sudan, an intense conflict between Rapid Support Forces (RSF) and Sudanese Armed Forces, has triggered a catastrophic humanitarian emergency. Death, destruction and displacement are hallmarks of any war but the scale with which they are happening in Sudan, is staggering due to multifaceted repercussions such as mass and multiple displacement with more than 9 million fleeing their homes (with 1 out of every 8 Sudanese) internally displaced, severe food insecurity (with nearly 5 million on the brink of starvation)⁸, the

⁵ United Nations Peacekeeping, ‘Conflict-related Sexual Violence’ (United Nations Peacekeeping, 2017) *United Nations Peacekeeping*. <<https://peacekeeping.un.org/en/conflict-related-sexual-violence>> accessed on 20th April 2025.

⁶ Nordås Ragnhild, and Cohen Dara Kay, ‘Conflict-Related Sexual Violence’ [2021] 24 Annual Review of Political Science <<https://www.annualreviews.org/content/journals/10.1146/annurev-polisci-041719-102620>> accessed on 18th April 2025.

⁷ Ibid.

⁸ Al Jazeera, ‘Sudan War Threatens ‘World’s Largest Hunger Crisis: WFP’ (Al

collapse of healthcare services (with more than 70% of the facilities being destroyed or forcibly closed), endangerment of children, protection failure of women, lack of humanitarian access by the territory etc⁹.

Since its onset in April 2023, there has been an alarming prevalence of CRSV across the region, affecting women, girls, men and boys across the country. There has been a dramatic escalation in the risk of gender-based violence (GBV) with triple the population estimated to be at risk, reaching 12 million individuals¹⁰. The Humanitarian Country Team in Sudan has expressed its deep concern over this issue, observing an astonishing 288% increase in survivors seeking gender-based violence case management services in the first 7 months of 2024¹¹. UNICEF accentuated the consequences of this on Sudan's child population. 221 rape cases against children have been reported and this only accounts for the official reports, including disturbing instances involving infants as young as 12 months old¹². These numbers, though alarming, show only a minute fraction of the real scale of this violence, which is believed to be far more widespread and devastating for women and girls in the region. Drawing on the empirical case of the ongoing Sudan crisis, the research paper would discuss how bodies, particularly those of women and girls, have become sites of warfare during conflicts, situating it within the broader context of feminist theories, gendered violence and humanitarian frameworks.

II. THEORETICAL FRAMEWORK

Jazeera, 6 March 2024) *AL JAZEERA*
 <<https://www.aljazeera.com/news/2024/3/6/sudan-war-could-trigger-worst-famine-in-world-wfp>> accessed on 13th April 2025.

⁹ International Rescue Committee, 'Sudan Crisis Report: One Year of Conflict' (International Rescue Committee, 15 April 2024).
 <<https://www.rescue.org/report/sudan-crisis-report-one-year-conflict>> accessed 14 April 2025.

¹⁰ Nandita Banerjee, 'Sudan conflict puts 12 million at risk of gender-based violence, UN Women warns' (December 2024) *Down to Earth*
 <<https://www.downtoearth.org.in/governance/sudan-conflict-puts-12-million-at-risk-of-gender-based-violence-un-women-warns>> accessed on 16th April 2025.

¹¹ UN Women, 'Alarming 288 per cent rise in demand for gender-based violence services in the last 12 months in Sudan' (December 2024) *UN WOMEN*
 <<https://www.unwomen.org/en/news-stories/press-release/2024/12/alarming-288-per-cent-rise-in-demand-for-gender-based-violence-services-in-the-last-12-months-in-sudan>> accessed on 12th April 2025.

¹² UNICEF, 'SUDAN'S CHILD RAPE AND SEXUAL VIOLENCE CRISIS' (2025) *UNICEF*
 <<https://www.unicef.org/sudan/media/15671/file/UNI754893.pdf.pdf>> accessed 17 April 2025.

Conflict-related sexual violence is understood and taken into account in different ways by different international theories. For instance, the concept, when examined through the lens of Realism, on one hand, and Feminist International Theory on the other, reveals strikingly contrasting perspectives. Realism, focusing on a state-centric approach, is grounded in the notion that the international system is an anarchy and states are the primary actors driven by self-interest, power and security. State's survival is considered the highest level of morality. This is likely to lead to lack of state cooperation, stagnant human development as well as failure to build shared international moral standards. However, realists believe that in order to fulfil its self-interests, the state would go to any extent. Due to the anarchic state of the world order, they believe that humanitarian intervention will just create more chaos and division among states. They are likely to justify their stance by arguing that they support ethical considerations however they do not apply in the realm of international politics as it does not make the states more powerful or prosperous¹³. Hence, realists are likely to interpret CRSV as a justified tactic or strategy used by the state's military in order to achieve its political objectives.

The major focus of this theory is on how sexual violence is used as a weapon of war or an instrument to destabilize the population or to demoralise the rival. The gender-blinded analysis opted by realists results in marginalisation of the victims experiences and leads to it being considered irrelevant or secondary as opposed to the so called broader focussed issues of state security and power dynamics. They are categorised as "soft issues" as compared to the "hard or real issues" of military security. However, states, from a humanitarian perspective, do not only have rights but also positive duties to act such as intervening to help victims of human rights violations. This is based on the idea that human rights are universal in nature that must be protected. This humanitarian aspect is explained by the Feminist IR theory.

From the very beginning feminist international theory is known to challenge the near complete absence from the traditional international relations theory and practice¹⁴. This missing presence is seen in how women were pushed to the margins and excluded from important decision making as their

¹³ Alex J. Bellamy, 'The changing face of humanitarian intervention' (2015) 11 St Antony's International Review 15 <<https://www.jstor.org/stable/26229132>> accessed on 20 April 2025.

¹⁴ Sarah Smith, 'Introducing Feminism in International Relations Theory' [2018] E-International Relations 1. <<https://www.e-ir.info/2018/01/04/feminism-in-international-relations-theory/>> accessed on 18th April 2025.

daily experiences were believed not to be affected by international relations. This is not surprising due to the fact that since World War 2, realism had influenced both the practice as well academic study of international relations since its onset. The feminist theory aims at broadening the IR theory by breaking down and critically analyzing the concept of gender. Gender, in this context, could be understood as (1) the set of normative rules that the society creates to assign roles and (2) a deep rooted system that shapes how the world is organized¹⁵. By focusing on making women visible in the field, feminist IR theory argues that women have always faced violence influenced by gender.

By opting for an individual centric approach, feminist theorists challenge the male and power centric assumptions of realism. They are likely to argue that CRSV is not merely a tactic or byproduct of war rather a manifestation of systemic gender inequalities and patriarchal structures that are prevalent in both peace and war. According to this theory, sexual violence is used to reinforce gender hierarchies and marginalise women and communities through them. One would be required to understand the concept through the lived realities of victims and the broader contexts that authorize such violence¹⁶. Instead of simply punishing instances of CRSV as a curing mechanism, feminist IR theory would advocate for a transformative change as punishing the perpetrators would do no real healing to the victim as it leaves a deep scar on their bodies.

III. SUDAN'S FRACTURED IDENTITY: HISTORY AS PROLOGUE TO PRESENT CRISIS

A. Forgotten or Ignored War?

Amid an increasing global focus on the Gaza war, Israel Palestine crisis, Russian Invasion on Ukraine etc. there is a deadly proxy war in the Republic of Sudan that is largely ignored. This is partly because of the spread of misinformation and being viewed as geopolitically trivial by the Western world. The ongoing conflict in Sudan, like wars in Oromia, regions of Amhara, Tigray (regional state in Ethiopia) and the Democratic Republic of Congo, presents a reality of violence, killing millions of the Sudanese population and destroying the lives of hundreds of millions, leading to a humanitarian crisis. Abdul Mohammed and Alex de Waal, in the New York Times article "*The war the world forgot*", known for their extensive academic as well as mediation work in Sudan, unveil

¹⁵ Ibid.

¹⁶ Inass Abdulsada Ali, 'Feminist Theorizing in the International Relations Discipline' [2023] 25 Journal of International Women's Studies 1 <<https://vc.bridgew.edu/cgi/viewcontent.cgi?article=3080&context=jiws>> accessed on 23rd April 2025.

the untold narratives and devastating conflict in Sudan, that has been largely ignored by the international community. They criticize this silence and the failure to extend support to peace aiming initiatives led by Kenya and Egypt, which aim to end the Sudan crisis.¹⁷ For a long period, Sudan has been subject to political instability and conflict internally and externally, which have been sources of humanitarian disasters, from severe atrocities to mass displacement. Even though UN officials have described as quoted:

“One of the worst humanitarian nightmares in recent history”¹⁸

And yet for all its destruction and devastation, the conflict seems to be having roughly zero impact on the world stage. And this just does not include America or Europe, the collective West is more preoccupied with Ukraine and Gaza, things are hardly different even in Africa.

If one browses the headlines on an average day, one would not find anything about the war in Sudan even as ethnic cleansing sweeps Darfur, even as millions of the civilians slip towards starvation, large swaths of media remain silent. Local journalists are controlled in a really bad way by the armed security. Without much media coverage, it has been nearly impossible to get reliable information but estimated deaths such as ACLED records over 28,700 reported fatalities by the end of November 2024, including over 7,500 civilians killed in direct attacks. These data are assumed to be an underestimate of the actual death toll, which some have put as high as 150,000.¹⁹

Fierce fighting is still ongoing, house to house and street to street but it is difficult to see any end in sight to the violence. Even though the official Sudanese army successfully recaptured a few areas, this triumphalism is premature as they may have driven the RSF out of this region but their enemy still occupies much of the rest of Sudan. General Abdel Fattah al-Burhan presides over devastation over a country that’s coming apart.

¹⁷ Mehari Tadele Maru, ‘Sudan’s Atrocious Political Transition: Resolving the Displacement and Humanitarian Crisis’ (2023) UNU-CRIS Working Paper 2023-10,8 <https://cris.unu.edu/sites/cris.unu.edu/files/UNU-CRIS_Working-Paper_23.10.pdf> accessed 10 April 2025.

¹⁸ Emma Ogao, ‘Sudan now one of the ‘worst humanitarian nightmares in recent history’ *ABC News* (London, October 2023) <<https://abcnews.go.com/International/sudan-now-worst-humanitarian-nightmares-recent-history/story?id=104173197>> accessed on 17th April 2025.

¹⁹ BBC News Eye Investigations, ‘Inside Sudan’s Forgotten War’ *BBC News* (London, 15 April 2024) <<https://www.bbc.co.uk/programmes/m0020g9z>> accessed on 15th April 2025.

B. The Broken Land's crisis

Seeds of Hate: Background of the crisis

Visualize living in a territory where a coup attempt occurs every decennary for the past 64 years. That's exactly what has happened in Sudan (the northeastern African state). Leader after leader has been brought down by military officers. In October, 2021, thousands of people flooded the streets after the military seized power in another coup. Sudan's economic hardships and political instability did not occur naturally, out of vacuum. The country was plagued by several civil wars throughout the time from its independence. There was a lack of unity and the presence of different superpowers such as the British Empire which colonised Sudan²⁰ at the turn of the 20th century, sharing colonial power with Egypt²¹. The British colonialists controlled the north heavily while the south was ruled by Egypt. They employed the tactic of divide and rule that created socioeconomic tensions in the region that evidently played a role in Sudan's future conflicts²². Eventually, Sudan gained independence in 1956, but its troubles did not end there. As part of the Horn of Africa, Sudan was extremely important in geopolitics. Injections of weapons from world superpowers such as the United States, infuriated existing ethnic, class and religious tensions. In fact, Sudan had been dubbed as, quote, "Africa's arms dump"²³. Sudan inherited colonial-engineered ethnic tension and was armed by countries such as the U.S. and Russia²⁴ eyeing Sudan's geopolitical

²⁰ Mohy el Din Sabr, Ahmed S. Al-Shahi, 'The British conquest in Sudan' (April 2025) *Britannica* <<https://www.britannica.com/place/Sudan/The-British-conquest>> accessed on 13th April 2025.

²¹ Egypt was subordinate to Britain and several times, direct rule during the 1882-1956 period with varying degrees of control and recognition of Egyptian sovereignty. Until 1914, Egypt remained a part of the Ottoman Empire but the British established a "veiled protectorate" that led to effective control over the territory. (Lanver Mak, *The British Community in Occupied Cairo, 1882-1922*, September 2001).

²² Berghof Foundation for Peace Support, 'Sudan: Conflict Analysis and Options for systemic conflict transformation' (January 2006) *Berghof Foundation for Peace Support* <https://berghof-foundation.org/files/publications/SUD_Sudan_Options_for_Systemic_Conflict_Transformation.pdf> accessed on 12th April 2025.

²³ Charlton Doki and Adam Mohamed Ahmad, 'Africa arms dump: Following the trail of bullets in the Sudans' *The Guardian* (London, 2 October 2014) <<https://www.theguardian.com/world/2014/oct/02/-sp-africa-arms-dump-south-sudan#:~:text=Sudan%20was%20awash%20with,in%20the%20hands%20of%20civilians.>> accessed on 18th April 2025.

²⁴ During the outbreak of the Cold War, Sudan was one of many countries that was ravaged by the U.S. and Soviet Union, waging war via local proxies. Munhittin Ataman, 'Sudanese crisis: A new front of 'preventive proxy war' *Daily Sabah* <<https://www.dailysabah.com/opinion/columns/sudanese-crisis-a->

importance. And that's the reason why it's not a coincidence that armed conflicts have persistently flared up in Sudan.

Since independence, Sudan has undergone three civil wars²⁵ with one ongoing. In 2003, government backed militia groups massacred countless Darfuri civilians after anti-government armed groups began fighting the state. All this political instability meant the economy was going to suffer, which worsened the living reality of civilians²⁶

Past Lessons, Present Challenges

“A lie gets halfway around the world before the truth has a chance to get its pants on.”

-Winston Churchill, Statesman and former PM Of United Kingdom

Sudan is one of the biggest countries in Africa located in the northeast region with a predominantly muslim population. Its population is 51,265,961²⁷ and since independence in 1956 it has largely been run by the military for thirty years. That meant Omar al- Bashir being in charge and his rule connects directly to what's happening currently. Given the pattern of military takeovers,

new-front-of-preventive-proxy-war> accessed on 18th April 2025.

²⁵ The First Sudanese Civil war was during the time period of 1955–1972 (prolonged conflict due to tensions between the Arab, northern and Muslim majority government which ended with the Addis Ababa Agreement in 1972) and the second Sudanese civil war, just 11 years apart, was during 1983–2005 due to President Gaafar Nimeiry government annulling the southern autonomy and implementing Sharia law. It left around 2 million civilians dead and more than 4 million displaced.

²⁶ South Sudan's independence and U.S. sanctions made it difficult to manage the economy on a greater scale. In the year of 1997, the U.S. placed debilitating sanctions on Sudan after labelling it as a 'state sponsor of terrorism'. Based on false rumors that a pharmaceutical factory in Khartoum was engaged in producing weapons for Al-Qaeda, the U.S., in response, went ahead and bombed the factory as a result of which the 20 years sanctions cut Sudan off from most international trades which made it difficult to get access to basic necessities like health. [United Nations, 'UNITED STATES BOMBING OF PHARMACEUTICAL PLANT GRAVE 'ACT OF TERRORISM' SUDAN'S MINISTER FOR EXTERNAL RELATIONS TELLS GENERAL ASSEMBLY' (United Nations, 29 September 1998).] In 2011, after the long haul of the second civil war, South Sudan gained independence. The secession of South Sudan meant that Sudan lost over 75% of its oil reserves and a huge chunk of its income. [Sudan Tribune, 'Sudan army and RSF agree to extend ceasefire for 72 hours' Sudan Tribune (Paris, 25 April 2024).] About 34% of the civilians lived in poverty in the year 2014. In 2017, the U.S. did lift the sanctions but it did not improve the lives of the Sudanese population.

²⁷ Data from the recent report by World Population Review (2025). <<https://worldpopulationreview.com/countries/sudan>> accessed 10 April 2025.

Bashir always feared the army and knew that he may suffer the same fate as previous leaders. To try and avoid that and counter the army's power, Bashir used a strategy called 'coup-proofing'²⁸. It started with the SAF²⁹. Throughout his reign, he bolstered the army and maintained a strong relationship with them³⁰.

Darfur was in crisis³¹. Hence, in the year 2003, while a large portion of the army was tied up in the south, rebel groups started attacking troops in the city³². Instead of relying on the SAF, Bashir decided to rely and arm a group of Arab militia known as the *Janjaweed*³³. These events showed Bashir how to maintain his reign and he, as a result, turned to the *Janjaweed* in search of another protector. There was one leader among the militia who Bashir trusted the most, and that was Mohamed Hamdan Dagalo

²⁸ Defined as the extent to which a military's capability to carry out coups is reduced along with increased costs associated with coup attempts. [Dr. Dan Reiter, 'The Coup-Proofing Toolbox: Institutional Power, Military Effectiveness, and the Puzzle of Nazi Germany' *Center for International Development and Conflict Management* <https://cidcm.umd.edu/sites/cidcm.umd.edu/files/germany_coup-proofing_umd_4-17.pdf> accessed on 18th April 2025. Bashir surrounded himself with protectors but would keep each one in check so that they don't overthrow him.]

²⁹ The country's official military, known as the Sudanese Armed Forces. They have held tremendous power in the country for nearly a century and started using their power soon after Sudan gained independence from Anglo- Egyptian rule.

³⁰ He relied heavily on them to crack down on an ongoing civil war in Southern Sudan where SAF and allied militias brutalized civilians on his command. Then with the army busy in the south, another war started taking shape in the west of the country. [Mai Hasaan, Ahmed Kodouda, 'Sudan's Uprising: The Fall of a Dictator' (2019) 30 *Journal of Democracy* 89 <<https://www.journalofdemocracy.org/articles/sudans-uprising-the-fall-of-a-dictator/>> accessed on 12 April 2025.]

³¹ People in Darfuri were historically neglected. Lack of medical supplies and basic necessities and minimum government representation left them feeling agitated for years and hence they protested against this. [Gerrit Kurtz, 'Power Relations in Sudan after the Fall of Bashir' (2024) *SWP-Studie* <<https://www.swp-berlin.org/publikation/machtbeziehungen-in-sudan-nach-dem-fall-bashirs>> accessed on 15th April 2025.]

³² Global Centre for the Responsibility to Protect, 'Unwilling and Unable: The Failed Response to the Atrocities in Darfur' (Global Centre for the Responsibility to Protect 2020). <<https://www.global2p.org/wp-content/uploads/2020/07/Unwilling-and-Unable-The-Failed-Response-to-the-Atrocities-in-Darfur.pdf>> accessed on 10 April 2025.

³³ This group was brutal and in the 2000s, these militia were focussed on wiping out the Darfuri rebels and civilians on Bashir's orders. SAF troops in Darfur were responsible for the destruction there as well. Both groups were accused of ethnic cleansing along with mass killing, rape and targetted displacement of civilians. Together, they killed thousands of Darfuris. [Holocaust Museum Houston, 'Genocide in Darfur' <<https://hnh.org/library/research/genocide-in-darfur-guide/>> accessed on 18th April 2025.]

or *Hemeti*³⁴.

Over time, the *Janjaweed* evolved with Bashir's support. By 2011, the civil war ended with South Sudan gaining independence, leaving Bashir in a weakening position. To strengthen and regain his power, Bashir, in 2013, gave Hemeti and the *Janjaweed* official status as a paramilitary force called the RSF (Rapid Support Forces)³⁵. To win Hemeti's support, Bashir gave *Hemeti* financial autonomy and allowed him to take control of a few of Darfur's gold mines, smuggle weapons and minerals to places like Chad and Libya and send troops into war torn territories in exchange for money. At the same time, he allowed the SAF to have a hand in major industries like telecommunications and weapon production. While Bashir was busy making these two forces richer, civilians continued to struggle.

As a result, in 2018, civilians responded on the streets in the middle of a devastating economic crisis. The ultimate trigger was the government's budget which allocated about 60-70% to the security sector³⁶ while the Sudanese civilians were left in ruins. In time, he may have revised his assessment as his fear became real. His protection scheme was put into test. This led to the biggest revolution in Sudan's history. Spontaneous protests broke out in different parts and then they shifted to Khartoum. Bashir refused to resign from the presidency. His protectors backed him and cracked down on the protestors who ultimately wanted democracy. In time, it became clear to the RSF and SAF that Bashir's leadership wouldn't be as useful to them anymore. So in 2019, they made a move that surprised civilians and Bashir by removing him from power³⁷.

³⁴ Bashir called him "my protection". A particular play on the Arabic word Himayati which is "my protection" versus Hemeti which is his nickname.

³⁵ Initially, the group was placed under NISS (National Intelligence and Security Services: intelligence advisory and gathering agency of Sudan) , also one of Bashir's protectors. Even though they were supporting SAF in the ongoing Darfur conflict. In 2017, Bashir passed a law getting *Hemeti* directly under his command making it clear that the RSF's purpose was only to protect him. [Al Jazeera, 'Sudan unrest: What are the Rapid Support Forces?' (Al Jazeera, 16 April 2023) <<https://www.aljazeera.com/news/2023/4/16/sudan-unrest-what-is-the-rapid-support-forces>> accessed on 14th April 2025.]

³⁶ Ruth Maclean, 'Dozens have died but Sudan protesters march on' *The Guardian* (London, 30 December 2018) <<https://www.theguardian.com/world/2018/dec/30/dozens-have-died-but-sudan-protesters-march-on>> accessed on 19th April 2025.

³⁷ The SAF commanders colluded with the RSF's Hemeti and removed Bashir from power. Omar-al Bashir, a military-backed ruler who stayed in power for

On June 3rd, 2019, the RSF killed over 100 people at a sit down protest. And other massacres continued throughout the country. After this, countries like the United States along with its Arab allies pressured Sudan's military and protestors to accept a power sharing agreement³⁸. When protestors helped oust Omar al-Bashir, the Sudanese people thought tyranny was over and the dream of civilians being in charge, felt tantalisingly close. Then came a war far worse than anyone could have imagined.

In the year of 2021, the Army seized power to avoid a

30 years was overthrown. After decades of living under his regime, the civilians pushed back. They wanted a democracy but the pro-democracy groups couldn't force the military out of power. [BBC News, 'Sudan coup: Why Omar al-Bashir was overthrown' *BBC News* (15 April 2019)].

They celebrated the removal of Bashir but did not trust the man who made it possible. A day after the coup, Abdel Fattah al-Burhan, a formal regional commander in Darfur, took charge of the South. Together, the two men gained control of Sudan. People saw them as complicit in the violence in Darfur all those years ago, where they worked together. Civilian leaders and military heads were supposed to co-govern the country until 2023 to run a democratic election and transition to a completely civilian-led government. But the deteriorating economy and COVID pandemic made things even worse. [James Copnall, 'Sudan crisis: Burhan and Hemedti - the two generals at the heart of the conflict' *BBC News* (17 April 2023)].

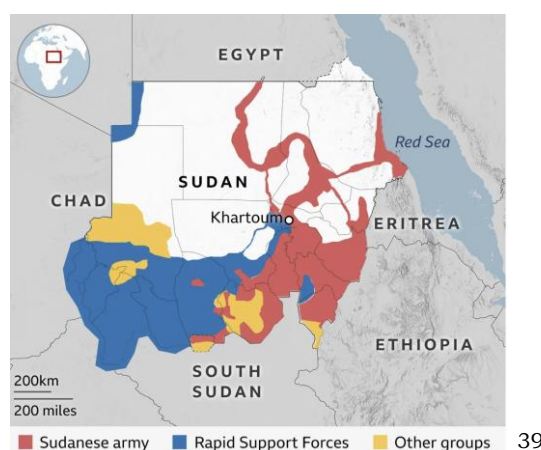
³⁸ In this deal, representatives from both the military and protestors would be part of a transitional council. In this plan, the military would have control for 21 months and civilians for 18. [Al Jazeera, 'Sudan protest leaders, military sign transitional government deal' *Al Jazeera* (17 August 2019).]

That meant the military would eventually have to hand over the power to the civilians to run the government. The problem was, despite the warnings from protestors, the two military men (Abdel Fattah al-Burhan and Mohamed Hamdan Dagalo) were put in charge of the council with Burhan as chair and Hemedti as vice chair. At first, the council acted in line with the agreement and installed a new prime minister, Abdallah Hamdok. But after multiple military interventions by these leaders, like a staged coup in October 2021, Hamdok resigned in January 2022. [Khalid Mukhtar Salim, 'Facts and lies about the 25 October Coup in Sudan' *Sudan Tribune*]

That made Burhan the de facto leader of Sudan and Hemedti as his number two again. But *Hemedti* was not comfortable in playing second fiddle because he believed himself to have amassed this fortune and positioned himself to play the role of statesman almost better than Burhan. Protests broke out (continued..) calling for military reform and full civilian rule. But like more than a dozen times before, the military took over and dissolved the transitional government# and turned on protestors. [France 24, 'As it happened: Sudan military dissolves civilian govt as anti-coup protests turn deadly' *France24* (Khartoum, 25 October 2021).]

After another year of protests, the U.S., UAE, Saudi Arabia and U.K pressured Burhan, Hemedti and the protestors to sign another deal. In the month of December 2020, the two men along with political parties signed it, promising a new civilian-led transitional government by April 2023. But the two disagreed on a key part of the deal that was the RSF would need to become a part of Burhan's army which would evidently limit *Hemedti's* power. Burhan wanted this to take place in 2 years but *Hemedti* proposed 10. This caused a big rift between them which led to the current conflict. They've placed hundreds of thousands of armed men across Sudan's territory.

possible civil war but in the month of April of 2023 did arrive because tensions between the army and the RSF boiled over. Heavy explosions and gunfire rocked the capital of Sudan, Khartoum, throwing the city into a state of panic. The Sudan Armed Forces and the Rapid Support Forces blamed each other for firing first. And by this time, the RSF was much more than a militia. Perhaps, wherever its backing had come from, there's no denying the Rapid Support Forces's military strength. Its territorial gains are marked in blue on the map given below. The red areas are controlled by the army which is on the retreat.



According to *The Economist*, a weekly newspaper, “*a genocidal militia is winning the war in Sudan*” and the RSF stands accused of committing widespread atrocities⁴⁰ although

³⁹ Source: Thomas van Linge, Sudan War Monitor, 2 Mar, 2025.

⁴⁰ The accusation is that the Rapid Support Forces along with the Arab militia are targeting certain ethnic groups, in particular, the Masalit (ethnic group inhabiting western Sudan and eastern Chad). In Sudan, they are considered ‘black Africans’ as compared to the RSF which constitute an Arab majority. The traditional capital of this (continued..) community is El Geneina (located in West Darfur) which was targeted by the Janjaweed in 2003. [James Landale, ‘Sudan conflict: Ethnic cleansing committed in Darfur, UK says’ *BBC News* (18 October 2023) <<https://www.bbc.com/news/world-67020154>> accessed on 16th April 2025.] The UN put out a statement:

“We are extremely alarmed by reports that Rapid Support Forces and their allied Arab militia killed hundreds of ethnic Masalit civilians.”
- Spokesperson for the UN High Commissioner for Human Rights (17th November, 2023)

United Nations Human Rights, ‘Sudan: Killings in Ardamata’ (United Nations, 17 November 2023).]

These reports are difficult to verify as international news organizations face difficulties to operate in Darfur but the UN and other international organizations have received accounts of murder and rape from survivors themselves and witnesses. There are also photos and videos of alleged atrocities in the same area (Ardamata) and it's close to the El Geneina army base captured by the RSF. The RSF blames the army instead of taking accountability

they repeatedly denied any such involvement in the violence. They have, instead, made demands for an “independent international investigation”. The British Government, speaking about Darfur⁴¹:

“Innocent people are being attacked by militias particularly by the RSF and they are hounded from their homes and murdered. Women are being raped and attacked. This is all, has all the Hallmarks of ethnic cleansing.”

- Andrew Mitchell MP (UK Minister for Africa, October 2023)

A statement from an woman survivor names Amina, in an interview, describes the horrifying experience when she, along with her aunt and cousins, were caught by the militia while fleeing from Ardamata⁴²:

"The others escaped but they kept me for a whole day. There were two of them, and one raped me many times before I managed to escape,".

Fighting between the army and the RSF has killed thousands, driven over 10 million people from their homes and sparked what the United Nations called “the world’s worst hunger crisis’ where nearly 25 million people (half of Sudan’s population) face extreme hunger, famine deaths etc⁴³.

While both the sides have exchanged bullets and

by saying, “... the deliberate artillery shelling in Ardmata, West Darfur, orchestrated by the Sudanese Armed Forces and its extremist allies linked to the former regime.. recruiting people to wear RSF clothes and commit crimes against civilians so it can be said that RSF are committing crimes, sexual assault and ethnic cleansing... maybe one or two incidents were committed by RSD fighters and they were held accountable.” [Feras Kilani, Mercy Juma, ‘Famine looms in Sudan as civil war survivors tell of killings and rapes’ *BBC News* (20 March 2024) <<https://www.bbc.com/news/world-africa-68606201>> accessed on 17th April 2025.]

⁴¹ James Landale, ‘Sudan conflict: Ethnic cleansing committed in Darfur, UK says’ *BBC News* (18 October 2023) <<https://www.bbc.com/news/world-67020154>> accessed on 15th April 2025.

⁴² Interview by BBC, ‘Famine looms in Sudan as civil war survivors tell of killings and rapes’ (March 2024) *BBC News* <<https://www.bbc.com/news/world-africa-68606201>> accessed on 18th April 2025.

⁴³ THE HINDU, ‘Sudan faces world's worst humanitarian crisis, says U.N.’ *THE HINDU* (11 April 2025) <<https://www.thehindu.com/news/international/sudan-faces-worlds-worst-humanitarian-crisis-says-un/article69437976.ece>> accessed on 13th April 2025.

allegations, many blame both for unleashing horrific devastation in the region. Although, the crisis does not only be limited to the territorial boundaries of Sudan, instead, it goes far beyond it⁴⁴. The war has gotten nowhere. A few weeks after the war started, peace talks were held in the Saudi city of Jeddah. Many more followed, with several ceasefire agreements reached, but they failed to stop the fighting. There have also been various initiatives including talks hosted by Kenya, but so far they have not worked⁴⁵. What was once a hopeful revolution has been interrupted by the two men. No matter who wins the war, protestors are left in ruins, feeling betrayed by the country's de facto leaders and also by the international community that claims to support their hopes for democracy. Fast forward to today, the war looks intractable. The two men are not only failing at providing protection to the people but also actively intensifying their suffering.

III. CRSV: A NEVER ENDING, PATRIARCHAL AND MACHISTA WEAPON OF WAR

“Sexual violence is a threat to every individual's right to a life of dignity, and to humanity's collective peace and security.”⁴⁶

-António Guterres, United Nations Secretary-General, New York, 19 March 2017.

Conflict-related sexual violence is a depressingly recurring reality during wartime. This is a demonstrably gendered phenomenon. Wartime settings often amplify pre-existing societal and domestic gender inequalities through the manifestation of violent masculinities. Harmful rules such as objectifying women and male control of women's bodies are intensified and even instrumentalized during war to harm women individually or collectively or to target communities as a whole.

⁴⁴ The war is evidently destabilizing the Nile Valley, the Horn of Africa and the Saharan region. If the RSF were to win, this would lead to neighbouring countries, for instance, Egypt, Ethiopia and Eritrea would most likely be dragged into the conflict in one way or the other. Despite this, the war continues.

⁴⁵ In August 2024, US-led talks started in Switzerland, but the Sudanese army refused to turn up. Neither of the warring sides appears to be motivated to end this. [Reuters, 'Sudan peace talks begin in Switzerland despite army's no-show' *Reuters* (16 August 2024) <<https://www.reuters.com/world/sudan-peace-talks-begin-switzerland-despite-armys-no-show-2024-08-14/>> accessed on 17th April 2025.]

⁴⁶ UN News, 'Sexual violence is a threat to every individual's right to a life of dignity – UN chief' *United Nations News* (19 June 2017) <<https://news.un.org/en/story/2017/06/559822>> accessed on 18th April 2025.

Conflicts bring many changes to societies and usually involve a breakdown of law and order. CRSV happens in many settings such as homes, fields, detention centers, military camps etc., but usually occurs at the peak of conflict and in the midst of population displacement. This continues even after the war crisis comes to an end. Sexual violence during conflict destabilizes the social structures and terrifies the civil population. During this time, specific groups of population get targeted due to various reasons such as religion, ethnicity, gender etc. Women are often considered the most vulnerable group affected by this. It is nearly impossible to count the actual number of female victims suffering. Many challenges of reporting include fear, stigma, social norms, structural barriers etc. letting the perpetrators go unpunished, leading to impunity as a result.

Sexual violence: Tactic or Strategy?

The traditional military theory shows the difference between the concept of “strategy of war” and “tactic of war”. Though the exact meanings of both the terms may change over time depending on the nature of armed conflict, however, the general understanding as well as the connection between them mostly remain the same. Strategy is defined as the overall planning of military actions using military means. It includes coordination of different forces, consumption of civilian resources and aims to achieve political goals. At the operational level, it helps plan the main battles and these are the ones that leaders think are important. It involves ‘the calculation of power relations’.

On the other hand, tactics are distinct as they are more about short-term decisions made during wartime. It includes various decisions like how troops should move, which weapons to use and what decisions are needed to win individual battles (short-term)⁴⁷. According to this, sexual violence is viewed as a tactic of war. Catharine MacKinnon, on the other hand, defines mass rape as a “strategy, tool, policy and a practice”. She does so to draw attention to the prevalence of sexual violence, along with the social resistance to recognise it as a grave human rights violation⁴⁸. It is justified to achieve “military goals”. One reason is the aim to eliminate the population from certain areas through displacement and the other reason for sexual violence is the lack of discipline and structure in armed groups.

⁴⁷ Colin S. Gray, *Modern Strategy* (Oxford: Oxford University Press, 1999), 17-23.

⁴⁸ Catherine MacKinnon, "Rape, Genocide, and Women's Human Rights," *Harvard Women's Law Journal* 17 (1994), 5-16, here 9 <<https://heinonline.org/HOL/LandingPage?handle=hein.journals/hwlj17&div=7&id=&page=>> accessed on 12th April 2025.

Historian Birgit Beck-Heppner, in *Wehrmacht und sexuelle Gewalt*, found that although rape cases have likely went unreported and military leaders often downplayed the crime. Beck found no proof that rape was being as a war tactic, rather as a threat to discipline and reputation⁴⁹. At first, Beck's argument would seem logical that if military laws against sexual violence did exist, then rape could not be considered a part of a military strategy. Why would commanders categorise rape as a crime if they planned to use it as part of their military plan? But rape is evidently listed as a crime in military codes and rules throughout history and so the real issue is clearly not whether statutes exist. The main contention is how efficiently are the laws enforced or ignored. Its important to note that, in reality, even if an army punished some rape cases, it may allow the same in other situations. Hence, its a never-ending debate to conclude whether sexual violence constitutes a part of the army's strategy or tactic during war.

The traditional hierarchical model of military planning is inaccurate as the army does not simply follow orders without questions. On the battlefield, they interpret orders based on their contexts and available room for action. Soldiers make decisions based on the situation they are in and their uniforms and hierarchical roles grant them powers civilians do not have. Ulrich Bröckling states that military leadership must plan for the unpredictable elements of soldiers' behavior. Predicting soldiers' decisions is essential for command to maintain control and power and they should also anticipate the soldiers might commit sexual violence⁵⁰. This, in reality, is not the case as military leaders presently, do not account for the sexual violations that take place due to the army in their unit and justify it as a consequence of war.

Combatants often become desensitized to violence during war, victims are dehumanised and the stress, fear and unpredictability of combat contribute to this mindset. Combatants also blame the enemy, believing they "deserve what they got". Rhonda Copelon, a known American human rights lawyer, argues that rape is used as a deliberate tool to destroy the

⁴⁹ Regina Mühlhäuser, 'Refraining Sexual Violence as a Weapon and Strategy of War: The Case of the German Wehrmacht during the War and Genocide in the Soviet Union, 1941-1944' (2017) 26 *Journal of the History of Sexuality*, No. 3, 366-401 <<http://www.jstor.org/stable/44862404>> accessed 13 April 2025.

⁵⁰ Regina Mühlhäuser, 'Refraining Sexual Violence as a Weapon and Strategy of War: The Case of the German Wehrmacht during the War and Genocide in the Soviet Union, 1941-1944' (2017) 26 *Journal of the History of Sexuality*, No. 3, 366-401 <<http://www.jstor.org/stable/44862404>> accessed 13 April 2025.

enemy group, that is their identity as people and physical existence. She also states that when, in cases, rape is an exceptionally detestable act, it is recognised widely as a crime and hence, a breach of international norms. However, in general, it (rape) “will most likely remain an inevitable by-product of war.”⁵¹ These factors are part of moral disengagement during conflict which broadens the range and intensity of violence.

In the year 1998, Libby Tata Arcel, took up a study to understand the motives behind the perpetrators of sexual violence. According to her study, there are two main observations: (1) the patterns, frequency and reasons for sexual violence vary depending of the nature of war and situation and (2) the motives of the soldiers, who perpetrate, may not align with the goals of the individuals or communities that plan the war. She says that such violent, male-dominated behavior is usually justified by ideas of nationalism and masculinity. In times of war, social chaos makes it easier for soldiers to cross moral boundaries. The environment transition changes what is considered acceptable behavior. Hence, it is considered justified by military leaders to “allow” wartime rapes as it serves “military objectives” such as the aim to encourage aggressive behaviour among soldiers and help them “deal with fear of dying” and dehumanize the enemy⁵².

Sexual Violence: Byproduct of war or continuing act?

Historically, it is observed that sexual violence displays a pattern of continuity before, during and after the war. Questions arise on how does sexual violence become a weapon of war and how do gendered identities intersect with violent practices to affect its use in conflict? How do sexual practices reinforce violent behaviour during wartimes? This shows how deeply rooted the issue is rather than a mere isolated act justified during war.

Even after conflict ends, sexual violence still occurs due to ongoing insecurity and lack of accountability. Sexual violence includes forcing someone to engage in sexual acts through coercion (fear of violence, duress, detention, abuse of power etc.) or threats. Taking advantage of the coercive environment is also a form of coercion. CRSV includes acts of this violence during after a period of conflict. It is a concept broader than just “rape” which also includes, forced acts (pregnancy, abortion, sterilization,

⁵¹ Rhonda Copelon, "Surfacing Gender: Re-engraving Crimes against Women in Humanitarian Law," *Hastings Women's Law Journal* 5, no. 2 (1994): 246.

⁵² Regina Mühlhäuser, 'Refraining Sexual Violence as a Weapon and Strategy of War: The Case of the German Wehrmacht during the War and Genocide in the Soviet Union, 1941-1944' (2017) *Journal of the History of Sexuality*, No. 3, 366-401.

nudity, prostitution, sexual enslavement, circumcision, castration,) and other forms of equal seriousness such as inappropriate medical examinations, enforced strip searches and assault.

Beyond biology: Factors driving sexual violence

However, Gabriella Mischkowski argues that a narrow understanding of rape as a weapon of war fails to take into account the complexity of the situation such as how rape spreads during war, how is there a connection between individuals, gender constructions and war tactics?⁵³ The concept of patriarchy is defined as the “*system of political, social, and economic relations and institutions structured around the gender inequality of socially defined men and women. Within patriarchal relations, women are collectively excluded from full participation in political and economic life.*”⁵⁴ Both the private and public spheres consist of patriarchal structures, whereby characteristics considered feminine are desired less and those masculine ones are mainstreamed, desirable and highly valued. This system has resulted in male dominance in all spheres of private and public life. Feminist scholars see violence against women as a connected spectrum including violence in war and peace, rather than separate events. This spectrum bridges the public sphere (where CRSV is usually seen as political) and the private sphere (where sexual violence by known individuals is typically understood).

Both sexual violence and CRSV in conflict share a root cause. The root cause is patriarchal structures. These male dominant hierarchies exist both in formal (politics, law) and informal (families, communities etc) settings. However, these concepts are not identical. They differ on how widespread they are, how they arise and their purpose. For instance, CRSV is more connected to weapons and gang rape. Armed groups might exploit patriarchal norms to rape women with the aim to humiliate men or weaken the communities⁵⁵. The continuum idea emphasises that both types of violence come from the same underlying patriarchal norms and practices.

In Sudan, which is not shielded to the traditional gender normative, the gender order is deeply influenced by patriarchal

⁵³ Ibid.

⁵⁴ Nash, C. J. (2009). Patriarchy. In: Thrift, N. & Kitchin, R. (Eds.). *International Encyclopedia of Human Geography*. (pp.102–7). Elsevier.

⁵⁵ Anne-Kathrin Kreft, “‘This Patriarchal, Machista and Unequal Culture of Ours’: Obstacles to Confronting Conflict-Related Sexual Violence’ *Oxford University Press* (June 2022) <<https://academic.oup.com/sp/article/30/2/654/6609241>> accessed on 17th April 2025.

stereotypes despite Article 48 and 49 of Sudan's constitution of 2019 (which was subsequently amended)⁵⁶. These statutes explicitly grant equal rights to both men and women in all spheres, especially human rights, which is considered the most basic natural right an individual must have since birth. The absence of laws protecting these individuals in addition to the militia controlling the state poses challenges in its efficient implementation and uphold. Socio-cultural norms look at females as subordinate to the male who have no autonomy of their own. Men are viewed as the bread-winners of the household in contrast to women who are "expected" to take care of the house and bear children.

In the year 1994, Ruth Seifert, in his chapter, "*War and Rape: A Preliminary Analysis*," provided an analysis based on postmodern ideas on how society and culture shape gender roles. The conception of rape creates and supports ideas about what it means to be a man or a woman. During times of conflict, it is these ideas that lead to certain behavioral patterns, as a result, affecting the society as a whole. According to Seifert, rape during wartime shall be viewed as a combination of five factors. Firstly, rape can be seen as one of the "rules of war" where the winning soldiers are allowed to do so. Secondly, it is a medium through which a group of men send a message to the other men that they failed to protect their women (less masculine), Thirdly, a source of reaffirmation of masculinity - it gives birth to and affirms camaraderie as well as loyalty among soldiers. Fourthly, a means to destroy another's culture by targeting women, who are seen as symbols of carrying culture through childbirth. Lastly, as women are seen as weaker, men take out their fear and anger on women due to the increased

⁵⁶ Article 48: Equality before Law - People are equal before the law, and have the right to the protection of the law without discrimination between them on the basis of ethnicity, color, gender, language, religious faith, political opinion, racial or ethnic origin, or any other reason.

Article 49: Women's rights

1. The state protects women's rights as provided in international and regional agreements ratified by Sudan.
2. The state guarantees to both men and women the equal right to enjoy all civil, political, social, cultural, and economic rights, including the right to equal pay for equal work, and other professional benefits.
3. The state guarantees women's rights in all fields and develops them through positive discrimination.
4. The state works to combat harmful customs and traditions that reduce the dignity and status of women.
5. The state provides free healthcare for motherhood, childhood and pregnant women.

[Sudan Constitution, 2019 (Subsequently amended)].

hatred towards them during war.⁵⁷

The fact that men can be raped, but less frequently, showing that the act of rape is used to keep women in a lower, subordinate position in the society. Monique Plaza defines rape as an act of oppression and control by the man, who is defined by society, over the woman, who is also defined by the society. This act is based on the idea of “social sexing” which states how a society assigns distinct roles to the male and female and this idea is what lies behind rape. Importantly, when a man is raped by another man, they feel shame because they have been made into a woman and he is forced into the role of being “sexually passive and powerless”. At that very instance, the man is treated more like a “social woman” that means that he is seen that way the society usually views and treats a woman⁵⁸.

Susan Brownmiller, in her book *Against Our will: Men, Women and Rape* (1975) defines the term “weapon” in two distinct ways. Firstly, she describes rape as a weapon that men use to control and subordinate women and secondly, rape as a war weapon against an enemy collective⁵⁹. She explains:

As rape is the quintessential act by which a male demonstrates to a female that she is conquered - vanquished - by his superior strength and power.. to prove himself a worthy Superman. It would have been highly illogical if rape were not in the soldier's (referring to German) kit bag of weapons. Rape... played a serious and logical role in the achievement of what they saw as their ultimate objective: the total humiliation and destruction of "inferior peoples" and the establishment of their own master race⁶⁰.

She also says, opposing the then dominant biological explanation model that men who rape are driven by natural overwhelming sexual urges, says that rape in war and non war situations is a phenomenon rooted in the social sphere. In history, armed forces have justified sexual violence as a mere result of conflict. The usual story about women in wars is based on patriarchal ideas. “War is something only men are involved in” is a widely accepted belief. Men are believed to plan and decide to go

⁵⁷ Ruth Seifert, ‘War and Rape: A Preliminary Analysis in Mass Rape: The War against Women in Bosnia-Herzegovina’, ed. Alexandra Stiglmeier (London: University of Nebraska Press, 1994), 54-72.

⁵⁸ Ann J. Cahill, ‘Foucault, Rape, and the Construction of the Feminine Body’ *Hypatia*, Winter, 2000, Vol. 15, No. 1 (Winter, 2000), pp. 43-63 <<https://www.jstor.org/stable/3810511>> accessed on 12th April 2025.

⁵⁹ Susan Brownmiller, *Against Our Will: Men, Women and Rape* (1975; repr., New York: Bantam Books, 1976).

⁶⁰ *Ibid.*

for war. Men are put on the pedestal because men are thought to be the ones who fight and die in wars and also negotiate to end it. They are mainly seen as the protectors of “helpless” women and children. Because of this, people say women should not get involved in wars and look out for their own safety, supporting the idea that war has been seen only from a male viewpoint in history.

Modern feminist scholars do not agree with the usual story. Feminists argue that war today has changed who is fighting as many fighters are non-state actors who are not professionally trained well. They have different reasons to fight and do not follow the international norms of war. Their usual targets are civilians and due to this, over 90% civilians are killed in modern wars. Most of this percentile includes women and children⁶¹. Men die fighting wars and women mostly die because of things that happen during war, not in battle.

During both the world wars, women were victims of war. O’ Brien and Quenivet argue that war is gender based and hence CRSV against women in the military is unavoidable⁶². All sides were accused of mass rape during the second world war. The Tokyo and Nuremberg trials did not consider sexual violence a crime. The International Military Tribunal in Nuremberg failed to prosecute sexual violence and Japanese military’s enslavement of “comfort women” was disregarded by the Tokyo Tribunal. In 1949, the landmark Geneva Conventions stated: “*Women shall be especially protected ... against rape, enforced prostitution, or any form of indecent assault.*”⁶³ Military and political leaders often dismissed it as a “private act” and called it the misbehavior of a few bad soldiers. In 1992, there was a shift in focus with mass rapes taking place in the Former Yugoslavia. In Bosnia, the United Nations Security Council called the detention and rape of muslim women as a major issue and said that it was time for sexual violence must be addressed as an international heinous crime.

International Criminal Tribunal for the former Yugoslavia (ICTY) statute was the first to clearly recognise rape as a crime against humanity. This was also recognised by the International

⁶¹ Al Oraimi, Suaad and Antwi-Boateng, Osman (2023) "Surviving Patriarchy: Ukrainian Women and the Russia-Ukraine War," *Journal of International Women's Studies*: Vol. 25: Iss. 6, Article 8 <<https://vc.bridgew.edu/jiws/vol25/iss6/8>> accessed on 18th April

⁶² O’Brien, M., & Quenivet, N., ‘Sexual and Gender-Based violence against Women in the Russia-Ukraine Conflict’, (2022, June 8). *Ejil talk*. <<https://www.ejiltalk.org/sexual-and-gender-based-violence-against-women-in-the-russia-ukraine-conflict/>> accessed on 13th April 2025.

⁶³ International Rescue Committee, ‘Sudan Crisis Report: One Year of Conflict’ (April 2024) <<https://www.rescue.org/report/sudan-crisis-report-one-year-conflict>> accessed on 13th April 2025.

Criminal Tribunal for Rwanda (ICTR)⁶⁴. The Rome statute created the International Criminal Court that declared rape and other acts like torture, extermination, sexual slavery and forced pregnancy as crimes against humanity and genocide if they are widespread or systematic during conflict. The ICC was created to hold the perpetrators accountable but it was very evidently difficult to get accurate data on CRSV during war. The UN reports have defined conflict related sexual violence as:

*“(R)ape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity perpetrated against women, men or children with a direct or indirect (temporal, geographical or causal) link to a conflict. This link to conflict may be evident in the profile and motivations of the perpetrator, the profile of the victim, the climate of impunity or State collapse, any cross-border dimensions or violations of the terms of a ceasefire agreement.”*⁶⁵(United Nations 2013).

Documentation of this comes from international and national authorities. International women’s organizations also facilitate this by providing their own reports. However, an important question to ask is: What is the significance of these extensive documentation efforts if they have not resulted in substantial improvements in the convictions of CRSV perpetrators? How can the justice mechanism address the brutal lived realities of survivors that remain unchanged, and what measures are being taken to acknowledge and incorporate unofficial numbers in conflict zones? It is very evident that criminal tribunals have limited ability to deliver justice to women victims as they often limit to recognising a small number of crimes committed against women and fail to address all forms of gender-based harms. They do not correct the deep gender-biases that exists in society evident from the conviction rate in the ICTR which was low as compared to the high levels of gender violence during Rwandan genocide. This is just one instance from history showing how deeply entrenched the issue is. In the further sections, the paper would provide an analysis of CRSV with a focussed examination of its demonstration in the context of the Sudan crisis.

⁶⁴ United Nations International Residual Mechanism for Criminal Tribunal, ‘The ICTR in Brief’ <<https://unictr.irmct.org/en/tribunal>> accessed on 20th April 2025.

⁶⁵ United Nations Security Council, ‘Conflict-related sexual violence- Report of the Secretary-General’ (March 2014) <<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/report/s-2014-181/SG-Report-2014.pdf>> accessed on 15th April 2025.

IV. SUDAN: VISION OF HELL

“Nearly two years into the conflict, Sudan is now the largest and the most devastating humanitarian crisis in the world.”

-Catherine Russell, Executive Director, UNICEF⁶⁶.

The Sudan war has clearly created a humanitarian catastrophe without parallel. The numbers are overwhelming. It is known to be the world’s largest displacement crisis where more than one million civilians have been displaced within the country, 3 million refugees in neighbouring areas and the increasing reports of sexual violence against women and children in the territory⁶⁷.

Sudan’s Enduring Weapon

As mentioned earlier, sexual violence is not only prevalent during wartime but before and after too. In Sudan, gender based violence existed before the conflict and the risk has only increased the rate since its outbreak. Before the present crisis, conflicting parties have historically used it as a tool with the aim to intimidate communities and strengthen their power. In the 2002 conflict in Darfur, when non-Arab groups were protesting against the neglect of their region along with resource exploitation, rape was used in the background as a regular instrument of conflict. These were mostly targeted against the non-Arab communities. This does not end with the war ceasing, as women are subject to the same brutal treatment along with beatings with sticks, axes etc. rape was just one of the several tools used including sexual slavery, abduction, forced pregnancy, human trafficking etc. in the region by the Janjaweed. Beyond affecting the victim’s dignity, it had a much broader and deeper impact including social stigma, social, mental, economic and humanitarian consequences.

In the following counterinsurgencies in years 2014 and 2015, for instance, in Golo (district, Central Darfur), Tabit (town, North Darfur) and Blue Nile State, large groups of women were subject to rape, harassment and assault in front of their communities and if resisted, were killed⁶⁸. During the pro-

⁶⁶ United Nations, ‘Sexual Violence Used as Weapon of War in Sudan, Humanitarians Warn, Demanding Security Council Action’ (March 2025) <<https://press.un.org/en/2025/sc16018.doc.htm>> accessed on 17th April 2025.

⁶⁷ UNICEF, ‘Sudan: Top UN officials sound alarm at spike in violence against women and girls’ (July 2023) <<https://www.unicef.org/mena/press-releases/sudan-top-un-officials-sound-alarm-spike-violence-against-women-and-girls>> accessed on 19th April 2025.

⁶⁸ ACAPS Analysis Hub, ‘SUDAN Impact of the war on women and girls’ (January 2024)

democracy movements in the region, women although playing a significant role in mobilization, were raped on a mass scale by the Rapid Support Forces and other militant groups. One suggested observation from this can be said that senior militant leaders allowed the use of this tool to thwart the movement⁶⁹. The aftermath of this was health facility providers were being flooded and women received threats of sexual violence if they did not step-down from the revolution against the military⁷⁰. These historical patterns of such violence have led to normalization of marginalising women and using them as a means through which one could instill a feeling of fear and humiliation among the society.

Currently, it is not new that rape is used as a systematic weapon of war in Sudan. Women are being subject to sexual slavery and gang rape as part of the war's strategy. It is more like a strategy used to humiliate, displace and forcibly remove civilians. Presently, an estimate of 12.1 million women and young girls are at the risk of this violence. Reports show that this form of violence by the RSF and the other armed groups are not isolated occurrences but instead a part of a broader series of warfare⁷¹. From the year 2024, this is about an eighty percent increase. The trauma they experience along with the bruises it leaves behind do not simply stop by an agreement of peace or ceasefire. Recently, Anna Mutavati, the regional director of United Nations Women, warning about the urgent need for attention, said that, "*We have seen a 288% increase in demand for life saving support for rape and sexual violence survivors. We are beginning to see the systematic use of rape and sexual violence as a weapon of war.*"⁷²

<[https://www.acaps.org/fileadmin/Data_Product/Main_media/20240123_A CAPS_Sudan_Analysis_Hub_thematic_report_Impact_of_the_war_on_women_and_girls.pdf](https://www.acaps.org/fileadmin/Data_Product/Main_media/20240123_A_CAPS_Sudan_Analysis_Hub_thematic_report_Impact_of_the_war_on_women_and_girls.pdf)> accessed on 20th April 2025.

⁶⁹ Samy Magdy, 'A year later, Sudanese raped in crackdown wait for justice' (3 June 2020) <<https://apnews.com/article/sudan-africa-middle-east-international-news-ap-top-news-2ec4eb94a0624b0debb47714c4a78b5e>> accessed on 17th April 2025.

⁷⁰ Zeinab Mohammed Salih, Jason Burke, 'Sudanese doctors say dozens of people raped during sit-in attack' (June 2019) <<https://www.theguardian.com/world/2019/jun/11/sudan-troops-protesters-attack-sit-in-rape-khartoum-doctors-report>> accessed on 18th April 2025.

⁷¹ Natalie Nunn, 'SUDAN: THE CASE FOR RECOGNISING ALL CONFLICT-RELATED SEXUAL VIOLENCE AS TORTURE' (April 2025) <<https://lieber.westpoint.edu/sudan-case-recognising-all-conflict-related-sexual-violence-torture/>> accessed on 20th April 2025.

⁷² Olivia Le Poidevin, 'Rape used systematically as a weapon of war in Sudan, UN agency warns' (April 2025) <<https://www.reuters.com/world/africa/rape-being-used-systematically-weapon-war-sudan-un-agency-warns-2025-04-15/>> accessed on 18th April

These words describe how desperately the crisis requires global attention and real action. Despite the growing concern, protection and safeguard services are scarce⁷³. Survivors have little to none in terms of access to Clinical Management of Rape service provider (CMR)⁷⁴. Women and children constitute about 90% of the refugees, having very limited resources to support their survival. This shows that despite humanitarian access, nothing has changed for the better as refugees lack the necessities to construct a safe shelter for themselves.

Bodies as Battlegrounds

“Three RSF fighters on a motorbike chased a girl and tried to harass her.... They used a knife and cut her on her thigh... another girl was raped in front of her father and siblings, while the other was chased and harassed on the street...”

A war is being waged against women. Many have taken their own lives after being raped, as a coping mechanism or out of fear, to avoid the same fate. The lives of tens of thousands of women are trapped in a nightmare. Victims are being attacked in their houses, lashed, threatened and beaten to death or harm to their families, before being raped by several offenders. They also have been subject to this while seeking shelter from these attacks. Many feel that their bodies are being used as ‘political battlefields’ in a contest between two armed groups and here they are being used as one of those factors in the conflict. In Sudanese culture, sexual violence and rape is not something that women talk about freely or comfortably and despite that its a stigma, people feel ashamed when they talk about it, we still hear stories which is a fraction of the reality. It's like a tip of an iceberg, not every woman would come forward as there is shame and victim blaming attached to every single one who has been subject to this violence. And violence against women, a lot of the time is also used as a tool to humiliate men and try to create sort of an image of men of their failure to protect their women. When men are prevented from defending their women and children, they are assaulted as well as castrated in their essential dignity. Hence, women are subject to doubly instrumentalized- as objects of rape and as instruments

2025.

⁷³ International Rescue Committee, ‘Sudan Crisis Report: One Year of Conflict’ (April 2024) <<https://www.rescue.org/report/sudan-crisis-report-one-year-conflict>> accessed on 13th April 2025.

⁷⁴ ACAPS Analysis Hub, ‘SUDAN Impact of the war on women and girls’ (January 2024) <https://www.acaps.org/fileadmin/Data_Product/Main_media/20240123_A_CAPS_Sudan_Analysis_Hub_thematic_report_Impact_of_the_war_on_women_and_girls.pdf> accessed on 20th April 2025.

in the degradation of men”.⁷⁵

“If you fail to cooperate, I’ll gun you down”

Susan Brownmiller, in *Against Our will: Men, Women and Rape*, and describes sexual violence as means by which men exert dominance over the women, structurally and individually, she argues that in times of military conquest, this male aggression against the women becomes conflated with the troops’ self perception of (national, racial, religious) superiority. Rape, hence, spreads terror and becomes a “*method of military retaliation and reprisal*”⁷⁶.

According to the Amnesty International, the RSF forced gang raped at least 36 women and girls in the first 18 months of the conflict with some girls around the age of fifteen⁷⁷, although the real figures are likely far higher. Women are not able to get medical help and report the attacks because of the ongoing conflict and fear of reprisal. In an interview with Human Rights Watch, a survivor from Habila named Hania, recently described her horrifying experience, “*They took us to a camp. We were all put together... they (RSF) made a corral, like for animals with wires and sticks. Then they put us in chains. Ten girls to one set of chains.*”⁷⁸ She was raped daily for 3 months by them. The sexual violence inflicted on women and girls who were enslaved in the camp, constitutes the grace act of sexual slavery.

Although, arms are not used directly to commit sexual violence, their presence and threat of use facilitate the commission. This is considered in the Arms Trade Treaty, where states are required to consider whether the proposed transfers of weapons could be possibly used to commit or facilitate serious acts of gender-based violence or violence against women and girls⁷⁹. A Woman Human Rights Defender said, “*The more*

⁷⁵ Gerda Lerner, ‘The Rape of Black Women as a Weapon of Terror, in *Black Women in White America: A Documentary History*’, ed. Gerda Lerner (New York, Pantheon Books, 1972), 172-73.

⁷⁶ Susan Brownmiller, *Against Our Will: Men, Women and Rape* (1975; repr., New York: Bantam Books, 1976), 52.

⁷⁷ Sudan Tribune, ‘Amnesty accuses RSF of widespread sexual violence as war crime in Sudan’ (London, April 2025) <<https://sudantribune.com/article299552/>> accessed on 17th April 2025.

⁷⁸ Human Rights Watch, ‘Sudan: Fighters Rape Women and Girls, Hold Sex Slaves’ (December, 2024) <<https://www.hrw.org/the-day-in-human-rights/2024/12/16>> accessed on 19th April 2025.

⁷⁹ United Nations, Article 7, Clause 4, The Arms Trade Treaty, 2014. <<https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf>> accessed on 17th April, 2025.

weapons we [South Sudanese] have, the more violations...the gun is their strength to rape women.⁸⁰ A Sudanese lawyer who works with CRSV survivors said: *“When someone sees a gun, it is a symbol of fear and intimidation. There is no choice but to comply.⁸¹”*

A senior United Nations official, working on CRSV said that nine survivors of CRSV told them that their perpetrators raped them at gunpoint and threatened to kill them or their relatives with their gun if they did not comply. One of the victims, Emmanuella, said, *“Two government soldiers took us at gunpoint to an abandoned house. [...] The soldier who took me, ordered me to remove my clothes, I first refused, I was resisting and he was threatening to kill me with his gun. [...] When he stood up, I managed to run away from the house and he realized I was escaping. He took the gun and shot after me”⁸².*

According to the statement of a woman, her teenage niece was raped by a man in uniform, who threatened to shoot her with his gun if she did not “lie down”. Describing the use of guns by the “rebels” who abducted her in, she submitted herself to the rebels who repeatedly raped her alongwith other women. In one case the Amnesty International documented, the survivor spoke that the soldiers forced her husband to watch him rape her and then shot him. *“Seven of them raped me. I was lightly unconscious, and my husband became aggressive, started speaking, then they shot him dead⁸³.”* There are several such inhumane stories that are being heard, but so far apart from the sympathy extended by international organizations and countries, nothing has brought about a positive impact on the devastating reality of Sudan

V. CONCLUSION

States have a duty to end the impunity the military have and prosecute the perpetrators of such grave crimes against humanity. This is essential if the society, facing conflict, wants to deal with past abuses and prevent future abuses against the population during wartime⁸⁴. With regards to the present conflict

⁸⁰ Amnesty International, Interview with a South Sudanese woman human rights defender (name withheld for security reasons), 24 February 2022, Central Equatoria State.

⁸¹ Amnesty International, ‘IF YOU DON’T COOPERATE, I’LL GUN YOU DOWN- CONFLICT-RELATED SEXUAL VIOLENCE AND IMPUNITY IN SOUTH SUDAN’ (2022) <https://www.amnesty-international.be/sites/default/files/2022-05/south_sudan_crsv_report.pdf> accessed on 15th April 2025.

⁸² Ibid.

⁸³ Ibid.

⁸⁴ United Nations, ‘Legal Guidebook on State Obligations for Conflict-Related Sexual Violence’ (2022) <<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2023/07/Special-Edition-Guidebook-on-State-Obligations-for-Conflict-Related-Sexual-Violence-version-endnotes-1.pdf>> accessed on

in Sudan, the international community is needed to extend diplomatic as well as financial support which should include the provision of humanitarian aid for survivors, fast track procedure of asylum requests and refugee resettlement in third countries⁸⁵. The effective access to humanitarian aid requires external powers and donor countries to participate and extend direct assistance for locally led initiatives in the territory such as several locality resistance committees and other civilian organizations. State humanitarian response essentially requires a broader approach that extends beyond legal redress such as providing medical, social as well as psychological support to the survivors. This will help provide and implement effective humanitarian access at grassroot levels. Alongside, a ceasefire which is essential would not be sufficient and so is the belief that the military taking up leadership to ensure stability in the territory is too utopian.

In reality, the restorative justice theory of punishment⁸⁶ does not do much good even after convicting the perpetrators for the sexual violence they inflict on victims. The deep bruises left due to their lived experiences cannot just be healed by punishing the offender for the wrongdoing. This can be seen as a temporary solution but what about the continuing act across the globe? As a result, it is required to focus on preventing it rather than cure it. The international humanitarian law shall aim at changing the traditional narrative surrounding sexual violence during conflict from only being a unfortunate result of war to rather a deep rooted issue with gender-based patriarchal roots which are desperately needed to be abolished. Strict statutes must be enforced and prevention shall not be merely about preventing individual cases but fostering a culture where such acts are universally deemed unacceptable⁸⁷.

As witnessed in the past, agreements made among leaders have proved to be a failure and hence it risks a never-ending cycle of war in Sudan, making it a place equivalent to an inferno. It is more helpful to include more civilian-led negotiations in its considerations as well as taking into account the new realities of the country as the conflict has changed the political sphere along

21st April 2025.

⁸⁵ Mehari Tadele Maru, 'Sudan's Atrocious Political Transition: Resolving the Displacement and Humanitarian Crisis' (2023) UNU-CRIS Working Paper 2023-10,8 <https://cris.unu.edu/sites/cris.unu.edu/files/UNU-CRIS_Working-Paper_23.10.pdf> accessed 10 April 2025.

⁸⁶ The theory of punishment that focuses on repairing the harm caused by an offence, aiming at healing the victim and returning them to the pre-crime state.

⁸⁷ Dr. Denis Mukwege Foundation, 'Core State Obligations for Conflict-Related Sexual Violence: An Overview of International Law' (2022) <<https://www.endcrsv.org/wp-content/uploads/2024/06/Overview-EN.pdf>> accessed on 21st April 2025.

with intensifying polarization and complicating alliances. All these issues can be healed over time by increasing the civilian participation which was absent all this while.

Horizontal legitimacy is important for Sudan as it would set a foundation for aligning the shared goals and priorities of the civilians with the political forces and communities at large. The once hoped transitional government can only come into force after creating the basis for mutual trust. This would help in strengthening the horizontal legitimacy in the region which would result in more political and legal accountability. This would indirectly improve the vertical legitimacy too. As history speaks, the country was ruled with power being concentrated in the hands of few which did not promise accountability and stability of the Sudanese government. It is suggested to decentralise the power to make sure the past does not repeat itself by letting the few on the top abuse their power.

Even though several negotiation agreements have been initiated over the years to resolve the conflict, there have been problems in putting these into action. For instance, in the Extraordinary Summit held by IGAD in 2023, the African Union along with IGAD clarified on how they plan to go ahead with the mediation process⁸⁸. The Jeddah Talks resulted in the signing of the Humanitarian Access Agreement which aimed to ensure that the humanitarian aid reached people without hindrances and at the same time protect civilians. However, as mentioned earlier about the fate of these agreements, the parties involved did not comply. Even though IGAD gave a statement saying that this agreement led to “modest progress”,⁸⁹ the main question arises is about what specific progress they are referring to and what is its backing? As a concluding statement, CRSV is a serious issue much more than what one perceives it to be and viewing the devastating lived realities of the Sudanese population amidst the conflict, there is desperate need for action and change in the international law and order.

⁸⁸ Ibid.

⁸⁹ IGAD, ‘Communiqué of the 41st Extraordinary IGAD Assembly of Heads of State and Government’

<<https://igad.int/communique-of-the-41st-extraordinary-assembly-of-igad-heads-of-state-and-government-djibouti-republic-of-djibouti-9th-december-2023/>> accessed on 27th April 2025.