

Gendered Truth?: Analyzing the Inclusion of Gender-based Violence across Truth Commissions

Thesis submitted in partial fulfilment of the requirements for the Degree of Doctor of Philosophy in Sociology

by

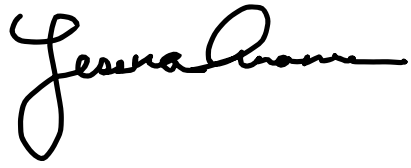
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I hereby certify that this thesis is the result of my own work except where otherwise indicated and due acknowledgement is given.

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ABSTRACT

Truth commissions are increasingly prolific, contending with periods often marred by gender-based violence. Yet, despite an 'empirical turn' in transitional justice study, there was – until now – no cross-national data on truth commissions' inclusion of gender violence. Using my newly created Gender Violence in Truth Commissions (GVTC) database, which tracks all references to gender violence across 50 truth commission final reports, I investigate *how truth commissions have addressed gender-based violence.* Although each empirical chapter pursues a unique line of enquiry, all four engage broadly with this question, addressing two key themes: what truth commissions have done and opportunities for expansion. In this work, I contribute novel data in the form of the GVTC database and provide an unprecedented cross-national understanding of gender-based violence inclusion across the full sample of truth commission cases. In doing so, I lay the foundation for future study and provide a new and valuable resource to researchers, policymakers and practitioners.

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Chapter 1: Introduction

The Central African Republic is currently implementing a Truth and Reconciliation Commission investigating sixty years of abuses, including a brutal, ongoing civil war marred by persistent reports of gender-based violence (UNSC, 2022; Human Rights Watch, 2017). Yet can we expect this ongoing truth commission to address gender violence to a greater or lesser degree than earlier commissions? What factors might drive this commission to have more robust inclusion?

Beyond robustness, what constitutes gender-based violence within transitional justice? Do these mechanisms – or should these mechanism – include intimate partner violence? Consider for example the Solomon Islands, where intimate partner violence increased amidst civil war. This violence was driven by underlying gendered inequalities, trauma caused by the conflict, and combatants' impunity. A subsequent truth commission seeks to hear from victims and ensure non-recurrence. Should survivors of intimate partner violence be included as victims?

In Liberia, a young girl is raped by UN peacekeepers while seeking humanitarian assistance amidst an armed conflict. Later, a truth commission is created to address wartime abuses, including gender violence. Will the commission provide accountability for this rape? Does gross human rights abuses committed by peacekeepers – including sexual violence – even fall within the scope of transitional justice mechanisms?

In this thesis, I grapple with these cases and questions. The increased reliance on truth-telling mechanisms to contend with conflict, authoritarianism and other periods of abuse underscores the urgency of finding answers. Numerous truth commissions[1] are currently being considered or are underway in contexts where gender-based violence has been widely documented. Yet, until this thesis, there was no cross-national, empirical analysis of truth

[1] Truth commissions are temporary bodies which investigate human rights abuses during a defined period, such as an armed conflict or authoritarian regime. In doing so, they can hold individual perpetrators accountable, recommend reparations or reforms, and promote overarching goals such as non-recurrence, reconciliation, and national unity (Hayner, 2011; O'Rourke, 2013).

commissions' inclusion of gender-based violence. Measurement is necessary to improve a phenomenon; by creating and analyzing the first global data on truth commissions and gender-based violence, this thesis takes a step towards transitional justice mechanisms more inclusive of victims and survivors of gender violence.

Using the original Gender Violence in Truth Commissions (GVTC) database, I investigate in this thesis: *how have truth commissions addressed gender-based violence?* Aspects of this overarching research question are explored through four standalone empirical articles (hereby referred to as chapters, as they are formatted as chapters within this thesis), which all draw from the GVTC data. My findings provide groundbreaking comparative insight into how fifty truth commissions have included gender-based violence across fifty years. The GVTC database is a significant contribution to the field, allowing researchers to understand the development and patterns of gender-based inclusion – or exclusion – across the complete universe of truth commission cases. This work provides researchers, policymakers, and practitioners with insight into

progress, patterns, shortcomings, and opportunities related to truth commissions' inclusion of gender violence.

Chapter 2, **Gender Violence in Truth Commissions (GVTC): An introduction to the database** (accepted for publication in 2023, *Journal of Peace Research*)**,** presents the first ever data on gender-based violence across the universe of truth commission cases, finding that references to gender-based violence increase over time. This chapter also reveals that despite efforts to broaden understandings of gender violence, non-sexual forms of harm and gender violence against men and boys and transgender or nonbinary individuals remain under-addressed.

Chapter 3, **Private violence, public 'justice'?: Addressing intimate partner violence in truth commissions** (accepted as part of a Special Issue on intimacies of violence, *International Feminist Journal of Politics*), and Chapter 4, **Transitional justice and the ongoing exclusion of sexual exploitation and abuse by international intervenors** (published in *International Affairs*, 11 April 2022), consider specific patterns of violation which, until

now, have been unexplored within truth commissions: intimate partner violence and sexual exploitation and abuse by international intervenors. These forms of violence have never been intentionally addressed within truth commissions; yet I find unexpected cases of both violations. Shockingly, I discover references to intimate partner violence in one-quarter of total truth commissions, without any commission having an explicit mandate to investigate these violations. I also find references to sexual exploitation and abuse by international intervenors in two truth commissions: Sierra Leone's Truth and Reconciliation Commission (2002 – 2004) and Liberia's Truth and Reconciliation Commission (2006 – 2009). Building from these findings, I argue respectively for the explicit inclusion of intimate partner violence and sexual exploitation and abuse within ongoing and future truth commissions. This is, to the best of my knowledge, the first study to uncover cases of these violations within truth commission final reports, to locate these violations within the scope of transitional justice, and to advocate for their direct recognition and investigation within transitional justice processes. These chapters offer a theoretical and practical

guide to addressing intimate partner violence and sexual exploitation and abuse within truth commissions.

I chose to submit this thesis as articles (formatted in this thesis as chapters) as this allows for the best analysis of the GVTC database. Given the novelty of the GVTC data, it is crucial to explore multiple puzzles, rather than being restricted to answering one primary puzzle via a monograph. This thesis as a whole includes its own introduction and conclusion, which frame the four empirical chapters (each one comprising one standalone article). The thesis does not have a standalone methods chapter, as this would be too repetitive given each empirical chapter has its own methodology section.

Overall, my findings are policy and practice relevant. My findings highlight gaps in truth commissions' ability to provide accountability for specific forms of violence and recommend the expansion of truth commissions to better address previously overlooked forms of harm. The insights from this thesis will thus provide important guidance for current and future accountability

processes. The audience for this thesis encompasses researchers, practitioners, and policymakers working at the nexus of transitional justice and gender. Three chapters in this thesis have been published or accepted at policy-adjacent academic journals. This publication record demonstrates the importance of the original data and findings in this thesis to scholarship on transitional justice and gender violence.

In the introductory chapter, I first outline the operationalization of key terminology used throughout the thesis, including 'transitional justice,' 'truth commission,' and 'gender-based violence.' The decision to focus this thesis on truth commissions, rather than another transitional justice mechanism, is then discussed, highlighting the comparative viability, significance, and feasibility of truth commissions as this work's unit of analysis. Next, this thesis and its findings are located within the field of sociology and within existing literature on transitional justice, truth commissions, and gender-based violence. Although each empirical chapter is distinct in the literature it engages with, this project as a whole draws from three streams of research: 1) empirical, cross-national

study of transitional justice, 2) inclusion of gender-based violence within transitional justice mechanisms, particularly truth commissions, and 3) research into patterns of gender-based violence during armed conflict and authoritarianism, the periods addressed by transitional justice. This literature informs the thesis broadly, including the framework and construction of the GVTC database. The empirical chapters in this thesis in turn fill a significant gap within this literature. Finally, this introductory chapter ends with an outline of the complete thesis.

1. Key terminology

This section introduces the terminology which guides this thesis. Key terms include 'transitional justice, 'truth commission,' and 'gender-based violence.' These concepts are complex and may be defined differently depending on the forum; thus, clearly operationalizing these terms is necessary to establish the parameters of this research. Particular attention is paid to defining 'truth commission' and 'gender-based violence' as these, first, constitute the sample and unit of analysis for the GVTC database

respectively, and second, have contested meanings in literature and practice.

A. Transitional justice

Transitional justice describes 'the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes' (Teitel, 2003, p. 69). Transitional justice aims to address human rights abuses and facilitate transition away from authoritarianism, armed conflict, or another period of sustained human rights abuse (Zunino, 2019). Mechanisms may also attempt to promote ideals like democracy, peace, adherence to international human rights law, and deterrence of future abuse (Cronin-Firman, 2013; Dancy and Thoms, 2021). The mechanisms deemed necessary for achieving this differ based on context, but include truth-telling exercises and commissions, retributive justice and criminal prosecutions, amnesties, memorials, customary justice processes, reparations programs, as well as vetting/lustration and purging of public institutions (Buckley-Zistel and Stanley, 2012; Dunn, 2017;

Olsen et al., 2010; Ramirez-Barat and Schulze, 2018). This thesis focuses primarily on truth commissions.

Transitional justice mechanisms may be implemented at the international, national, or local level. International mechanisms operate cross-nationally with support from international organizations and/or states, although a state need not necessarily support the process.[2] National mechanisms include the truth commissions analyzed in this thesis; these processes are implemented at the state level and address violations within the territory of that state. While these mechanisms may receive support from external actors, the nation in question legitimizes the process. Local mechanisms occur at the subnational level. These may comprise smaller or more grassroots processes, such as community-based truth-telling commissions established by non-governmental organizations (Torelly, 2018).

[2] For instance, the International Criminal Court does not require a state's endorsement to open an investigation into abuses within that state's borders (ICC, 2020).

Since its consolidation as a practice and discourse in the 1980s, transitional justice mechanisms have proliferated in frequency and scope (Zunino, 2019). The employment of transitional justice mechanisms has expanded beyond response to physical integrity violations during authoritarian regimes and periods of armed conflict – their initial focus. Democratic states have adopted transitional justice processes, particularly truth commissions, to contend with legacies of historical abuse. Canada, for instance, implemented a truth commission to address violations against First Nations, Inuit, and Métis people, including forced residential schooling. A similar process has been announced by the state government of Victoria in Australia to investigate abuses against Aboriginal peoples and the lasting impact of colonization (Wahlquist, 2021). Transitional justice processes have also been tasked with investigating issues not traditionally considered physical integrity violations, such as development and poverty (ICTJ, 2009).

The broadening of transitional justice's context and aims has led to accusations of diluting and overburdening transitional justice

processes already facing many demands (Waldorf, 2012). This is intensified by the adoption of transitional justice language by processes which do not fit accepted criteria. Mechanisms which adopt transitional justice frameworks – for instance, the truth commission label – but do not meet definitional requirements are excluded from this thesis. In this thesis, relevant transitional justice mechanisms must be implemented at the national level with state buy-in to address a sustained period of wrongdoing. This is *not* interpreted only as armed conflict or authoritarian rule, however, as this thesis does include transitional justice mechanisms addressing historical abuses in democracies, such as the Mauritian truth commission which investigated slavery.

B. Truth commission

Truth commissions are a key transitional justice mechanism and the focus of this thesis. In this section, I define 'truth commission,' as they are the focus of this work and comprise the sample of the GVTC database. Operationalizing 'truth commission' is complex, given disagreement in the transitional justice field about what

qualifies as a truth commission and how many truth commissions exist.

When considering how a truth commission should be defined, the most widely adopted definition is Priscilla Hayner's. Hayner defines a truth commission as:

> (1) focused on past, rather than ongoing, events; (2) investigating a pattern of events that took place over a period of time; (3) engaged directly and broadly with the affected population, gathering information on their experiences; (4) consisting of a temporary body, with the aim of concluding with a final report; and (5) authorized officially or empowered by the state under review (Hayner, 2011, p. 11).

Yet, despite the prominence of Hayner's operationalization, other researchers have adopted distinct definitions of a truth commission. This results in varied lists of truth commissions based on excluded or additional criteria, such as contributing to the consolidation of democracy, being victim-centered, or issuing recommendations (Borer, 2005; Freeman, 2009).

Studies also differ on timing cut-offs for a mechanism to be considered a truth commission. I go beyond the period delineated

as third-wave transitional justice to include all bodies which meet the criteria for a truth commission, even if not identified as such at the time of their implementation. Argentina's National Commission on the Disappearance of Persons (CONADAP) is often considered the first truth commission (Zunino, 2019). Close analysis, however, reveals several mechanisms predating the CONADEP which meet the criteria to be considered a truth commission, yet are not widely recognized as such given they predate modern transitional norms (Teitel, 2003; Zunino, 2019). These early truth commissions include Pakistan's 1972 War Enquiry, Uganda's 1974 Commission of Inquiry into the Disappearances of People in Uganda since 25 January 1971, and the USA's 1980 Commission on Wartime Relocation and Internment of Civilians. Including these mechanisms enables a richer analysis of the genealogy of gender-based violence inclusion over time and allows previously unknown cases of gender-based violence inclusion to emerge.

Given these diverse definitions and criteria, different studies have produced different lists of truth commissions. For instance, Adam

Kochanski identifies 44 truth commissions between 1974 – 2015, Geoff Dancy and Oskar Timo Thoms identify 51, and Julia Paulson and Michelle J. Bellino identify 40 (Kochanski; 2020; Dancy and Thoms, 2021; Paulsen and Bellino, 2017). This is further complicated by the increasing use of the label 'truth commission' in cases not fitting accepted definitions. One example of this is the use of the truth commission label by the UK Poverty Truth Commission, which is not considered a truth commission in this thesis. The poverty commission was a local-level investigatory body into poverty and austerity across the UK (Cahill-Ripley and Graham, 2021). The next section outlines the definition of 'truth commission' adopted by this thesis.

Operationalization of 'truth commission' in this thesis

This thesis adopts an expansive interpretation of Priscilla Hayner's definition of a truth commission; this enables the GVTC database to include as many truth commissions in the sample as possible. Given the novelty of the GVTC as a resource, including the greatest possible number of truth commissions allows future researchers to

get the most utility from this database. Should later researchers adopt a narrower definition of a truth commission, they may filter the database accordingly to refine the sample.

The definition developed for this thesis requires that a body must meet the following criteria to be a truth commission:

> 1) newly established and temporary, 2) officially sanctioned by the state, 3) granted investigative powers, 4) began operation, 5) investigated human rights abuses, some perpetrated by the state, 6) investigates a pattern of events that took place over a period of time and 7) if included in the GVTC, released a final report.

Building on the scaffolding of Hayner's operationalization, this definition further adopts the criteria of having begun operation from Dancy et al., (2010).

Based on this definition, I identify 65 truth commissions, of which 50 released a final report codable for inclusion in the GVTC database. The 15 commissions which did not release a final report or which did not have a codable final report are considered truth commissions but are, for now, excluded from the GVTC's sample. Should those truth commissions' final reports become available in

the future, they can be added to the GVTC database. Appendix A includes the full list of identified truth commissions and the full sample of truth commissions in the GVTC.

Definitional criteria

In this section, I expand on the seven criteria of my definition for 'truth commission.' First, *newly established and temporary* requires that a truth commission be created specifically for its intended purpose of investigation. This excludes investigations undertaken by a pre-existing or permanent body, such as human rights investigations conducted by a government branch. While these investigations may be valuable, they lack the independence of a new, temporary truth commission – particularly to investigate abuses perpetrated in whole or in part by government – and are therefore excluded. Being newly established is evidenced by a commission having a unique mandate which distinguishes them from other investigations (Dancy et al., 2010). This criterion raises the question of how to classify newly established commissions addressing decades or even centuries old abuse. Hayner (2011)

considered these ‘historical truth commissions,’ and includes them in her operationalization of truth commission. These commissions are part of a growing trend of delayed transitional justice, in which mechanisms, like truth commissions, are implemented years after the moment of ‘transition’ to retroactively address past abuses. Newly created commissions which are historical in nature are included in the GVTC database if they meet all other criteria.

Second is the requirement that a truth commission be *officially sanctioned by the state*. At its most stringent, this is interpreted to mean a truth commission created by the state through either presidential decree or parliamentary decision. In this thesis, however, I adopt a broader interpretation of sanctioning. In alignment with Christine Bell (2008), creation through part of a peace negotiation or peace agreement is considered to meet this criterion given the state is a party to this process. A state is also considered to sanction a truth commission if it appoints commissioners, provides funding, or otherwise confers legitimacy to the commission. Interestingly, being sanctioned by the state does not mean a state is wholly receptive to a truth commission’s

findings nor that the state wants them shared; the Kenyan national government, for instance, failed to publicly support the final report of the Truth, Justice, and Reconciliation despite supporting its creation (Maliti, 2020).

The requirement to be *officially sanctioned by the state* excludes unofficial truth commissions, such as commissions created exclusively by NGOs (Bickford, 2007). One example is Brazil's Nunca Mais report. Following the military dictatorship in Brazil (1964 – 1985), Cardinal Paulo Evaristo Arns – archbishop of São Paulo – operated a clandestine investigation into human rights abuses under the dictatorship. With support from the World Council of Churches, researchers accessed and copied military trial transcripts. Findings were later published in Portuguese and English. This project, however, was not implemented, funded, nor legitimized by the state and operated strictly in an unofficial capacity. Due to the lack of state sanctioning, however, this investigation is not considered a truth commission as defined in this thesis nor included in the GVTC database.

Third, a truth commission must be *granted investigative powers*. Essentially, a commission must have a mandate which enables it to undertake essential functions relevant to fact-finding. Such powers may be evidenced by the commission having access to government documents and records, being able to conduct interviews, or having a budget to hire researchers or other fact-finding staff. Investigative powers do not, however, guarantee complete transparency or truth in a commission's final report. Morocco's Equity and Reconciliation Commission, for instance, was not allowed to name individuals investigated for or found responsible for abuses, despite many of these individuals remaining in office at the time of the commission and ongoing present-day abuses (Human Rights Watch, 2005).

Fourth, a truth commission is required to have *begun operation*. This requirement is adopted from Dancy et al.'s (2010) definition. Some lists of truth commissions rely on the adoption of a truth commission law or decree, rather than the date at which the commission began its work. This means some bodies considered truth commissions may never have manifested beyond a decree

(Dancy and Poe, 2006). Excluding cases in which a commission is created yet never operates is necessary, as such cases cannot meet subsequent criteria of *[investigating] human rights abuses* and *[investigating] a pattern of events*. Furthermore, such commissions are incapable of being included in the GVTC database, as without beginning operation they cannot release a final report to be coded. One example of a commission which was announced yet failed to begin operation was that in Suriname following a coup and civil conflict; this body is thus excluded from this thesis' list of truth commissions. In alignment with this criterion, this thesis uses the year in which a truth commission began operation as its start year, rather than the year in which the truth commission was announced or created. This underscores the importance of a truth commission's operation rather than creation.

Fifth, a truth commission must *investigate human rights abuses, some perpetrated by the state*. This excludes investigative commissions concerned with issues other than human rights abuse. Furthermore, having capacity to investigate state abuses does not guarantee that such commissions do not benefit the state or are

unbiased. Commissioners are typically appointed with objectivity, or at least a balance of interests, as a stated goal. This is certainly no guarantee, however, and several commissions – such as Sri Lanka's Lessons Learnt and Reconciliation Commission – have been criticized for perceived partiality or political motivation (Cronin-Furman, 2020).

Sixth, a truth commission *must investigate a pattern of events that took place over a period of time*. This requirement excludes investigative bodies which focus only on one specific event. This helps distinguish truth commissions from more routine inquiries. Confusingly, investigative inquiries focused on one specific event, rather than a pattern of abuses over time, are also increasingly adopting the language of a 'truth commission.' This criterion helps distinguish such bodies from truth commissions as defined in this thesis. For instance, Mexico completed an investigation in August 2022 into the September 2014 disappearance of 43 students in the state of Guerrero (FRANCE 24, 2022). The Mexican government has branded this inquiry a truth commission, despite it failing to

meet this criterion. Commissions such as these are thus excluded from this thesis' list of truth commissions and the GVTC database.

Finally, to be included in the GVTC database, a truth commission must have *released a final report*. This criterion is necessary as the GVTC is coded using final reports. If a truth commission did not publish one, it cannot be included in the database. Truth commissions which meet all other criteria but for which the final report is unavailable or otherwise cannot be coded are still included in my total list of identified truth commissions (Appendix A). Should the report become accessible in the future, these commissions can be added to the GVTC database.

Criteria excluded from this thesis' definition

The ways in which the definition of 'truth commission' adopted in this thesis deviates from other researchers must also be noted. First, this thesis does not require that a truth commission engage directly with victims. Hayner's (2011) definition of a truth commission mandates that a commission 'engages directly and broadly with

the affected population, gathering information on their experiences.' Many truth commissions reflect this criterion by collecting victim testimonies or holding public hearings for victims. This engagement serves important functions, including fact-finding, an opportunity for victims to be heard and to request reparation, and fostering national dialogue around the abuses investigated.

Requiring such engagement, however, would exclude truth commissions from this thesis that, while investigatory, did not engage directly with affected populations. Examples include truth commissions in Baltic countries, which relied on archival research to document abuses during World War II and the post-war communist period. The categorization of these investigative bodies is contentious, with some considering them outside the scope of a truth commission, in part because they do not directly engage with victims (Bakiner, 2018). These commissions are included in this thesis, however, as they meet the definition adopted here.

This thesis also does not require that a truth commission pursue or achieve specific ideological outcomes, like democracy, to be considered a truth commission. This deviates from definitions, like Tristan Borer's, which requires a truth commission to 'make future-oriented recommendations designed to foster and consolidate democracy and a human rights culture' (2005, p. 339). Defining a truth commission by these goals is, first, ambiguous. Questions of intention versus achievement are raised. For instance, if democracy is a definitional requirement of a truth commission, does the failure to achieve a robust democracy exclude the mechanism from being defined as such? Second, defining a truth commission by these goals imposes a liberal template of what transitional processes should pursue. While in practice, many truth commissions adopt language related to democratization or respect for human rights in accordance with international law, requiring this as a definitional component is problematic in that it mandates these goals regardless of the needs or desires of the implementing context. Finally, defining a truth commission by its outcomes raises issues of feasibility, as commissions may not publicly disclose their intended goals, nor is there a clear benchmark for achieving such lofty goals.

Determining whether such goals were met in each case is beyond the scope of this project.

Contentious commissions: Cross-checking lists of truth commissions

While this project is the first focusing on gender-based violence, it is not the first cross-national study of truth commissions. To cross-check the list of truth commissions included in the GVTC database, this list was compared against other researchers' truth commission lists. These include commissions identified by Priscilla Hayner (2011), Dancy et al. (2010), Leigh Payne et al (2020), and the US Institute of Peace. These lists all differ slightly from one another based on the operationalization of truth commission adopted and by the commissions which had taken place at the time of publication. The list of cases included in the GVTC database did not need to conform exactly with the lists adopted in these other studies. Cross-checking, however, ensured no relevant cases of truth commissions were overlooked. Comparing across studies also signaled which cases' classification as a truth commission are contested within the literature, prompting additional consideration

to ensure those cases fit this thesis' criteria. A chart comparing the list of truth commissions in the GVTC database against the lists of truth commissions adopted by these other projects is available in Appendix B.

As example, one such contested case is the Greensboro Truth and Reconciliation Commission. Disagreement stems first from the criterion of being *officially sanctioned by the state*. This commission was created in 2004 to address violence by members of the Ku Klux Klan and American Nazi Party against members of the Communist Workers Party in 1979. This commission is excluded from several lists of truth commissions (Fox and Cunningham, 2022), in part due to its creation by civil society organizations, rather than by the state itself. The Greensboro mayor, however, selected the commission's chair. Adopting a broad interpretation of 'sanctioning,' this meets the threshold for the state recognizing and conferring legitimacy to the commission, thereby sanctioning it. Some lists of truth commissions also exclude Greensboro's Truth and Reconciliation Commission based on the criterion of *[investigating] a pattern of events that took place*

over a period of time. This is because*, on* the surface, the commission was implemented primarily in response to one specific day-long massacre. The commission, however, investigated broader patterns of racial abuse over time, beyond the abuses occurring on the day of the massacre. Having an investigatory scope beyond that single event means this commission in fact meets the criteria to be classified as a truth commission within this thesis. This classification of the Greensboro truth commission is further legitimized by its inclusion as a truth commission in Priscilla Hayner's work (2011).

Conclusion

In sum, this thesis adopts a standard for inclusion that is consistent with existing scholarship. I draw from both Priscilla Hayner's (2011) seminal definition of a truth commission and Geoff Dancy et al.'s (2010) additional criterion of having begun operation. By doing so, I balance inclusivity with the specificity needed for this project, including access to a codable final report.

C. Gender-based violence

Gender-based violence refers to any form of violence perpetrated based on gender identity. I considered two questions when operationalizing gender-based violence: 1) *What forms of violence does gender-based violence comprise?* and 2) *Who does gender-based violence impact?* Operationalizing gender-based violence for this thesis required balancing inclusivity with feasibility of coding the GVTC database. Ultimately, the definition I use in this thesis outlines fourteen unique categories of gender violence. The forms of violence included in this thesis' definition of gender-based violence are listed Table 1.1 below. Care is taken in this section not to repeat discussion included elsewhere in the thesis: Chapter 2 provides further discussion on why these forms of violation were selected and why others, such as forced nudity, were excluded. Additional explanation and coding examples for these forms of violence are included in Appendix C.

Table 1.1: Forms of gender-based violence

Violation type	***Definition***	***Sources***
Rape	The penetration of any part of the body of the victim or of the	Rome Statute, 1998; Cohen, 2016

	perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body; or forced penetration of an individual other than the perpetrator (e.g., one detained being forced to rape another). The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.	
Gang rape	Rape by more than one individual at one time or in immediate succession.	Cohen, 2016
Sexual torture	Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.	Cohen, 2016; Wood, 2009; UN Convention Against Torture

Forced marriage or sexual slavery	The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty. The perpetrator caused such person or persons to engage in one or more acts of a sexual nature. This includes forced marital unions, including marriage resulting from kidnap, the use 'bush wives,' or other coerced marital arrangements.	*Cohen, 2016; Rome Statute, 1998*
Sexual mutilation	Permanent disfiguration, including but not limited to cutting/severing of breasts or genitals. The conduct may have caused death or seriously endangered the physical or mental health of affected person or persons.	Cohen, 2016; Leiby, 2009; Wood, 2009
Forced prostitution	The perpetrator caused one or more persons to engage in one or more acts of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent. The perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature.	ICC, 2000; Cohen and Nordås, 2014

Sexual exploitation or abuse	Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions, while sexual exploitation includes any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.	UNHCR, 2023
Forced sterilization or abortion	Any denial of biological reproductive capability, including forced medical sterilization or abuse which results in an inability to procreate and forced medical abortion or abuse which results in an unwanted miscarriage. Conduct was neither justified by medical or hospital treatment of the person/persons concerned nor carried out with their genuine consent.	Cohen, 2016; Rome Statute, 1998
Forced pregnancy	The unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law.	Cohen, 2016; Rome Statute, 1998; Amnesty International, 2020
Obstetric violence	The purposeful denial of medical care or aid during pregnancy or birth which results in harm to the mother and/or child, and/or the forcing of certain practices related to birth (for instance, a forced Caesarian section).	Espinoza-Reyes & Solis, 2020; UN, 2019, 2019
Intimate partner violence	Sexual, physical, economic, or psychological violence which occurs between intimate partners	UN, 2023

	that does not meet the threshold for another form of codified violence.	
Economic violence	Economic harm that is gendered; controls or limits the ability to gain, use, and sustain economic resources; and results from direct and specific action by an individual or entity.	Adams et al., 2008; Yount et al., 2015; Fawole, 2008; Kuzmanović and Pajvančić-Cizelj, 2020
Torture related to menstruation	Any instance in which menstruation is incorporated into or weaponized as a form of torture, abuse, or other mistreatment.	Original operationalization. Informed by: Todrys and Amon, 2011
General sexual violence	General statements on gender-based violence or other broad categories of violence which are not violation-specific.	Original operationalization

Two forms of gender-based violence were coded for in the GVTC database and examined in this thesis that, to the best of knowledge, have never before been included in any other scholarship on transitional justice: *obstetric violence* and *menstruation as part of torture*. These violations are typically addressed as part of public health literature (Edward and Kibanda, 2023; Vacaflor, 2016). Locating them as a form of gendered harm is a unique contribution to the field and ensures that the GVTC database is reflecting gendered experiences of harm as comprehensively as possible.

Importantly, the definition of gender-based violence I adopt in this thesis is distinct from that used in many truth commissions. Earlier truth commissions often had narrower understandings of gender violence, reflective of normative and policy environments at the time.

I consider gender-based violence against people of all gender identities in this thesis. Although women and girls experience a disproportionate rate of reported gender-based violence, these violations can and do impact individuals of all gender identities. Gender-based violence is thus distinct from 'violence against women,' another commonly used term in transitional justice scholarship, which includes only violations perpetrated against women. Some acts may be considered both gender-based violence and violence against women – for instance, the rape of a woman could be categorized as both. Adopting a framing of violence against women, however, would include violations which may not be gender-based yet are perpetrated against women (for instance, the killing of women in a massacre), as well as exclude gender-based violations perpetrated against men, boys, transgender, and

nonbinary individuals. Violations against these populations, although understudied, are likely much higher in transitional settings than reported and warrant inclusion in this thesis (Bueno-Hansen, 2018; Fobear, 2014; Schulz, 2021).

The experiences of transgender and nonbinary people have in particular been largely excluded from transitional justice research and practice. When designing the GVTC database, it was crucial to avoid replicating these same blind spots. Adopting a broad operationalization helps the GVTC to be more inclusive of all individuals' experiences of gender-based violence, regardless of gender identity. Importantly, gender identity is distinct from sexual orientation. The GVTC database does not code for sexual orientation –identifying individuals as gay, lesbian, or queer – as data on sexual orientation is typically not systematically documented in truth commission final reports or in specific cases of violence (Fobear, 2014). Analysis of sexual orientation and gender-based violence therefore goes beyond the capacity of this project but could be an area for further research.

Beyond gender identity, the operationalization of gender-based violence adopted in this thesis also does not hinge on the perpetrator's identity. Some definitions privilege a specific gender identity of perpetrator explicitly or implicitly, for instance by requiring that penetration take place with a sexual organ. For instance, the WHO defines rape as 'as the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part or object.' Such a definition may center violations perpetrated by CIS-gendered men and again exclude patterns of violence which deviate from this template, such as gender violence enacted by women (Sjoberg, 2016).

2. Why truth commissions?

Now that this project's definition of 'transitional justice,' 'truth commission,' and 'gender-based violence' are understood, this section turns to why – out of all transitional justice mechanisms – I selected truth commissions as the focus of this thesis and unit of analysis for the GVTC database. Selecting one mechanism ensured a clear and narrow focus, while enabling deeper analysis of this

sample. Truth commissions were selected over other transitional justice mechanisms due to their viability, significance, and feasibility.

A. Viability of truth commissions

First, truth commissions offered a viable mechanism in which to consider the inclusion of gender violence, as I had reasonable belief based on secondary literature that at least some references to gender-based violence could be coded. Secondary literature was concentrated predominantly on a few key cases, including South Africa's Truth and Reconciliation Commission and Peru's Truth and Reconciliation Commission (Boesten, 2014; Hayner, 2011; Ross, 2003; Sarkin and Ackerman, 2019; Theidon, 2007). Research on patterns of sexual and reproductive violence has also used truth commission testimonies as a data source, further indicating the likelihood of gender-based violence cases in certain commissions (Boesten, 2010; Leiby, 2009). This literature, although limited in its scope, demonstrated prior to the construction of the GVTC

database that some truth commissions' final reports would include gender-based violence.

Some inclusion of gender violence was needed to ensure there would be enough data to comprise the thesis. While finding no references to gender-based violence would be an important finding, such a limited analysis is better suited to a shorter format and as a secondary, rather than primary, foray into this line of research. This requirement meant some mechanisms were not viable for this thesis; for instance, there is virtually no scholarship on gender-based violence inclusion in lustrations and to the best of knowledge, no lustration scheme has ever included gender violence (Franke, 2006).

B. Significance of truth commissions

Truth commissions may also be uniquely equipped to investigate and address gender-based violence, further supporting their selection as the focus of this thesis (O'Rourke, 2013). As the goal is not to secure the conviction of a perpetrator, truth commissions can accommodate wider categories of harm, extending beyond

those delineated by the legal system, and include a more expansive range of evidence (Orford, 2006; O'Rourke, 2013). This lack of constraint means that truth commissions may address a greater range of violations than other transitional justice mechanisms, which may be concerned only with certain violations – such as penetrative rape – which fit into specific legal arguments. Selecting truth commissions enabled analysis of a larger range of gender-based violations, important given this thesis is the first cross-national empirical study of gender-based violence in a transitional justice mechanism.

Truth commissions also offered a rich data source. Their final reports often include testimony from victims, witnesses, and perpetrators, as well as general findings. This provides an extensive source of qualitative data from which to construct the GVTC database and to further understand context and patterns of gender-based violence inclusion. Truth commissions also intersect with other transitional justice mechanisms, including reparations and trials. Truth commissions, for instance, give survivors the opportunity to share directly what reparations or redress they would

like to receive, providing further insight into accountability for these violations (Rubio-Marín, 2012). The evidence gathered by truth commissions may also inform later trials. For instance, evidence gathered during Chile's Rettig Commission supported later criminal charges against authoritarian leadership (Brahm, 2007). This intersection enables this thesis to consider other transitional justice mechanisms through the lens of truth commissions. Therefore, by choosing truth commissions for this first step, the findings from the GVTC and thesis still inform future investigations into other transitional justice mechanisms.

C. Feasibility of truth commissions

Finally, considering feasibility, truth commissions typically issue a final report which could be used to construct the GVTC database. As all truth commissions included in the database issued a final report, this ensured that there was a comparable source from which to code each commission's data. While not all final reports were accessible, the majority were publicly available and thus possible to code. Furthermore, the sample of truth commissions is manageable in scope and thus can be investigated in its entirety,

enabling analysis of the entire universe of cases rather than a representative sample.

Other mechanisms, such as trials or amnesties, were not viable due to coding limitations despite likely including references to gender-based violence. Secondary literature indicates trials, for instance, have addressed gender-based violence, yet the scale of data makes hand-coding this mechanism into a database nearly impossible within the timeline of this thesis.[3] Similarly, based on the most recently available data, there are more than 800 amnesties, making hand-coding unfeasible.[4] Furthermore, amnesties may take the form of a list of names of those who receive amnesty; assessing inclusion would thus require determining if each individual was involved in acts of gender-based violence. Accomplishing this would require extensive secondary research and interviews, rendering it beyond the capacity of this thesis. Other mechanisms were constrained by difficulties accessing or coding data.

[3] More than 10,000 trials were recorded in the Transitional Justice Research Collaborative database, as of 2019.
[4] Based on recorded figures in the Transitional Justice Research Collaborative database, as of 2019.

Reparations and customary justice mechanisms, for instance, do not typically produce reliable, comparable outputs which could be coded into data (Morris, 2014).

3. Locating the thesis within the literature

The study of transitional justice is inherently interdisciplinary. While this thesis thus necessarily draws from several academic traditions, including law and political science, this work at its core engages with key sociological themes These include peace and conflict (Brewer, 2022; Galtung 1969; Phillips and Cooney, 2005), how transitional justice and other institutions – or the lack thereof – shape society (Borneman, 1997; Dudai, 2017), and understandings of gender (Butler, 1990; 1993; Jackson and Scott, 2017) and gender-based violence (Clark, 2020; Kelly, 1988; Leatherman, 2011).

Transitional justice is well-established as a focus of sociological study (Parmentier and Umaña, 2020; Roht-Arriaza and Mariezcurrena, 2006). Truth commissions and their impact, in

particular, are a site of sociological analysis given their contribution to peacebuilding (Brewer et al., 2018) and their roots in the construction and performance of truth-telling (Foucault, 1980). Work by Patricia Lundy and Mark McGovern (2006) has assessed the impact of 'truth-telling' in post-conflict Northern Ireland. The notion of truth as performance has also been applied to examine perpetrator confessions, including those given within truth commissions (Payne, 2008).

Sociological theory further underlies the study of patterns of and accountability for gender-based violence – the aim of this thesis. All four chapters in this thesis conceptualize gender-based violence as existing on a continuum. This 'continuum of violence' has its roots in work by sociologist Liz Kelly (1987; 1988), who theorized that while gender violence takes different forms, all violations are underpinned by shared factors like structural inequality. While this theory originally developed out of Kelly's work interviewing predominantly white, British women about their experiences of violence (Kelly, 1988), it has since been expanded and applied to

understand geographically diverse contexts of armed conflict and authoritarianism (Boesten, 2010; 2014).

Sociologists have also explored specific forms of gender violence. Janine Natalya Clark (2020), for instance, examines spatial vulnerability and conflict-related sexual violence in Bosnia-Herzegovina, Colombia and Uganda, with implications for expanding inclusion of sexual violence survivors within transitional justice mechanisms and broader society. Research by Rachael Pierotti (2013) examines global shifts in gender violence norms, including intimate partner violence – the focus of Chapter 3 in this thesis. This chapter thus builds on this tradition.

While I draw from interdisciplinary literature, this thesis ultimately makes a sociological contribution by furthering understandings of how societies address armed conflict and authoritarianism, including gender-based violence during these periods. Beyond broad engagement with sociology scholarship, three themes of literature inform this thesis: cross-national quantitative study of transitional justice, the address of gender-based violence within

transitional justice mechanisms, and patterns of gender-based violence in transitional settings. Each empirical chapter in this thesis has a stand-alone literature review which pulls to varying degrees from these three streams. This section therefore offers a concise overview to avoid repetition.

A. Cross-national transitional justice data

The first stream of literature I review is that of empirical, cross-national transitional justice research. Over the last fifteen years, there has been a spate of transitional justice datasets which employ quantitative methods to describe and analyze the patterns and impacts of transitional justice. These include databases with multiple mechanisms and mechanism-specific datasets, such as Louise Mallinder's Amnesty Law Database and Cynthia Horne's Lustration Dataset (Mallinder, 2012; 2016; Horne, 2011). While many of these datasets are global, some – such as the Kenney and Spears (2005) Truth Commission Dataset or the Skaar et al. (2022) 'Beyond Words' projects – are regional in focus. Both datasets include only truth commission in Latin America.

Two key datasets developed as part of this 'quantitative turn' are the Transitional Justice Database and the Transitional Trial Database (Stewart and Wiebelhaus-Brahm, 2017). These two databases were the first to systematically analyze transitional justice mechanisms, including truth commissions, cross-nationally. Findings from the Transitional Justice Database reveal that specific combinations of transitional justice mechanisms, rather than individual mechanisms alone, positively affect rates of human rights and democracy (Olsen et al., 2010). These combinations are trials and amnesties and trials, truth commissions, and amnesties. Interestingly, these findings also show that truth commissions alone negatively impact rates of human rights; in combination with trials and amnesties, however, that negative impact actually transforms into a positive one. This necessitation of a specific combination of mechanisms is referred to as the 'justice balance' (Olsen et al, 2010). Findings from the Transitional Trial Dataset, constructed by Hunjoon Kim and Kathryn Sikkink (2010), contend that trials as a singular mechanism lead to improved human rights protection both domestically and in neighboring countries. Kim and Sikkink hypothesize that trials thus have a deterrence effect

which extends outside the country's borders. This effect is called the 'justice cascade' (Kim & Sikkink, 2010; Sikkink, 2011).

To try to explain the different findings, Payne and Sikkink united their research teams and collaborated behind a new project. The results of their analysis were published in 'Behind bars and bargains: New findings on transitional justice in emerging democracies' (Dancy et al., 2019). The new dataset is referred to as the Transitional Justice Research Collaborative dataset (TJRC). This chapter finds that both trials and amnesties independently have positive social outcomes, albeit in different ways. Trials are found to improve physical integrity rights, particularly when a guilty verdict is found, and amnesties are found to improve civil and political rights. From this data, additional findings have been produced, for instance exploring the impact of criminal prosecutions on conflict termination and truth commissions on democracy (Dancy and Wiebelhaus-Brahm, 2018; Dancy, 2022).

Cross-national databases on characteristics of truth commissions have also been developed or are underway (Mallinder and

O'Rourke, 2016). These include the Quantitative Analysis of Truth Commissions dataset (Wiebelhaus-Brahm, 2010), the Dancy & Poe Truth Commission Onset Dataset (2006), and the Varieties of Truth Commissions database (Zvobgo, 2020). These databases include different numbers of truth commissions and code for different commission characteristics in order to answer their specific research questions. For instance, the Varieties of Truth Commissions databases contains information on functions and international involvement across 74 truth commissions, while the Dancy & Poe Truth Commission Onset Dataset codes aspects of the creation and implementation of 25 truth commissions. Work by Payne et al. (2020) looks specifically at inclusion of corporate accountability within trials and truth commissions.

Past cross-national empirical research of transitional justice mechanisms lays the theoretical and methodological groundwork for the GVTC database. Yet, despite this body of literature, there was – until this thesis – no systematic cross-national work on truth

commissions and gender-based violence.[5] Furthermore, many truth commissions had never before been considered in terms of gender violence inclusion. By filling this gap, this thesis makes a significant contribution to the cross-national empirical study of transitional justice.

B. How transitional justice addresses gender-based violence

The second stream of literature focuses on gender-based violence's inclusion – or lack thereof – within transitional justice mechanisms, particularly truth commissions. Despite the lack of cross-national analysis of gender-based violence and transitional justice, case study research has been done on how individual truth commissions' address gendered violations. As discussed, much of this work clusters on a few notable commissions, such as Peru (Boesten, 2010; 2014; Leiby, 2009) and South Africa (Ross, 2003). Literature on these cases provides background on inclusion or exclusion of gender-based violence within specific truth commissions and

[5] Projects on truth commissions and gender-based violence have been launched by two research teams, led by Kathryn Sikkink and Elin Skaar respectively. At the time of writing, however, results of these studies have not been released.

informs research questions on inclusion generally. Case study specific work also provides rich insight into some of the barriers to inclusion, such as stigma or traumatization, which provide insight into data gaps encountered when coding the GVTC database (Kent, 2014; Ross, 2003; West, 2013). Despite the lack of cross-national data on this topic, several works have addressed gender – including gender-based violence – in transitional justice broadly, rather than in just one specific case. This cross-case work includes Priscilla Hayner's (2011) chapter on gender dynamics within truth commissions and work by Catherine O'Rourke (2013).

C. Patterns of gender-based violence

Third, this thesis draws from literature on patterns of gender-based violence during armed conflict and authoritarianism, the periods addressed by transitional justice, both cross-nationally and in specific cases. This literature serves two key functions. First, it offers insight into the types and patterns of violence truth commissions could in theory include. Findings from this work guide the operationalization of gender-based violence, including the forms of violence included within the GVTC database.

Literature emphasizes, for instance, the focus on sexual forms of violence, particularly rape, within these settings; this finding anticipates a similar focus in truth commissions (Buckley-Zistel & Stanley, 2012). Cross-national databases on gender-based violence both provides insight into these patterns and informs coding of the GVTC. Dara Cohen's Sexual Violence in Armed Conflict dataset, for instance, provides a model for operationalizing and coding for sexual and reproductive violations (Cohen, 2016).

This work also informs research questions in the four subsequent chapters by detailing expected patterns of violation in transitional settings. Such scholarship illuminates differences in how gender violence manifests during armed conflict versus under authoritarian repression. Conflict-related sexual violence literature highlights strategic and opportunistic patterns of violence during war (Buss, 2009; Cohen, 2016; Kirby, 2013; Wood, 2014; 2018). While gender violence during authoritarian regimes has received comparatively less focus, case study specific work provides crucial insight into how violence in these settings overlaps and differs from conflict-related sexual violence. Key works include Barbera

Sutton's (2018) analysis of gender violence in clandestine detention centers under Argentina's military junta and Brandi Townsend's (2019) insight into abuses during Chile's Pinochet dictatorship.

This literature also considers patterns of gender-based violence in transitional settings based on gender identity – including violence against transgender individuals or men and boys (Fobear, 2014; Oosterveld, 2014; Schulz, 2020); perpetrator identity – for instance, by international intervenors as examined in Chapter 4 (Westendorf, 2020; Westendorf and Searle, 2017); and in specific contexts, such as the private sphere (O'Rourke, 2013; Swaine, 2015). Literature on gender violence seen as 'public' versus 'private' forms the theoretical spine of Chapter 3's discussion of intimate partner violence during armed conflict or authoritarianism.

This thesis bridges these three unique streams of literature in designing, creating, and analyzing the GVTC database. While each chapter in this thesis draws from a unique literature review and theoretical framework, this outlined literature broadly informs the

project as a whole. From this discussion, it is clear that a gap persisted in bringing together quantitative transitional justice analysis and gender-based violence research. As the first of its kind, the GVTC database and related chapters fill this critical gap in both the transitional justice and gender fields.

4. Overview of methodology: Creation of the GVTC database

This thesis answers the overarching research question, *how do truth commissions address gender-based violence*? The individual empirical chapters which comprise this thesis each explore facets of that question. Each chapter adopts a distinct methodology, while drawing from the GVTC database. This section thus provides a general overview of the sample and construction of the GVTC database, applicable across all four empirical chapters. Database construction and coding decisions are further elaborated upon in Chapter 2.

A. Development of codebooks and coding process

The GVTC database was constructed by keyword searching truth commission final reports and coding relevant text. This methodology is modeled after that used to create other transitional justice datasets, such as the database of business and human rights violations created by Payne et al. (2020).

After establishing the sample of 50 truth commissions meeting the definition of 'truth commission' adopted in this thesis and which had an available final report, each commission final report was located, ideally in a searchable format. Texts available online but not searchable – such as scanned copies – were rendered searchable through optical character recognition processing. While some reports, such as the South African Truth and Reconciliation Commission, were readily available through the commission's website, the national government website, or an INGO website like the United States Institute of Peace's Digital Collection, others proved more difficult to find. Internet archival searches including through the Wayback Machine were employed to find several reports which, while initially posted online, had subsequently been removed. All final reports available online were stored in Dropbox

in a password-protected folder. One commission, Estonia's International Commission for the Investigation of Crimes Against Humanity, was available only as a physical copy through the University of Oxford's Bodleian Library, which required me to access the report in-person.

Based on a thorough literature review and secondary analysis, I developed a codebook of key terms. The codebook was designed to locate any inclusion of gender-based violence within the truth commission reports during a keyword search. I developed English, Spanish, Portuguese, and French versions of this codebook, available in Appendix E, to code truth commissions in these languages. Native or fluent speakers supported the creation of and cross-checked each codebook. To the best of my ability, codebooks reflected linguistic-specific and regional-specific terminology to capture gendered experiences of violence not described in explicit language. This terminology was drawn from secondary readings as well as collaboration with native speakers. During the keyword searches, spelling and grammar of keywords were adapted as

needed – for instance, using American versus British English spellings depending on the dialect used in the final report.

After developing the codebook, truth commission final reports were searched for the keywords. Relevant sections were extracted from the report and saved in a word document. The coding process included the use of two coding assistant from the University of Minnesota Law School. Coding assistants were extensively trained to keyword search and extract text from the final reports during four remote sessions. Test samples were also coded and cross-checked between the coding assistants and myself to ensure consistency and reproducibility using the codebook. Only one truth commission final report could not be keyword searched: As Estonia's International Commission for the Investigation of Crimes Against Humanity was only available as a hard copy, I read the final report in its entirety to search for the keywords. Any relevant text was then extracted and stored in the same manner as other commissions. Word documents with extracted text and any coding notes were uploaded to a password-protected folder on Dropbox.

Extracted test was then disaggregated and hand-coded into ‘references’ to gender-based violence, which comprise the GVTC database. Each reference encapsulates one inclusion of gender-based violence within the final report. For instance, a testimony or recommendation which refers to gender-based violence would each be considered one reference. During the extraction process, violations were included if the truth commission explicitly labeled the violation with the relevant terminology, or if the violation as described fit the definition adopted in this thesis. References to gender-based violence were included in the GVTC database regardless of how they were labelled by the truth commission. For instance, a testimony of rape with multiple, simultaneous perpetrators was included and coded as ‘gang rape,’ regardless of if the truth commission explicitly labeled it as such in the final report. A full discussion of the use of the term ‘reference,’ rather than ‘case,’ and the disaggregation process is included in Chapter 2, as is example text and coding from a truth commission report to illustrate the coding of raw text into references.

B. Coding considerations for gender-based violence

As outlined earlier in this section, gender-based violence is understood in this thesis and within the GVTC database as including fourteen distinct forms. Despite clearly operationalizing each of these forms, inherent difficulties both in defining and recognizing these various forms of violence remained, particularly when comparing across contexts and cases. This may be due to lack of information, cultural or location specific considerations, or ambiguity in terms of agency and consent. These difficulties are enhanced given the GVTC database is coded from truth commission final reports, rather than interviews with victims and survivors in which someone can clearly define and label their own experience or clarifying questions can be asked.

When coding the GVTC database, determining violation type at times required substantial interpretation. In some instances, vague terminology – like sexual abuse or sexual violation – made it difficult to ascertain what violation actually took place without additional information. Cases where the form of violation is unclear

are coded as *general sexual violence* unless the context makes it clear that it fits the criteria for another violation like *rape* or *sexual mutilation*. For instance, 'I was sexually abused by my torturer...' or 'I experienced a sexual violation in prison...' would be coded as *general sexual violence* unless the final report provided further evidence specifying another form of violence. In some cases, however, euphemisms are used to describe violations like rape. Accounting for context and linguistic factors helped determine those instances. For example, if someone testified that they became pregnant after 'experiencing a sexual violation in prison,' that context means that case could be reasonably coded as *rape* rather than as *general sexual violence*.

Uncertainty around consent was also a consideration when defining gender-based violence. Accounting for actors' agency is critical, and all accounts of sexual acts within truth commission reports cannot be equated with gender-based violence if there is not sufficient evidence to so conclude. In line with UN policy and international legal precedent, this thesis considers as gender-based violence acts in which context – such as imprisonment – inhibits

the ability to give meaningful consent. This can be true even if the perpetrator did not physically threaten the victim. For instance, the ICTR emphasized the role of 'coercive circumstances' inherent to transitional settings, in which 'threats, intimidation, extortion and other forms of duress which prey on fear or desperation may constitute coercion' (Prosecutor v. Jean Paul Akayesu, 1998, para. 688). Similarly, the conviction of Sasa Baricanin for war crimes including rape and sexual enslavement during the Bosnian War, reinforced that during transitional contexts there can be a 'lack of a realistic possibility of choice' (Reuters, 2011; Sasa Baricanin, 2012).

In the absence of interviews or additional resources, coding decisions were made based on the data available in the truth commission final reports. Several cases in which it was unclear whether an act was consensual or not emerged; those cases did not fit this thesis' definition of gender-based violence and were thus excluded from the GVTC database.

One example of this comes from Canada's Truth and Reconciliation Commission investigating abuses against indigenous Canadians, including forced residential schooling. The commission's final report discussed how:

> In 1893, Roman Catholic Bishop Paul Durieu, in a latter complaining to Indian Affairs about the quality of construction of the dormitories at the school in Kamloops, British Columbia wrote: I am in duty bound to repeat here what I have told you in [sic] many occasions, that these sleeping rooms have been a school of immorality. Better to have no schools amongst the Indians if we cannot preserve the young ones from receiving the habit of sodomy and of self-abuse from those pupils who are living at the school with them (Volume 1, Part 1, p. 574).

This case was not found to meet the requirements for any of the operationalized forms of gender-based violence included in the GVTC database. While testimonies in other truth commissions use 'sodomy' to describe acts of rape, the use of the term sodomy does not in this context clearly equate to a nonconsensual act. Sodomy at the time of this complaint's writing could refer to consensual sex between two men, so more information would be needed to determine if these acts constituted violence. Cases such as this were left out of the GVTC database in its current version. Further

discussion of coding each form of gender-based violence is available in Appendix C.

C. Excluded forms of violence

Several forms of gender-based violence included in other gender violence datasets were not included in the GVTC database. This included sexual harassment, threats of gender-based violence against the individual, and forced nudity. Cavity or strip searches – for instance, of women upon entering prison as a detainee or visitor – are not coded as a violation unless they are a part of another instance of clearly defined violation. This decision was due to the difficulty of, in the absence of interviews or other sources beyond the truth commission final reports, identifying these cases and determining if they were a form of gender-based harm rather than routine mandatory searches.

Sex-selective massacres are also not coded as gender-based violence. While there is a growing body of literature documenting these violations – for instance, the killing of men and boys during Srebrenica – the high prevalence of these massacres would

overextend the scope of this database in its current form and dilute this initial analysis. Data in truth commission final reports on gender identity of massacre victims is also not consistently available, making it difficult to include this violation across cases. Adding sex-selective massacres to this database would be a fascinating future addition, with interesting implications particularly for statistics on victims' gender identity, as secondary literature suggests sex-selective massacres would disproportionately impact men and boys.

I also collected data across truth commission final reports on two forms of gender-based violence which were ultimately excluded from the final version of the GVTC database. These include *threatened or actual sexual violence against a relation* and *the use of children within torture.*

Table 1.2: Excluded forms of gender-based violence

Form of Violation	***Definition***
Threatened or actual sexual violence against a relation	*Sexual violence is threatened or enacted against a relation as a form of torture, displacement, or*

	to compound abuse and victimization. Examples of this often take the form of forcing husbands or children to watch their wives/mothers be raped or threatening a detained individual with sexual violence against their family.
Use of children within torture	*Any weaponization of children and/or parenthood as a form of torture, including both threats and actual torture against the children.*

These two forms of violence were initially included to more fully capture gendered experiences of harm during armed conflict and authoritarian repression, including the ways in which gender roles – such as nuclear family structure or motherhood – are weaponized and exploited as a form gendered abuse. Data was collected on both these violations and included within early versions of the GVTC database. This data, however, first introduced complications on why these threatened harms would be included while others, such as verbal harassment, were excluded. Removing these two forms of violation ensure the GVTC database is consistently including only acts – rather than threats of – violence. Second, including these forms of violation raised concerns on double coding. For instance,

if a child was used within torture against a parent, and that torture was sexual in nature, that singular act of violence would ultimately be included twice. Excluding these violations ensured the same references to gender-based violence were not counted multiple times. This data, however, does provide novel insight into the exploitation of gender roles to harm individuals or communities and thus could be the first step in future lines of enquiry investigating these specific patterns of violence.

D. Data analysis

Each chapter in this thesis analyzes the GVTC data in a different way. Yet, across all four chapters I adopt a common methodological approach, using descriptive statistics and content analysis to draw conclusions from the GVTC database. This is distinct from statistical analysis. While I initially used statistical methods, this approach did not fit this data given endogeneity issues inherent to truth commission processes as well as the iterative nature of transitional justice mechanisms. I also have data for the entire universe of truth commissions cases, meaning

statistical methods are not needed to extrapolate from a sample. Further explanation of the statistical tests I completed and why they were not used in the final version of this thesis can be found in Appendix D. Examining the quantifiable data through descriptive statistics is ultimately the best way to answer the research questions investigated in these four chapters.

I also faced limitations on data analysis during this research, most notably the COVID-19 pandemic. While I initially planned to contextualize and test findings from the GVTC database through in-country fieldwork, the pandemic made those plans impossible. Future research could expand on this work and the GVTC database through interviews and other field-based methods. I discuss this and other opportunities for future work in the Conclusion of this thesis.

5. Thesis Outline

Having clarified the key terminology, literature, and methodologies used, I now provide an outline of the thesis. In Chapter 2, **Gender**

Violence in Truth Commissions (GVTC): An introduction to the database (accepted for publication in 2023, *Journal of Peace Research*), I provide an introduction and descriptive analysis of the novel Gender Violence in Truth Commissions (GVTC) database. This chapter contributes the first descriptive analysis of the GVTC data, finding references to gender violence within truth commission final reports increase generally over time – although outlier cases do emerge. Analysis of the data also shows that despite efforts to broaden the forms and patterns of gender-based violence addressed by truth commissions, the most common narrative which emerges from the GVTC data is wartime rape of a civilian woman by a male combatant. The creation, format, and operationalization of the database, including the fourteen unique forms of gender-based violence captured in the GVTC, are also presented, as are coding decisions. This chapter thus provides further insight into the construction of the GVTC database analyzed in subsequent chapters.

Chapter 3, **Private violence, public 'justice'?: Addressing intimate partner violence in truth commissions** (accepted for a

Special Issue on intimacies of violence, *International Feminist Journal of Politics*), is the first systematic cross-national analysis of intimate partner violence (IPV) within transitional justice and the first work specifically on IPV and truth commissions. Using the GVTC database, I find that one-quarter of truth commissions reference IPV in their final reports, despite no mandate to do so. In this chapter, explore this tension between the lack of *explicit inclusion* of IPV in transitional justice processes and the emergence of *unintended inclusion*, or references to IPV occurring in the absence of explicit inclusion. This chapter first outlines the theoretical argument for why IPV should be included within transitional justice mechanisms. Obstacles to explicit inclusion of IPV are then identified, such the belief that IPV is a 'private' form of harm unrelated to armed conflict or authoritarianism. Through analysis of the GVTC data, I show that IPV theoretically *should* and practically *can* be addressed within transitional justice processes, at least in truth commissions, and reveal characteristics that enabled IPV to emerge within truth commission final reports in the absence of explicit inclusion.

Chapter 4, **Transitional justice and the ongoing exclusion of sexual exploitation and abuse by international intervenors** (published in *International Affairs*, 11 April 2022), addresses one form of gender-based violation which is to date largely missing from transitional justice: sexual exploitation and abuse. This chapter is the first work to consider SEA within transitional justice response and the first to advocate for inclusion of SEA within truth commissions. Transitional justice has historically addressed only conflict-related sexual violence (CRSV) while excluding sexual exploitation and abuse (SEA). This exclusion persists despite both SEA and CRSV occurring during armed conflict, taking the same forms, impacting congruent victim populations, and falling within the Women, Peace and Security framework. SEA is perpetrated by international intervenors such as peacekeepers and aid workers. Excluding SEA denies victims a critical pathway to accountability and undermines prevention efforts for all forms of sexual violence.

Using the original Gender Violence in Truth Commissions database, this chapter examines why SEA is excluded from transitional justice. To date, only two transitional justice

mechanisms—the Sierra Leonian and Liberian truth commissions—have addressed SEA by intervenors. Analysis of these two exceptional cases reveals barriers to inclusion of SEA within transitional justice, including intervenor-involvement in transitional justice mechanisms, issues with SEA reporting and data, and dependency on media coverage and public outcry. The chapter concludes with policy recommendations for addressing SEA and CRSV as separate but related violations through transitional justice mechanisms, including truth commissions and reparations programs.

This thesis ends with a Conclusion chapter tying together the four empirical chapters. This chapter emphasizes the policy and practitioner relevance of these findings, including to ongoing and future truth commissions which may grapple with gender-based violence. Given the novelty of the GVTC data, this thesis by no means exhausts the possibilities for analyzing this data nor the list of research questions which may be answered. This section identifies pathways for additional research using the GVTC database, as well as the expansion of this project to include both

additional truth commissions and other transitional justice mechanisms, like trials and reparations. An Appendix is attached following the Conclusion, which includes the full list of identified and included truth commissions, comparative lists of truth commissions identified in different datasets, further explanation of the definition of gender-based violence adopted in this thesis, details on statistical testing, and complete codebooks in English, French, Spanish, and Portuguese.

6. Conclusion

Truth-telling initiatives are now seen as an integral step in moving away from armed conflict, authoritarianism, or other period of human rights abuse. This, in many settings, increasingly means contending with gender-based violence. Yet, no cross-national, comparative data existed on truth commissions and gender-based violence until this thesis. My work thus fills a critical gap in transitional justice scholarship and offers new insights for researchers and practitioners. I also contribute original data tools,

particularly the GVTC database which codes all gender violence references across the entire universe of truth commission cases.

In this introductory chapter, I outlined the research question, key terminology, literature, and methods which underpinned the creation of the GVTC database and the four empirical chapters which comprise this thesis. I now turn to presenting my findings. While each of the four chapters address a unique research question and uses distinct methodologies, all four speak to the overarching question of this thesis as a whole: *how have truth commissions addressed gender-based violence?* This thesis ends with a concluding chapter, summarizing the overall contribution from the four chapters and outlining possible next steps in continuing this thesis' line of enquiry.

Chapter 2: Gender Violence in Truth Commissions (GVTC): An introduction to the database

1. Introduction

This chapter introduces the original 'Gender Violence in Truth Commissions' (GVTC) database, the first cross-national comparative database on truth commissions and gender-based violence (GBV). This database includes all references to GBV across 51 truth commissions, capturing 4,640 unique GBV references. This global database includes truth commissions from Africa, Latin America and the Caribbean, Asia, North America, Europe, and Oceania.

The lack of data on GBV and truth commissions has, until now, remained a gap with theoretical and practical ramifications. Research was confined to case-study specific rather than comparative work which does not allow for analysis of global patterns or changes over time. The GVTC fills that gap, allowing

researchers and policymakers to comparatively analyze the inclusion of GBV by truth commission, region, or start year.

This database reports all references to GBV included in truth commission final reports, including victim testimony, investigative findings, and recommendations. GBV encompasses violations directed against individuals or groups of individuals based on their gender, including but not limited to sexual, reproductive, economic, and intimate partner violence. GBV may be perpetrated against individuals of any gender identity, not just women and girls – although women and girls are disproportionately impacted (Boesten & Wilding, 2015). Truth commissions are temporary, truth-seeking bodies created to address human rights abuses during armed conflict, authoritarian rule or other sustained period of abuse (Hayner, 2011). These bodies are part of the transitional justice toolkit, alongside other mechanisms like trials, reparations, or amnesties.

Truth commissions serve various functions, including fact-finding, compiling official victims' lists, naming perpetrators, and

recommending or awarding reparations. Outside of these functional duties, truth commissions contribute to the creation of a historical record and promotion of national reconciliation or unity (Hayner, 2011). Truth commissions – like transitional justice mechanisms broadly – became more attuned to GBV following the highly publicized investigations of wartime sexual violence in the mid-1990s by International Criminal Tribunals in both Rwanda and the former Yugoslavia (O'Rourke, 2013). The South African truth commission (1995 – 2002), a frequently exported model, also implemented special women's hearings during which cases of GBV emerged, setting a precedent for later commissions (Ross, 2003). While this shift in the mid-1990s is widely cited in gender and transitional justice literature, it has – until now – never been tested with cross-national data.

Understanding the inclusion of GBV within truth commissions is critical, as truth commissions may be better suited to addressing these violations than other transitional justice mechanisms. Truth commissions are not confined by due process limitations and can offer a space for victim-survivors to share their experiences in their

own words (O'Rourke, 2013; Nesiah, 2006). These mechanisms can also accommodate wider categories of harm, extending beyond those categorized by the legal system or likely to secure a conviction (O'Rourke, 2013; Orford, 2006). This lack of constraint means that truth commissions may address a greater range of violations than other transitional justice mechanisms which may be concerned only with certain violations – such as penetrative rape – which fit into specific legal classifications. Truth commissions may also extend beyond actual cases of violence to discuss historical patterns and structural drivers of GBV. Truth commissions also give survivors the opportunity to share directly what redress they would like to receive, including monetary or symbolic reparations (Rubio-Marín, 2012). Truth commissions, however, may face financial or logistical pressure to signal attention to GBV, as discussed in Chapter 4; this in practice may lead to transitional justice mechanisms which are superficially attentive to GBV while lacking significant investigation, documentation, or recommendation.

The GVTC database provides the first cross-national insight into how truth commissions have investigated and reported on GBV over a fifty-year timespan. This data will be useful for researchers comparing GBV inclusion between truth commissions or across countries, regions, or time periods; comparing GBV inclusion between truth commissions and different justice mechanisms; investigating motivations, patterns, or contexts of reported GBV; identifying recommendations; and analyzing the degree to which truth commissions included actual cases of GBV or victim testimony. Given under-reporting, this data does not capture the level of actual violence which occurred, but rather GBV *reported* by the truth commission.

This research note first presents an overview of past transitional justice or GBV databases. Then, the creation, format, and variables within the GVTC are discussed, including the indicators operationalized and reported in the database. Descriptive statistics are presented, demonstrating the utility of the GVTC and how researchers can utilize this data.

2. Past transitional justice & GBV databases

The GVTC is the first database on GBV and truth commissions. Databases addressing truth commissions generally – in some instances alongside other transitional justice mechanisms – have been created by Tricia Olsen et al. (2010), Kathryn Sikkink (2010), Geoff Dancy et al. (2010), Geoff Dancy et al, 2019, and Adam Kochanski (2020). Research examining how truth commissions have addressed specific forms of violation or specific perpetrators has also recently emerged, for instance work on corporate complicity (Payne et al., 2020). Geographic-specific work on transitional justice, including truth commissions, has also probed the quality, timing, and order of transitional justice mechanisms in Latin America by considering regional cases (Skaar et al., 2016). These bodies of work have largely excluded GBV. For instance, the work by Elin Skaar et al. (2016) surveys accountability in Latin America yet lacks any comprehensive discussion of GBV's inclusion or lack thereof within transitional justice mechanisms. The GVTC therefore builds upon this tradition of empirical, cross-comparative study of truth commissions to fill the GBV gap.

Databases on GBV during armed conflict broadly have also been developed, most notably the Sexual Violence and Armed Conflict Dataset (SVAC), which provides in-depth quantitative analysis of sexual violence perpetrated during armed conflict by state military, pro-government militias, and rebel/insurgent forces (Cohen, 2013; Cohen & Nordås, 2014). The SVAC measures conflict-related sexual violence by armed combatants between 1989 – 2019 based on U.S. State Department, Amnesty International, and Human Rights Watch reports. Analysis of this database provided groundbreaking insight into why armed groups do or do not perpetrate sexual violence; notably, rebel groups which rely on forced recruitment use rape and gang rape to socialize bonds between fighters. In addition to the SVAC, international organizations collected global empirical data on forms of GBV (UN Women, 2016) and there has been case-study specific analysis (Hossain et al., 2014). Although separate transitional justice and GBV databases have emerged, the GVTC is the first to bridge the gap.

3. The GVTC: Creation, format, and definitions

The GVTC database reports references to GBV across 50 truth commissions which released final reports, of which 44 (88%) had at least one reference to GBV. Six truth commissions included no references.[6] This exclusion may reflect that GBV did not occur within the commission's scope or that the commission overlooked violence which did take place.[7]

Building the GVTC required first determining the sample of truth commissions. This database adopted an intentionally wide criteria for inclusion to create a resource with the greatest coverage and utility. Operationalization drew from Priscilla Hayner's foundational work on truth commissions (2011) and the cases included in the Transitional Justice Research Collaborative (Dancy et al, 2019). To meet criteria for inclusion in this database, a commission needed to be: 1) newly established and temporary, 2) officially sanctioned by the state, 3) granted investigative powers

[6] 1990 Chad, 1990 South Africa; 1993, Ethiopia; 1993, Honduras; 2002.2, South Korea; 2000, Uruguay; 2004, USA.
[7] See Chapter 2 for further explanation.

by its mandate, 4) have actually begun operation, 5) investigated human rights abuses, some which were perpetrated by state actors, and 6) released a final report. The inclusion of a final report was necessary as it provided the raw data from which the database was created.

In total, 65 truth commissions were identified, of which the database includes 50. The Appendix includes a complete list of truth commissions identified, indicating which are included in the GVTC database, which have been excluded, and any limitations on inclusion. For instance, several commissions were excluded due to access or linguistic barriers, including truth commissions in Germany and Nepal. This list is a path forward for researchers wishing to further add to or expand the GVTC database with additional truth commissions.

To construct the GVTC database, each truth commission final report was keyword searched for context and language specific words related to GBV (see Appendix E). Relevant text was then extracted from the truth commission final report into a separate

document. This extracted text was then closely read, disaggregated, and coded into the individual GBV references which comprise the database.

In-depth secondary analysis and informational interviews with truth commission experts informed the codebook. Separate codebooks were developed and tailored to English, Spanish, Portuguese, and French to include truth commissions in all four languages. References to GBV did not just include instances where the violation was specifically named, but also instances where the violation was described. This helps overcome bias in reporting. Survivors may be reluctant to name their experience as 'rape,' instead using euphemisms like 'abuse' or 'had me as his wife.' Men may also be reluctant to refer to their experiences of GBV by name, for instance referring to rape as torture (Zalewski, 2018). The keywords were selected to be broad enough to capture references to these descriptions of violence alongside instances where GBV is specifically named; for instance, keywords including 'man'/'men,' 'woman'/'women,' and 'boy/girl.'

This database defines as a 'reference' any singular instance or mention of GBV included in the truth commission report. This database counts each reference to GBV within truth commission final reports, disaggregating by violation type. Each GBV reference then becomes a datapoint for which relevant indicators – like gender of the victim and perpetrator – were coded. As example, the following testimony from Chile's Valech Commission would be coded as three separate references to GBV, including *sexual torture* in the form of 'electric shock to the … vagina,' *rape* in the form of insertion of mice and spiders into the vagina, and *rape* when the woman was 'taken to places where [she] was raped countless and repeatedly.' This excerpt demonstrates how references were coded in instances in which they were described and in which they were explicitly named. See testimony below:

> I was arrested and taken prisoner. I was held incommunicado for a month and a half in the Buen Pastor Prison, and subjected in the Arica Regiment to harassment and torture, among which I must, as a complaint, mention: [. ..] urged to have sex with the promise of speedy release; forced to undress, caressed on my breasts and threatened to receive nocturnal visits from the interrogator; Electric shock to the back, vagina; fingernails and toenails were pulled out; beaten several times with plastic batons and rifle butts to the neck; mock shooting, they didn't kill me but I must have heard the bullets whistle around me; forced to

> take and ingest medicines; injected into her vein pentothal, under the severe warning that she would be hypnotized as the only means of declaring the truth; Placed on the floor with open legs, mice and spiders were installed and arranged in the vagina, I felt that I was bitten, I woke up in my own blood; Two prisoner doctors were forced to have sex with me, both refused, the three of us were beaten simultaneously in an unnatural way; taken to places where I was raped countless and repeatedly … (p. 243 – 245).

References were disaggregated by violation type as limited details rendered it impossible to disaggregate by other factors, such as victim or perpetrator, and to include both actual cases and general references to GBV. Coding only actual cases of violence, such as a report of rape, would exclude many ways in which truth commissions discuss GBV, such as analysis of historical patterns, recommendations for reform, or discussion of international precedent. These are important to capture in the database but would be missed by coding only actual cases of GBV. Researchers interested in actual cases investigated by the truth commission may extract those datapoints via sorting by 'form of inclusion' or using the binary variable 'actual violence,' which indicates if a reference is to an act of violence which occurred within the commission's investigatory scope. The dataset underwent rigorous quality

assurance to ensure that all references were coded using the same operationalizations and theoretical assumptions, including cross-checking throughout the process and a final review of all 4,640 cases.

A. Data on the violations

Violation type

The dataset captures data across fourteen categories of GBV: *rape*, *gang rape*, *sexual torture*, *forced marriage or sexual slavery*, *sexual mutilation*, *forced prostitution*, *sexual exploitation or abuse*, *forced sterilization or abortion*, *forced pregnancy*, *obstetric violence*, *intimate partner violence*, *economic violence*, *menstruation as part of torture*, and *general sexual violence*. Operationalization and sourcing for these violations can be found in the Introduction and Appendix C.

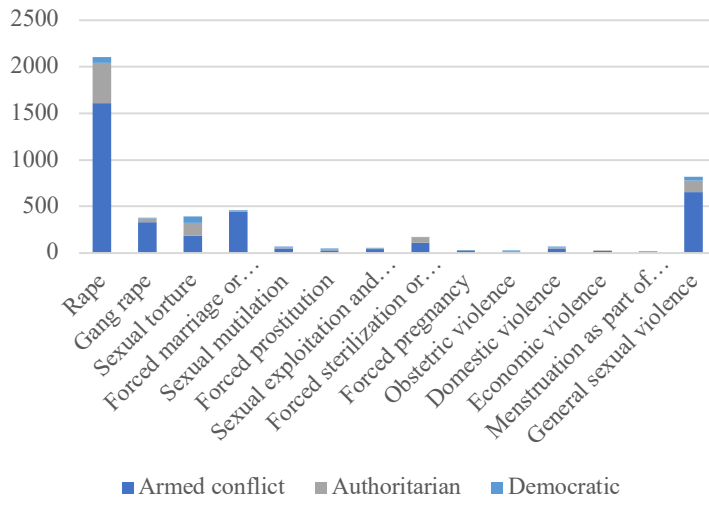
The fourteen violations categorized in the database were operationalized and included in the coding framework based on extensive literature review of the types of violations documented

within armed conflict, authoritarian rule, and other periods of sustained human rights abuse. This drew from the existing datasets on GBV, including the SVAC dataset (Cohen, 2016). Three truth commissions were also coded as test cases to ensure that operationalization of GBV fit the forms of violation emerging across truth commission final reports. The operationalization of GBV was updated as needed based on the test cases to include additional forms of violation like *obstetric violence*. The test cases were then recoded to fit the final fourteen forms of GBV operationalized before coding the entire sample of truth commissions. While many of these types of violence are clearly operationalized within human rights norms and international law, *obstetric violence* and *torture related to menstruation*, have never before been empirically studied as part of transitional justice.

Rape was by far the most frequently included violation across truth commissions; 45% of all references in the database were of rape. This was followed by general sexual assault (18%) and forced marriage or sexual slavery (10%). These totals reveal that across all truth commissions, sexual violations are the most commonly

addressed forms of GBV. This aligns with critiques of transitional justice, which flag a focus on sexual violence, particularly rape, potentially obscuring other forms of gender violence (Ross, 2002; Theidon, 2007; 2013). The least commonly included violation was torture related to menstruation (18 references), documented in truth commissions in Morocco, South Africa, Ecuador, Argentina, Peru, and East Timor.

Figure 2.1: Violations by Transition Type



This database purposely adopted a wide categorization of GBV to avoid replicating the conflation of sexual violence and GBV.

Violation type is coded in alignment with the SVAC database for overlapping forms of violence, allowing data from the GVTC and SVAC to be used together. For a complete list of how violations are operationalized, see Appendix C.

Forced nudity or verbal sexual harassment were not included in the database. Forced nudity is excluded as it is not always a form of gendered violation; nudity may be enforced to facilitate torture, as part of intake to detention, or to search an individual. While these activities may be gendered or overlap with gendered forms of violation, they do not always do so. Coding each instance of forced nudity to establish if it meets the threshold for gendered violence is beyond the capacity of this project given the level of context and detail required. Sexual harassment, similarly, is too broad, as what language constitutes sexual harassment may be context and individual specific. Coding would therefore require extensive secondary research and is thus beyond the capacity of this project. Excluding both forced nudity and sexual harassment is in line with the operationalization of other databases on GBV (Cohen, 2016). Future researchers, however, could still expand the GVTC database

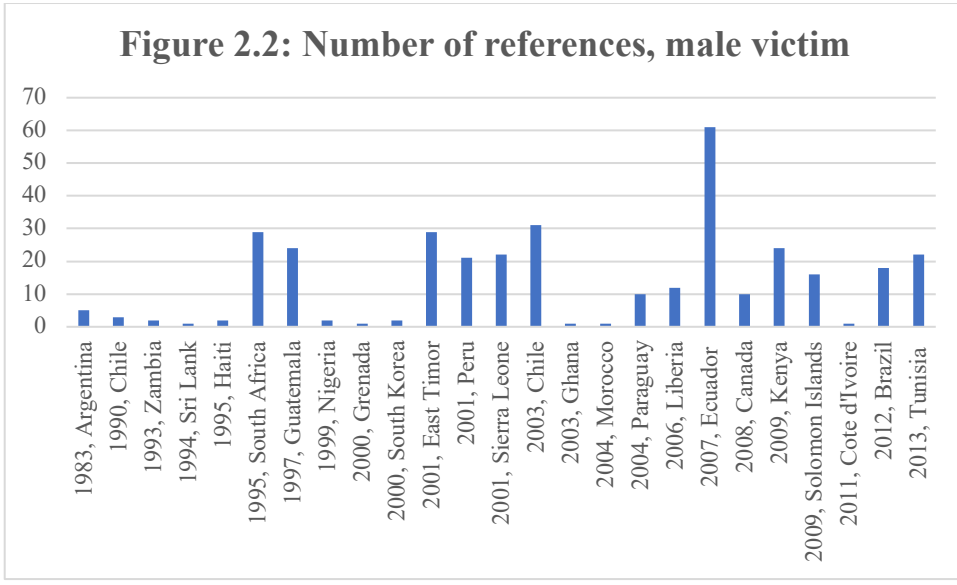
to include these violations using the publicly released data and methodology.

Gender of victim and perpetrator

Data on gender identity, where definitively revealed, was captured for both the victim and perpetrator. Options included only *male*, only *female*, only *transgender or nonbinary*, *male and female*, or *male, female, and transgender or nonbinary*. Gender identity was recorded if it was clearly indicated or if there was strong contextual indication (for instance, if a female victim of rape became pregnant as a result, the perpetrator could be assumed male). If not clearly indicated, no datapoint was recorded. This decision was made to avoid uncritically replicating gendered assumptions around perpetration or male and female roles within armed conflict or authoritarianism (for instance, that all combatants or perpetrators of GBV would be male). While GBV does disproportionately take the form of violence perpetrated by men against women, this is by no means the only story (Alexiavich, 2018; Cohen, 2013; Sjoberg,

2016; Sjoberg & Gentry, 2007; Steflja & Darden, 2020; Turshen, 2018).

Examining gender identity of the victim and perpetrator, women and girls constituted the vast majority – at least 65% – of victims, while just 8% of victims were male. Only 0.2% of victims were transgender or nonbinary, and all instances of GBV with a transgender or nonbinary victim occurred in Ecuador's Truth Commission to Impede Impunity (2007 – 2009). This lack of transgender and nonbinary victims does not mean they are not targeted for GBV; rather, it more likely reflects their continued invisibilization within transitional justice mechanisms (Bueno-Hansen, 2018, Fobear, 2014; Fobear & Baines, 2020). Truth commissions increasingly address GBV against male victims, reflecting an increasing awareness of the ways in which men and boys experience GBV (Carpenter, 2006; Schulz, 2020).



Of the 975 references for which gender identity of the perpetrator is clearly indicated, 99% are male. The high percentage of unknown references in the database (79%) is also revealing – these absences likely indicate the assumption of a male perpetrator, rather than an actual lack of knowledge about perpetrators' gender identities. For many of these references, the perpetrator was identified by their group – for instance, 'soldier,' 'prison guard,' or 'rebel fighter' – with the likely assumption that such a role implied a male perpetrator or that violations like rape were only perpetrated by men and therefore did not requires specification This aligns with analysis of GBV committed by women being seen as an oddity or

rarity (Sjoberg, 2016; Steflja & Darden, 2020). These absences, therefore, loudly reveal assumptions made about who experiences and perpetrates GBV.

Group Identity of victim and perpetrator

In addition to gender, the group identity of both the victim and perpetrator were captured where indicated. Categories of group identity included *civilian*, *state or state aligned forces*, *non-state or rebel group*, *prisoner or detained individual*, and *armed group, other* for groups falling outside the delineated definitions. For perpetrators, an additional category of *all armed groups* was included to capture references in which all parties to conflict were named as responsible for a violation. These groups were coded only when clearly indicated in the truth commission final reports. This means that groups, such as children, were not automatically coded as civilians without direct labeling or strong contextual indication. This coding decision was undertaken due to the high prevalence of child combatants in many of the armed conflicts included within this database. Similarly, women are not automatically coded as

civilians without further contextual evidence. By avoiding these generalizations, the database more accurately reflects the varied roles of all individuals, including as perpetrators.

Group categorizations, particularly amidst armed conflict or authoritarian rule, are complex and oftentimes blurred, meaning the same armed group may align itself with both rebel forces and with the state at varying points throughout the same conflict. Context-specific secondary research was used to accurately categorize groups. Similarly, an individual could hold simultaneous group identities – for instance, a civilian who is detained then forced to join an armed group. In such instances, the most accurate identity at the moment of violation was reported.

The most frequently reported group identity for victims was *civilian* (29%), followed by *detained individual* (23%). Just 0.1% of victims were identified as any sort of combatant, aggregating *state or state aligned forces*, *non-state or rebel group*, *and armed group, other*. Victim group identity was unknown, however, in 47% of references. For perpetrators, *state or state aligned forces*

was by far the most frequently reported group identity, comprising more than 47% of references. Six times as many perpetrators were identified as *state or state aligned forces* compared to *non-state or rebel group* (8%). This finding may reflect a higher level of GBV perpetrated by state forces across contexts. Alternatively, this may reflect truth commissions focusing on abuses by the state or state-like actors, leading to a disproportionate representation of violations by state forces and their cadres.

Context

Context captures broadly the circumstances in which GBV occurred. Based on extensive literature review of GBV amidst both armed conflict and authoritarianism, context was categorized as *detainment*, *massacre or arbitrary execution*, *forced displacement, or other*. *Detainment* included capture or imprisonment, officially or unofficially, for more than twenty-four hours. *Massacre or arbitrary execution* was defined as intentional killing outside the scope of battle deaths or combat deaths. This included instances where the victim of GBV was killed and where GBV occurred

amidst the massacre or execution of others. *Forced displacement* included instances where GBV was directly linked to displacement, such as in a refugee camp, or when GBV was weaponized to force displacement. General inclusions of GBV, such as recommendations on reparation, were coded as *other* given they did not refer to actual violations for which context could be determined. An additional context variable was coded if the violation took place in front of family members. These categories by no means encompass all the contexts in which GBV occur. They do, however, offer an initial overview into how GBV occurs based on truth commission reports. These categories encompass 45% of all first-person, second-person, and third-person references, meaning they accurately reflect the context of almost half the references to actual GBV within the GVTC database. Looking at first, second, and third-person references, 29% occurred in a context of *detainment*, 13% during a *massacre or arbitrary execution*, and 3% amidst *forced displacement*.

B. Number of reported victims

For each reference to GBV, the number of reported victims is included. For instance, if a truth commission includes a victim's testimony about only their experience of violence, this is coded as one victim. If a massacre is reported in which twelve women were raped, this is coded as one reference to *rape* with twelve victims. Determining data on the number of victims is difficult, as truth commission reports did not typically provide this data likely due to the difficulty of data collection on GBV. Capturing the number of victims where possible is critical, however, to help future users of the database weight cases or to compare the number of victims referenced in a truth commission with more accurate data collection on levels of violence during the relevant period.

C. Form of inclusion

The final variable coded for each GBV reference is form of inclusion. This refers to whether the violence was included in the final report as *first-person* testimony from a victim, *second-person* testimony from a witness, *third-person* statements which refer to actual instances of violence without direct victim or witness

testimony (e.g., '20% of children suffered sexual violence'), or a *general* statement which discusses GBV but not in relation to a specific case – for instance, discussion of reparations policy or laws on sexual violence. This indicator is useful as it allows for comparison of GBV inclusion across truth commissions, as well as determination of to what extent a truth commission addressed actual violence which took place. Only 11% of references included first-person testimony from a survivor of GBV, raising questions about truth commission's ability to address violations in victims' own words (O'Rourke, 2013; Nesiah, 2006).

On average 22% of references across all truth commissions were *general*, rather than referring to actual violence. Post-authoritarian commissions have the greatest number of *general* references at 28%. Disaggregating by violation type, it seems likely this figure is driven by references to international legal definitions of GBV, particularly the Rome Statute which states, 'these crimes include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity' (Rome Statute, 1998). This statute is often

used by transitional justice mechanisms to operationalize GBV. Repeated mention of the Rome Statute likely drives high *general* references to *rape* (14%), *forced marriage or sexual slavery* (22%), *forced prostitution* (81%), *forced pregnancy* (46%), *forced sterilization or abortion* (14%), and *general sexual violence* (31%). Removing the violations identified by the Rome Statute drops the proportion of *general* references to just 16%. Analyzing data by Form of Inclusion can help identify commissions which signal inclusion of GBV – such as through repeated references to international human rights law – without addressing specific acts of violence.

4. Analysis of the GVTC database

Analysis by region finds Africa had the largest share of references (41%), followed by Latin America (30%).

Table 2.3: Truth commissions by region

Region	***Truth commissions***	***References***
Africa	19	1,897
Latin America and the Caribbean	15	1,897

Asia	10	1,119
North America	3	40
Oceania	1	189
Europe	2	3
Total	50	4,640

These trends obscure the influence specific truth commissions have, however, in driving these totals. More than 84% of references in Asia come from solely East Timor's Commission for Reception, Truth and Reconciliation (2001 – 2005). This commission had the most GBV references (937) of any commission, comprising on its own 20% of the entire database. Conversely, four commissions included just one reference to GBV.[8]

Users may align the GVTC database with other data sources, such as the Polity dataset, to determine the transitional context of the truth commission (e.g., armed conflict). Coding for transition type reveals that 77% of all references occurred in post-armed conflict truth commissions, more than three times the number included in

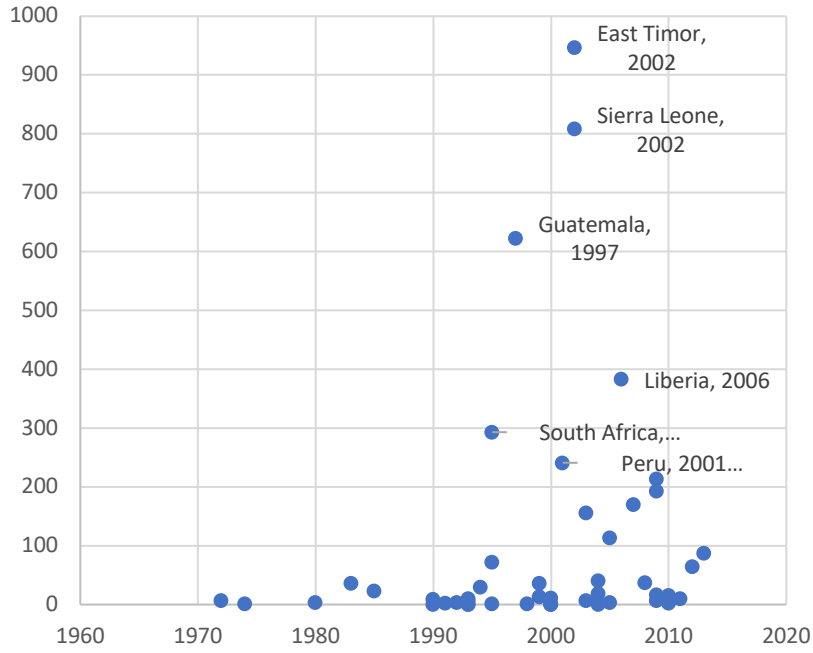
[8] Burundi, 1995; Uganda, 1974; Lithuania, 1998; and Grenada, 2000.

post-authoritarian commissions. This is striking given the database includes 26 post-authoritarian commissions compared to just 17 post-armed conflict. Truth commissions taking place within democracies had the fewest references, comprising just 4% of the database.

Looking at start date, the number of GBV references included in a truth commission increases over time. This aligns with norms shifting from considering GBV an inevitability to focusing specifically on gendered experiences of violation. However, this inclusion is driven by post-armed conflict transitions, and within that sample, by specific outlier commissions with disproportionately high rates of inclusion. This finding may reflect the interlinkage of accountability for GBV and war. GBV calcified as a justice issue in response to the 1994 genocide in Rwanda and civil war in the former Yugoslavia; from these post-conflict tribunals emerged a new understanding of sexual violence – particularly rape – as a weapon of war (Buss, 2009). While case study specific analysis has probed gendered violence under

authoritarianism, authoritarian regimes have not yet had a reckoning of comparable scale.

Figure 2.4: References Over Time, by Truth Commission



Descriptive statistics from the GVTC database reveal that despite attempts to broaden inclusion of gender and GBV, the most common story told by a truth commission is the wartime rape of a civilian woman by a male state-aligned combatant. While this is of course symptomatic of the high rates of rape which occur during armed conflict and are committed by men against women, it may

also reflect a continued focus on only certain patterns of GBV within truth commissions. For practitioners, these findings from the GVTC may indicate a need to intentionally seek out groups of victims or patterns of violence which may not typically emerge. One barrier here is that truth commissions oftentimes rely on victims to come forward themselves. Certain victim groups may be less likely to report due to stigma, fear of retaliation, or even lack of awareness that the violation occurred (Boesten, 2010; Thieidon, 2012). Particularly in contexts where specific forms of GBV are normalized before, during, after transition, this may lead to violations going unobserved or unreported.

5. Limitations and future extensions

As the first global, comparative database on GBV in truth commissions, the GVTC is a critical and novel resource for researchers and policymakers working on issues of gender, justice, and transition. Researchers can use the GVTC database to answer diverse questions on discourse and practice of addressing GBV within truth commissions. Future uses include analyzing changes

in GBV inclusion across truth commissions over time; extracting and analyzing specific instances of violence investigated by the commission such as cases of rape or sexual torture; conducting thematic analysis of reported motivations for violence, such as genocide or proxy-punishment for male relatives (Caro, 2019; Russel-Brown, 2003; Schott, 2011); exploring the use of legal and normative precedent, such as CEDAW, within truth commissions; and comparing GBV reported to truth commissions with secondary sources on actual rates of violence.

Several limitations of the GVTC database are noted. First, GBV is notoriously under-reported, meaning the cases included in a truth commission report likely represent only a fraction of actual violence (Leiby, 2009). Second, comparison across distinct transitions, countries, and time periods required broad indicators capable of encompassing all truth commissions in the database. While this allows for comparative analysis, it obscures granularity which could have otherwise been developed.

The GVTC may be further expanded first, by adding outstanding truth commissions. At the time of creation, several truth commission reports were unavailable due to linguistic or access constraints. These commissions may be added in the future should they become accessible. There are also several ongoing or recently completed truth commissions, including Colombia's Truth, Memory, and Reconciliation Commission and the Gambia's Truth, Reconciliation, and Reparations Commission, which may be added upon coding of their final reports. Second, future work could further disaggregate the indicators in the GVTC, for instance coding for additional categories of group identity or additional contexts. New indicators could also be added, such as if the victim was identified by name.

Chapter 3: Private violence, public justice: Addressing intimate partner violence in truth commissions

'Where are the women who have been killed? Where are the women who have been raped? *Where are the women who are getting battered in their own families*?'

- Thenjiewe Mtintso, in testimony given to the South African Truth and Reconciliation Commission

In this testimony, anti-apartheid activist Thenjiwe Mtintso's confronts the absence of gender-based violence, including intimate partner violence (IPV), in the South African truth commission's proceedings (2002, p. 418 – 420). Twenty years later, Thenjiwe's criticism still stands – not only in regard to the South Africa commission, but to truth commissions in general. Truth commission, and transitional justice broadly, have never explicitly included IPV. Despite demands to address these violations within transitional justice processes – including trials, truth commissions, reparations, and customary justice – their absence persists. For instance, the UN Secretary General's Report on the Rule of Law and Transitional Justice named inclusion of 'domestic violence' a priority, yet normative and practical obstacles have, instead,

prevented IPV's explicit inclusion within transitional justice mechanisms (Bell and O'Rourke, 2007).

There is no doubt transitional justice processes have failed to intentionally or systematically address IPV. Nevertheless, I uncover references to IPV within one-quarter of all truth commission final reports, using my original Gender Violence in Truth Commissions (GVTC) database. This is a startlingly high figure given no truth commission mandate has explicitly included IPV and that IPV within transitional justice mechanisms remains undertheorized (Gray, 2019). While some case study specific work has explored IPV in transitional settings,[9] this is the first systematic cross-national analysis of IPV inclusion within transitional justice and the first work specifically on IPV and truth commissions.[10] In this research, I explore the tension between the lack of *explicit inclusion* of IPV in transitional justice processes – such as a

[9] For example, see: Kimberly Theidon (2007) and Jelke Boesten (2010) on Peru, and Monica McWilliams and Fionnuala Ní Aoláin (2013) and Aisling Swaine (2022) on Northern Ireland.

[10] Drawing from the UN's (2023) definition, I define IPV as violence perpetrated by a current or former intimate partner of the victim, including sexual, physical, economic, or psychological abuse. IPV impacts people of all gender identities, although women and girls are disproportionately affected.

mandate tasking the mechanism to address IPV or the undertaking of IPV-specific investigations – and the emergence of *unintended inclusion* – references to IPV occurring in the absence of explicit inclusion.

Given the lack of explicit inclusion, how did references to IPV emerge in one-quarter of truth commission final reports? This new data from the GVTC database first provides insight into when, where, and how truth commissions have discussed IPV in their final reports. IPV inclusion predominantly occurred in truth commissions in Africa and Asia (89 percent of total references), following the consolidation of accountability norms for gender-based violence in the mid-1990s. Further analysis reveals aspects of truth commissions, including the nature of their mandate and method of investigation and operation, which likely enabled this unexpected inclusion of IPV.

This chapter first outlines the theoretical argument for why IPV should be included within transitional justice mechanisms. This includes IPV's high prevalence, location within the scope of

transitional justice, and potential for its exclusion to undermine transitional justice aims like non-repetition of violence. Obstacles to explicit inclusion of IPV are then identified, such the belief that IPV is a 'private' form of harm unrelated to armed conflict or authoritarianism. Yet, truth commissions have, albeit unintentionally, already overcome these barriers – as evidenced by the unintended IPV inclusion I discover. Through analyzing this data, I demonstrate that IPV theoretically *should* and practically *can* be addressed within transitional justice processes, at least in truth commissions, and reveal characteristics that enabled IPV to emerge within truth commission final reports in the absence of explicit inclusion. These findings provide guidance for policy, practice, and future research, including advocating for explicit inclusion of IPV in future truth commissions.

1. Why address IPV within transitional justice?

In this section, I advance a theoretical argument that IPV *should* be explicitly addressed within transitional justice processes. Reasons for addressing IPV within transitional justice include intimate

violence's high prevalence in transitional settings, location with the scope of these mechanisms, and potential to undermine goals of transitional justice if excluded. To explore these reasons, I employ the continuum of violence framework, which illuminates interlinkages between IPV and armed conflict and authoritarianism. This section lays the foundation for analyzing the new IPV data from the GVTC database, building from why IPV *should* be addressed in transitional justice to how IPV *can* be addressed within these mechanisms.

A. IPV is highly prevalent in transitional contexts.

IPV is the most common form of gender-based violence in transitional settings (Ekhator-Mobayode et al., 2020). Overlooking IPV thus means excluding a key harm experienced in these contexts. IPV increases significantly due to characteristics of armed conflict and authoritarianism, with this finding replicated in Afghanistan, Serbia, Liberia, Nigeria, Colombia, Northern Ireland, Uganda, East Timor, Thailand, Peru, Myanmar, Cote d'Ivoire, Uganda, the DRC, and Bosnia, underscoring its relevance across

diverse contexts (Dolan et al., 2020; Hall, 2009; Kelly et al., 2021; Maguire, 1998; Mannell, 2021; McWilliams and Ní Aoláin, 2013; Østby et al., 2019; True, 2012). Importantly, although IPV is prevalent in both armed conflict and authoritarian contexts, most research on IPV in transitional settings focuses on armed conflict. Authoritarian regimes disproportionately enact gender-related laws and policies – including on IPV – as a way to signal norm alignment internationally (Donno et al., 2021). Even though such policies may be hollow in practice, this signaling may be one reason IPV in authoritarian settings is less scrutinized.

Impunity for IPV may further normalize and entrench these violations post-transition. Overlooking IPV within transitional justice mechanisms may thus contribute to sustained – or even – increased IPV, exacerbating its high prevalence. Public gender violence and IPV may also be mutually reinforcing, with experiencing one increasing the risk of experiencing the other.[11]

[11] This is in line with other research on gender-based violence, including in this thesis. Chapter 4 highlights these pathways in armed conflict settings, illustrating how wartime rape can leave individuals more vulnerable to future sexual exploitation or sexual abuse.

Overlooking IPV within transitional justice processes thus leaves out a key piece of explaining, addressing, and preventing gender violence. Women who survive wartime sexual violence are at higher risk of experiencing future IPV (Theidon, 2012; Østby et al., 2019): for instance, interviews conducted in Uganda by Harriet Gray and Chris Dolan (2022) find participants identify a causal connection between sexual violence committed by armed men and IPV. Importantly, factors like gender, race, class, language, rural location, and displacement render an individual more vulnerable to gender-based violence amidst conflict or authoritarian rule, with more marginalized groups at greater risk. Given the increased risk of IPV following prior violence, this compounds suffering long-term amongst the most vulnerable in society.

B. IPV falls within the scope of transitional justice mechanisms.

In addition to being prevalent, IPV falls within the purview of transitional justice. Yet, this recognition is obscured by the belief that IPV is a 'private' harm and thus unrelated to the transitional context. IPV, however, can be located on the same continuum of

violence as other forms of gender-based violence, including 'public' forms already addressed by transitional justice processes. This framing reveals that IPV and these other gendered harms are interconnected and share underlying causes, including causes directly related to the transitional context (Brownmiller, 1975; Boesten, 2010; Boesten, 2017). While IPV does not always solely begin with armed conflict or authoritarianism, circumstances of transitional settings can sustain and even increase IPV. This framework thus reveals how armed conflict or authoritarianism drives IPV, as well as IPV's intersection and even overlap with public forms of gender-based violence, thereby falling within the scope of transitional justice processes.

Shared underlying causes of both public gender-based violence and IPV include discriminatory gender ideologies and inequalities (Sikweyiya et al., 2020; Davies and True, 2015); the breakdown of social services and increased economic deprivation (Ekhator-Mobayode et al., 2020; Mannell, 2021; Østby et al., 2019); precarity amidst resettlement and displacement (United Nations, 2018; Okello and Hovil, 2007); and increased presence of weapons

and normalization of violence (Boesten, 2010; Enloe, 2013; Østby et al., 2019; Theidon, 2007; Wood, 2014). Public gender-based violence and IPV are also both linked to the emergence of 'militarized masculinities' (Meger, 2012). Militarized masculinities define a certain type of masculinity predicated on traits like domination or violence and socialized through membership in the military or military-like groups (Enloe, 2007). The failure to live up to these idealized masculinities can also lead to gender-based violence; for instance, fighters may rape as a way to informally compensate themselves or reclaim social status (Baaz and Stern, 2009; Hamber, 2007; True, 2012). IPV is in turn be driven by the return of ex-combatants who struggle to shed these militarized identities. Research finds combatants or veterans are more likely to perpetrate violence at home – including IPV – the longer their deployment (Boxer et al., 2013). The risk of intimate violence compounds with the increased presence of weapons, substance abuse, and the normalization of violence (Boesten, 2010; Enloe, 2013; Østby et al., 2019; Theidon, 2007; Weber, 2020; Wood, 2014).

Violence may also be driven by perpetrators' impunity due to the unique circumstances of the conflict or authoritarian regime. In terms of public gender-based violence, this is reflected in perpetration of 'opportunistic' gender-based violence committed for 'private, individual motives' (Wood, 2018, p.3; Wood, 2014). In such cases, combatants may commit violations without being directly ordered to do so and without the violations serving a specific strategic purpose. Even though these acts fall within the purview of transitional justice, they are perpetrated largely based on perpetrators' individual desire – for instance, Maria Eriksson Baaz and Maria Stern's identification of 'lust rapes' in interviews with male soldiers in the DRC (2009). In terms of IPV, if a perpetrator is a combatant or member of security forces, their partner may be unable to report them safely or may believe they are unlikely to face consequences due to their rank and status. This is observed in Northern Ireland, where women faced increased difficulty reporting IPV or accessing services when their partner was a combatant, due in part to the partner's perceived impunity and intimidation from the community or combatant group to deter reporting (Swaine, 2015; 2022; Turner and Swaine, 2021).

Furthermore, the very distinctions between gender-based public violence – squarely within the scope of transitional justice – and IPV may even collapse upon closer scrutiny. IPV takes many of the same forms as public gender-based violence, such as rape or forced abortion. Perpetrators are, in some cases, even the same individuals. Jelke Boesten's work in Peru reveals how 'continuity is … found in domestic violence perpetrated by soldiers/combatants against their own wives, which further blurs the distinction between war and peace and public and private' and perpetuated IPV following the civil war (2010, p. 114). Penny Green and Tony Ward introduce the concept of 'dual purpose' violence, in which violence may serve both political and organizational goals, as well as personal goals (2009). Applied by Aisling Swaine to IPV amidst armed conflict (2015), this understanding provides a way to theorize how armed conflict and authoritarian settings enable perpetrators to commit acts of IPV connected to both public and private motivations. This 'dual purpose' is exemplified by the cases of IPV I discovered in truth commission final reports, discussed later in the chapter.

C. Excluding IPV undermines transitional justice aims.

Elevated rates of IPV may persist or even increase further post-transition, with 'an end to violence in the public sphere… widely seen to precipitate the escalation of violence in the private sphere' (Bradley, 2018, p. 125).[12] Non-repetition of gender violence – a key aim of transitional justice processes – may thus be threatened if intimate violence is ignored and thus continues or even increases post-transition (Rubio-Marín and Estrada-Tanck, 2020; Scanlon and Muddell, 2009). Transitional justice has a crucial role to play in identifying and interrupting drivers of violence, including those which underpin IPV. As noted by Helen Scanlon and Kelli Muddell, transitional justice 'has a potential role in creating mechanisms to ensure that violence does not simply move to the

[12] Researchers have raised the possibility that post-conflict increases in IPV may reflect new access to reporting following the cessation of conflict, rather than new cases (McWilliams and Doyle, 2017). Given the significant barriers to collecting accurate IPV data before, during, and after transition, it is difficult to know precisely how IPV fluctuates alongside armed conflict or authoritarianism. Yet, clear pathways have been identified and evidenced – such as retaliatory violence by partners against survivors of wartime sexual violence or the return of combatants – which demonstrate how armed conflict or authoritarianism can drive new and novel incidences of IPV. These findings evidence a post-transition increases in IPV.

home,' (2009, p. 27). This aligns with a temporal understanding of the continuum of violence; underlying causes of violation are not identified or addressed, enabling violations to continue from 'wartime' into 'peacetime' (Cockburn, 2004; Swaine et al., 2019).

Transitional justice provides an opportunity to identify and interrupt drivers of gender-based violence, including IPV; missing that opportunity enables them to persist post-transition. Mechanisms which aim to be 'restorative' may in fact be restoring conditions in which women are subject to continued violence, including IPV, if underlying discriminatory ideologies and structures continue (Bell and O'Rourke, 2007). For instance, research in Chile found that the Pinochet dictatorship's 'ideologies and practices of violence' facilitated IPV, for instance by encouraging rigid patriarchal gender roles (Parson, 2005, p. 2).

Leaving IPV out of transitional justice also leads to gender insensitive transitional justice processes which may even actively harm victims. For instance, in Guatemala, the government issued reparations for sexual assaults deemed 'conflict-related' with

checks written out to ‘rape victim’ (Rubio-Marín, 2012). Sending these checks risked inciting IPV, particularly as women may not have disclosed their assault or may have faced retaliatory violence from intimate partners for having been assaulted (Theidon, 2012). The psychological burden stemming from truth commissions has also been linked to increased IPV (Daly, 2008). Accounting for IPV can help inform more gender sensitive transitional justice mechanisms and mitigate the risk of further IPV. Given societal breakdown during conflict or authoritarianism, victims may also have no other path to pursue accountability, redress, or aid, beyond transitional justice (Moore, 2019).

2. Obstacles to IPV Inclusion

Despite this relationship between IPV and transitional settings, obstacles remain which thus far have prevented the explicit inclusion of IPV within transitional justice mechanisms. First, while IPV’s pervasiveness reinforces the importance of addressing these violations, it may also explain the lack of explicit inclusion of intimate violence within transitional justice. The frequency with

which IPV occurs may, in certain societies, lead to this violence being considered 'ordinary,' even if it is connected to the unique circumstances of armed conflict or authoritarianism (Boesten, 2010). In societies where IPV is normalized, victims may feel that reporting IPV is futile. Interviews conducted by Sara E. Davies and Jacqui True in Myanmar flag how 'people "do not consider intimate partner violence wrong in any way, so women just won't report it"' (2017, p. 13).

Survivors of IPV may also be reluctant or unwilling[13] to discuss these violations due to concerns about stigma or backlash, given they may still rely upon or encounter the perpetrator in their daily lives (Brounéus, 2008; Dunn, 2017). Victims of IPV may also be concerned with disrupting family or community dynamics by coming forward – a pattern also observed in addressing other family-based harms through transitional justice (Mégret, 2018).

[13] Identifying victims' reluctance to participate as an obstacle to transitional justice inclusion is, of course, not intended to cast blame or judgement on individuals who choose not to report or testify about their experiences of intimate violence, but rather to flag the practical limitations it incurs. Ample research acknowledges the choice to remain silent as an act of bravery, agency, or self-protection (Boesten and Henry, 2018; Krystalli, 2021; Parpart and Parasher, 2020; Theidon, 2007).

Risks are heightened if IPV is seen as a normalized part of family or intimate relationships; speaking out may violate societal norms and incur further backlash, or the victim may (rightly) perceive that accountability is unlikely, leaving them vulnerable to retaliation. Survivors of IPV may also not self-identify as victims, particularly in societies where IPV is normalized and thus typically not addressed (Mégret, 2018). Finally, the nature of IPV may make it difficult to collect evidence. Intimate violence may occur in the home or other private space, without witnesses and likely beyond the reach of official investigations into the period of armed conflict or authoritarianism. This is in contrast to public violations – like massacres or state-sanctioned torture – which may leave behind evidence for transitional justice mechanisms to uncover. Transitional justice processes may therefore struggle to investigate or address these violations if these mechanisms are unable or unwilling to identify victims or evidence; transitional justice practitioners may not even realize IPV occurred.

Second, despite feminist researchers' challenging this separation, IPV, along with other forms of seemingly 'private' forms of

violence, largely remain seen as unrelated to the period of armed conflict or authoritarianism and are thus overlooked in transitional justice mechanisms, even though its widespread and directly linked to the transitional period (Gupta et al., 2014; Porter, 2017). Transitional justice historically prioritized 'public' violence, such as that perpetrated 'by or at the behest of the state or its opponents,' sidelining violence, like IPV, seen as unrelated to the transitional period and thus 'private' (Gready and Robins, 2014, p. 353; Robins et al., 2022). Transitional justice mechanisms' explicit inclusion of gender-based violence aligns with this focus on seemingly public patterns of violation. Awareness of gender-based violence within transitional justice consolidated in the mid 1990s in response to weaponized uses of sexual violence, including the use of rape as a tool for genocide and ethnic cleansing in Rwanda and the former Yugoslavia. An international precedent of accountability for strategic and systematic gender-based violence perpetrated by state actors and non-state armed groups emerged from these events.

Literature, policy, and justice efforts subsequently focused on public forms of gender-based violence, such as weaponized rape by

combatants or sexual torture by state security. While terminology for gender-based violations is diverse, this focus on public violation is reflected within the language of transitional justice mechanisms, which mandate investigation into 'conflict-related sexual violence' or 'political violence.' Such terminology directly links these violations to the 'public' circumstances addressed by transitional justice. Focusing on public violence obscures practices which may appear to be motivated by 'private reasons rather than organization objectives,' such as IPV (Boesten, 2010, p. 111; Wood, 2014).

Normatively, transitional justice practitioners may simply not recognize IPV's relationship to the period of conflict or authoritarianism, meaning mechanisms are not designed nor implemented with IPV in mind (O'Rourke, 2013; Rubio-Marín, 2012). As example, no truth commission mandate to date has mentioned IPV. Practically, IPV may also be overlooked due to transitional justice's limitations. There may be ideological concerns, for instance, about over-extending mechanisms or their resources (Andrieu, 2012; Sharp, 2013) or mechanisms may simply lack capability to pursue all gendered harms. Legal scholars have

argued, for instance, that addressing IPV falls within a state's obligations under international human rights law (Bradley, 2018; McWilliams and Ní Aoláin, 2013). Yet, in practice, such inclusion is thwarted by legal institutions' lack of capacity in transitional settings (Bradley, 2018). Given that the connection between IPV and conflict or authoritarianism is not yet widely recognized nor understood, IPV may be easily overlooked if transitional justice processes are already overburdened. Transitional justice mechanisms, however, are increasingly widening their scope to address forms and patterns of harm which fall outside public physical integrity violations (Fox and Cunningham, 2022; Robins et al., 2022). This expansion provides an opening for IPV to be addressed within transitional processes.

Yet, despite these obstacles and a lack of explicit inclusion, references to IPV emerged in one-quarter of all truth commission final reports. This chapter now turns to introducing and analyzing this novel data, revealing what it demonstrates about IPV in transitional justice processes and what factors may have enabled overcoming these barriers to allow for this unintended inclusion.

3. Unexpected IPV inclusion: Lessons from new data

This unexpected IPV inclusion emerged from analysis of my original GVTC database.[14] The GVTC includes all references to gender-based violence within fifty truth commissions. This is the first cross-comparative database on gender violence and transitional justice. It identifies fourteen forms of gender violence in truth commissions' final reports, including IPV. The database's broad view of gendered harms meets Jacqui True's call for 'datasets that count the continuum of violence' including IPV in transitional settings (2015, p. 564).

Through the database, I found 62 references to IPV across 13 truth commissions – one-quarter of total commissions, as shown in Table 4.1 below. In total, 1.3 percent of references in the GVTC database were to IPV, out of 4,640 total references. Despite this small percentage, the discovery of these references is significant, given

[14] For more on the GVTC database's construction, see Chapter 2 and the Appendix.

they are the first cross-national evidence of IPV inclusion in truth commissions and that they emerge in the absence of explicit inclusion of IPV by these mechanisms. As the first effort to link intimate violence to post-conflict and post-authoritarian truth commissions, these findings illuminate how to address IPV within transitional justice processes, including how to overcome barriers to doing so. This provides policy recommendations for future truth commissions – and transitional justice processes broadly – on explicitly including IPV.

Table 3.1 lists the full set of truth commissions that include IPV. While Latin America is often viewed as the leader in truth commission processes, this is not the case in inclusion of IPV. Examining the regional distribution, reveals that Africa has six truth commissions that include IPV, Latin America has four, Asia has three and Europe and MENA have none. Africa is further reinforced as the leader in terms of the total number of references in the region's truth commissions: 33 compared to 22 in Asia; and 7 in Latin America. It also has the TC with the highest number of references: Sierra Leone's Truth and Reconciliation Commission

included the most references to IPV (20), followed by the Solomon Islands' Truth and Reconciliation Commission (15) and East Timor's Commission for Reception, Truth, and Reconciliation (6).

The distribution of IPV references in post-conflict and post-authoritarian truth commissions also presents interesting findings. Most truth commissions with IPV references (8) followed armed conflicts. Far fewer (4) followed authoritarian regimes, and one occurred within a democracy. This reflects divisions in the existing literature: There is ample evidence of IPV increasing due to armed conflict across a wide spread of cases, yet limited research on the link between authoritarianism and IPV. This is not because authoritarianism is not linked to intimate violence; rather, this suggests that aspects of authoritarian regimes lead to less awareness and less study of IPV in these settings. One reason may be that IPV is increasingly considered as part of the Women, Peace, and Security Agenda, generating greater recognition and research on intimate violence in conflict-affected and post-conflict settings. Conflict may also provide greater openings to interrogate gender and gender violence due to the typically larger scale of societal

destruction and rebuilding; in contrast, institutions and ideologies of an authoritarian regime may carry over post-transition without as much scrutiny.

Accountability norms for wartime sexual violence consolidated due to the Rwandan genocide (1994) and Bosnian War (1992 – 1995); subsequent truth commissions were much more likely to address IPV. Just one of thirteen (or 8 percent) truth commissions with IPV references began operation prior to those events, with 95 percent of total references included in commissions beginning in 1995 or later. This suggests that as truth commissions become more gender sensitive, IPV references are likely to increase, even if overall the references remain low. These findings from the GVTC database further also reinforce the view that IPV is disproportionately underrepresented within truth commissions, given literature which finds this to be the most frequently reported form of violence in many transitional settings: whether post-conflict or post-authoritarian.

Table 3.1: Truth commissions which included IPV

Truth Commission	***Country, Year***	***Number of IPV references***	***Form of Inclusion***
Munyama Human Rights Commission	Zambia, 1993	3	General Findings
Commission of Truth and Reconciliation	South Africa, 1995	2	Testimony
Commission for Historical Clarification	Guatemala, 1997	3	General Findings, Testimony, Case(s)
The Judicial Commission for the Investigation of Human Rights Violations (Oputa Panel	Nigeria, 1999	2	General Findings
National Committee for Investigation of the Truth about the Jeju April 3rd Event	South Korea, 2000	1	Case(s)
Commission for Reception, Truth, and Reconciliation	East Timor, 2002	6	General Findings, Recommendations
Commission for Truth and Reconciliation	Peru, 2001	2	General Findings
Truth and Reconciliation Commission	Sierra Leone, 2002	20	General Findings, Recommendations
Valech Commission (National Commission on Political Prisoners and Torture)	Chile, 2003	1	Case(s), Testimony

Truth and Reconciliation Commission	Liberia, 2006	4	General Findings
Truth Commission to Impede Impunity	Ecuador, 2007	1	General Findings, Testimony
Truth, Justice, and Reconciliation Commission	Kenya, 2009	2	General Findings
Truth and Reconciliation Commission	Solomon Islands, 2009	15	Testimony, Case(s), General; Testimony

Beyond likely underrepresentation, the GVTC reveals *how* truth commissions addressed intimate violence through thematic analysis of the references. I labeled each truth commission if it included IPV references to *general findings* (discussion of IPV patterns or issues, but without mention of any specific cases); *recommendations* (specific recommendations issued by the truth commission to provide accountability, redress, or non-repetition for IPV); *testimony* (testimony from victims, witnesses, perpetrators, or other individuals discussing IPV); and *case(s)* (identifies and/or describes a specific case of IPV). One reference to IPV could be coded with more than one label; for instance, a testimony which discusses a specific case of IPV may be coded as both a *testimony* and *case(s)*. Across the references to IPV found

in the GVTC database, ten commissions included *general findings*, two *recommendation*s, five *testimon*y, and four *case(s)*. Of the 62 references, the most common way IPV emerged was in *general findings (*74 percent of IPV references*)*, followed by *recommendations* (15 percent), *testimony* (10 percent), and *case(s)* (5 percent). The comparatively low percentages of testimony and case(s)[15] suggest truth commissions encounter barriers identified in the literature, such as victims' unwillingness to self-report or difficulty identifying and gathering evidence on acts of IPV.

Table 3.2: Distribution of IPV inclusion

Form of IPV inclusion within final report	Number of truth commissions	Percent of references[16]
General findings	10	74 percent
Recommendations	2	15 percent
Testimony	5	10 percent
Case(s)	4	5 percent

[15] Note that Jelke Boesten (2010) cites testimony of IPV given to Peru's Truth and Reconciliation Commission that is included in a secondary volume of testimonies, rather than the final report. Future research could expand on this data and argument by mining truth commissions' auxiliary records. A further caveat to this data is that it reflects only the final reports, and subsequently provides insight into *how* truth commissions have addressed IPV in its final reports, rather than an accounting of actual rates of IPV which occurred.
[16] As some references are labeled as multiple forms, the total percentage adds to 104 percent.

References to IPV across truth commission final reports demonstrate that not only can IPV theoretically fall within the scope of transitional justice, but this is also already happening in practice. The feasibility for future truth commissions to explicitly address IPV is therefore reinforced. IPV references also identified ways in which conflict or authoritarianism led to IPV and linked IPV to public forms of gender-based violation, supporting the interconnectivity elucidated by the continuum of violence framework. In total, thirteen references identified drivers of IPV related specifically to the period of armed conflict or authoritarianism. Factors flagged in truth commissions mirror literature on IPV in transitional settings; these included political violence increasing tensions in the home, increased alcohol consumption and trauma stemming from ongoing violence, the breakdown of law and order, increasing socioeconomic vulnerability, and the development of militarized masculinities (Guatemala's Commission for Historical Clarification, p. 1556; Liberia's Truth and Reconciliation Commission, v. 3, p. 50 – 51; Solomon Islands, Truth and Reconciliation Commission, p. 573).

Through these pathways, armed conflict and authoritarian settings drive IPV, connecting intimate violence directly to the transitional setting and thereby locating intimate violence within the purview of truth commissions.

Testimony from the Guatemalan truth commission, for instance, observed how when men returned from military training and/or combat, 'they are especially aggressive and abusive towards women' (p. 1556). Trauma stemmed from the conflict or authoritarian regime was cited as playing a potential role. East Timor's commission 'observed that [IPV] was a common occurrence in the current lives of many victims… for example, some male survivors of detention and torture told the Commission that they had fallen into a pattern of violent behavior' (ch. 4.1, p. 12). Similarly, Chile's Valech commission included first-person testimony given by a man who had been arrested and detained during the dictatorship, during which he addressed how his imprisonment impacted him. He described how, following his release, 'I got aggressive, I started hitting my [wife]. My personality changed. I was always peaceful and aggressive until

[now]' (v. 8, p. 603). This case highlights the connection between trauma resulting from detainment and IPV. Through this testimony, it is illustrated how IPV may sustain or even increase post-transition. Excluding IPV thus potentially undermines goals of non-repetition as violence continues in the home. Furthermore, this was the only IPV case to involve testimony from someone directly involved in a violation (e.g., victim or perpetrator) and was included in a sub-section on the consequences of torture on family life. The lack of testimony from victims in particular alludes to the obstacles transitional justice mechanisms face in identifying and gathering testimony or evidence from victims.

IPV references also emphasized the theorized 'dual nature' of IPV in transitional settings. The case in the Solomon Islands' Truth and Reconciliation Commission describes how militants entered and terrorized a school as retaliation for one of the staff members sheltering one of the militant's girlfriends after she fled his abuse (p. 164). During this incursion, the militants demanded money from the school in exchange for sheltering the woman, who had run away to stay with a relative employed at the institution. In doing so, IPV

was leveraged to extort money from the school and in turn fund the combatants' activities Another case from Guatemala's commission describes how a military commissioner in the Momostenango municipality led a group of men in the rape and murder of his pregnant wife (p. 4109). Both these cases underscore how one's role as a combatant enabled the perpetration of IPV, linking a 'private' violation to the 'public' context of the armed conflict.

4. What explains IPV inclusion in truth commissions?

The emergence of these IPV references in one-quarter of truth commissions – in the absence of any explicit investigation of intimate violence – prompts the question of *what facilitated this unexpected IPV inclusion in truth commissions.* Two possible answers emerge: the nature of truth commissions' mandates and truth commissions' relationship to victim participation and identification. These two categories of explanation enable truth commissions to overcome identified barriers to explicit IPV inclusion, including prioritizing public physical integrity violations; the belief that IPV is 'private' and thus beyond the

purview of transitional justice; challenges in identifying victims and collecting evidence and testimony; and victims' reluctance or unwillingness to self-identify or report. These findings hint at potential explanations for the emergence of IPV within truth commissions and provide a starting point for future research and suggest implications for future truth commissions.

A. Theorizing IPV in truth commission mandates

First, the interpretive nature of truth commissions' mandates created gaps where IPV could be addressed, while the inclusion of gender-based violence broadly supported more robust discussion of intimate violence. Truth commissions are typically guided by their mandates. Mandates outline the scope of investigation, goals, and expected outputs. Commissioners, however, may interpret the mandate in a way which enables the investigation of forms or patterns of violence not specifically named in the text (Kochanski, 2020; Hayner, 2011). Early investigation of gender-based violence occurred in this ad hoc manner, with commissioners interpreting broad guidance to investigate human rights abuse or political

violence as allowing for gender violence to be addressed. For instance, although the South African Truth and Reconciliation Commission's mandate did not mention gender, the commission implemented special Women's Hearings once cases of sexual violence emerged during testimony (Hayner, 2011).

While this lack of mandate means that no truth commission had a direct charge to investigate intimate violence, crucially it also means no commission had an explicit mandate to *exclude* IPV. Essentially, not having a mandate to investigate IPV does not obligate commissions to leave out intimate violence. This is true even though commissions typically retain some focus on public forms of violence – for instance, requiring that a portion of abuses investigated be perpetrated by the state (Dancy et al., 2010). The lack of explicit exclusion of IPV creates space not only for IPV cases to spontaneously emerge, but also creates a political opportunity for victims and advocacy groups to push for intimate violence to be addressed within these mechanisms.

Mandate may also play a role by directly tasking commissions to investigate gender-based violence broadly, providing more fertile ground for IPV inclusion. I reviewed all truth commission mandates, and although no mandate explicitly mentioned IPV, eleven included gender-based violence.[17] This created openings for IPV findings, testimonies, cases, and recommendations to emerge. Of the 13 truth commissions which addressed IPV, 7 occurred in commissions which directly included gender-based violence in its mandate. Those commissions, however, included 81 percent of the total references to IPV. This suggests that while a gender-based violence inclusive mandate is not necessary for IPV to emerge in a truth commission final report, a mandate which includes gender violence can prompt more robust inclusion of IPV. The only two truth commissions to provide specific recommendations on IPV were Sierra Leone's Truth and Reconciliation Commission and East Timor's Commission for Reception, Truth, and Reconciliation, both of which had clear mandates to investigate

[17] Truth commissions whose mandate included gender-based violence are: Haiti, 1995; Nigeria, 1999; East Timor, 2001; Sierra Leone, 2002; DRC, 2004; South Korea, 2005; Liberia, 2006; Ecuador, 2007; Kenya, 2009; Solomon Islands, 2009; and Tunisia, 2013.

gender-based violence and, in fact, were two of the most comprehensive truth commissions in their address of gender violence broadly.[18]

In truth commissions without a mandate to investigate gender-based violence, there is less IPV inclusion, and that which emerges is more secondary in nature. For instance, in South Korea's National Committee for Investigation of the Truth about the Jeju April 3rd Event (2000), a commander murdering his wife is included as context to illustrate his brutality (p. 475). The victim is not herself named and is instead Identified only as a wife of a combatant, while the context makes it clear that the murder is not included as a primary violation. While this case of IPV is able to emerge, the commission's final report is not directly identifying this act as intimate violence, nor investigating the act itself.

This flexibility of truth commissions' mandates is unique amongst transitional justice mechanisms. Such adaptability enables truth

[18]See: Chapter 2.

commissions to ‘fill the interstices between traditional modes of justice [e.g., trials] and impunity’ (Christensen, 2002, p. 697). Trials, in comparison, are typically more constrained by rigid processes and existing legal frameworks. Sexual violence also was not classified as a war crime until a 2008 UN Security Resolution, potentially constraining earlier trials. While until I completed this study, there was not work specifically on IPV and truth commissions, researchers have explored truth commissions’ comparative ability to investigate gender-based violence falling outside rigid legal categorizations. Truth commissions, for instance, were addressing gender-based violence as systemic and weaponized before its official legal classification in 2008. Commissions’ more flexible mandates may thus leave space for IPV to emerge during an investigation, even without an explicit obligation to include intimate violence. Importantly, the flexibility of truth commission mandates may create opportunity for victims and advocates to push for IPV inclusion, particularly in commissions already tasked with addressing gender-based violence broadly.

While gaps in truth commission mandates may have enabled this unexpected inclusion of IPV to emerge, the correlation between mandates explicitly addressing gender-based violence and greater inclusion of IPV suggest that including IPV in future truth commission mandates will lead to greater inclusion of intimate violence. Furthermore, IPV – as already demonstrated – falls within the scope of transitional justice mechanisms, including truth commissions. Thus, adding IPV to future truth commission mandates is a clear first step to explicit inclusion of these violations. Importantly, the mandate often sets out truth commissions' investigatory powers and operations, providing an opportunity to consider IPV alongside such duties. The implications of these functions on IPV inclusion are discussed below.

B. Truth commissions' method of investigation and operation

Although truth commissions typically gather individual victim testimony and collect evidence of rights abuse, direct victim identification and participation is not necessary for a form or

pattern of violence to be included in a truth commission's final report. Truth commissions can investigate thematic issues in society broadly or issue recommendations for societal transformation, rather than focusing only on specific cases of violence. This enables truth commissions to discuss IPV within final reports, even in the absence of a named victim, direct victim testimony, or evidence of individual cases. Given the barriers to reporting and collecting evidence of IPV – particularly in transitional settings – this allows truth commissions to overcome a major hurdle to including intimate violence.

The importance of this is reflected in how IPV emerged across truth commissions. No commission included direct testimony from a victim of IPV. This likely reflects barriers identified in the literature, including stigma, fear of backlash, or not identifying oneself as a victim. Instead, close to three-quarters of references to IPV occurred as *general findings* – for instance, broad statements about the prevalence of IPV within society or general obstacles to justice for IPV. To address IPV within *general findings* does not require any victim to come forward. Sierra Leone's commission,

for instance, referenced outside studies on IPV within the country to speak to patterns of and issue recommendations on intimate violence in the absence of victim testimonies. Even the recommendations specifically issued on IPV outlined only broad collective measures, such as improving domestic legal protections for IPV, increasing social support services, and implementing awareness campaigns. Benefitting from such recommendations again does not require victims to self-identify or report.

This is different from many other transitional justice mechanisms. Trials, for instance, may require statements from victims, as well as witnesses or evidence which – if IPV happens in the home – may be difficult to collect. Similarly, customary justice mechanisms typically center on individual victims coming forward to share experiences of harm to work towards community reconciliation. Research on gender-based violence and the post-genocide gacaca courts in Rwanda, for instance, found that survivors of gendered violence were reluctant to testify about their experiences due to concerns about privacy and stigma. Even when rape cases were treated confidentially and held outside the typical public setting,

victims noted that community members were still able to see who entered the gacaca chambers and surmise it was a rape case given only sexual violence cases were held in closed-door sessions (HRW, 2011). Similarly, some forms of reparations, such as individual monetary payments, require individual victims to come forward or register in order to receive benefits.

This finding, however, does not discount the value of direct victim engagement within truth commissions and transitional justice broadly. While IPV may present unique hurdles to reporting and collecting testimony and evidence, these obstacles can be overcome. Truth commissions could provide greater psychosocial support to victims, train testimony-takers to better and more safely engage with IPV victims, or support activities raising awareness and educating on IPV. Crucially, such activities are rooted in explicit inclusion of IPV within the transitional justice mechanism. Directly addressing intimate violence can thus strengthen methods of investigation and operation in relation to IPV, enabling truth commissions to overcome obstacles to explicit inclusion.

Truth commissions' mandates and method of investigation and operation appear to have enabled unexpected IPV inclusion to emerge. Identification of these characteristics and analysis of these newly discovered IPV references in truth commission final reports can inform future research and explicit inclusion of IPV within transitional justice mechanisms.

6. Implications and next steps

Drawing the GVTC database and discovery of unexpected IPV inclusion in one-quarter of truth commission final reports, I argue that transitional justice processes, specifically truth commissions, theoretically *should* and practically *can* address IPV. This chapter has significant implications for researchers, practitioners, and activists working on IPV accountability and prevention. First, these findings bolster the argument that IPV fits within transitional justice's scope – in practice, it is already happening. This further suggests that truth commissions may be a viable forum in which to advocate for future explicit IPV inclusion. Analysis of IPV references found in the GVTC database suggest unique truth

commission characteristics – like the nature of the mandate and victim participation – may have enabled this emergence of unintended IPV inclusion. This supports the feasibility of explicitly including IPV in future truth commissions. Such explicit inclusion would reveal new insights into what findings or cases are uncovered when these violations are actively pursued and could help create more gender sensitive truth commissions aware of IPV risks to participants and victims generally.

Second, truth commissions should explicitly include IPV within future truth commission mandates. This is possible, given IPV falls within the purview of transitional justice processes, and can support the creation of truth commissions aware of and sensitive to IPV from the start. Third, the references to IPV which emerge from the GVTC database suggest that adopting general findings and recommendations may be a promising first step in explicitly including IPV in future truth commissions. This deviates from other transitional justice models, including for truth commissions, which often prioritize publicly shared victim testimony or pursuit of individual cases of violence. While these may be valuable to

include eventually, initial efforts at explicitly addressing IPV within truth commissions may be better able to circumvent obstacles to inclusion by avoiding direct victim participation and identification until more robust outreach and support can be provided to IPV victims. Until then, the format of truth commissions renders them uniquely well-suited to share findings which do not require direct victim participation or identification.

Furthermore, planning truth commissions sensitive to IPV and intentionally including these violations from the start also means that measures can be better taken to build trust, implement protections for victims and survivors, and identify desired forms of support and redress for IPV. This is vastly different from approaches which include gendered violence like IPV haphazardly or only following its spontaneous emergence during investigation. Planning for IPV inclusion can help lesson some of the obstacles to inclusion truth commissions face.

Finally, these findings attest to the benefit of collaboration between transitional justice and public health researchers. Much of the

available data on IPV during armed conflict and authoritarian settings came from public health work. Such collaboration may not only wield richer insight into IPV in these settings but can help inform how IPV-aware transitional justice mechanisms can best proceed. Public health researchers and practitioners working in transitional settings may, in turn, benefit from engaging with transitional justice mechanisms as a tool for IPV prevention given their potential to identify and address drivers of this violence. Such a collaboration would build upon the growing body of work on conflict, in particular, and public health (Østby et al, 2019).

By sharing the first (albeit small number of) cases of IPV inclusion discovered within truth commission final reports, this chapter makes a significant contribution and provides a starting point for research on intimate violence and transitional justice. Future work could investigate other victim or violence archives for IPV inclusion, as well as expand coding to look for structural harms related to IPV which would not have necessarily emerged when coding the GVTC data. Researchers working on more broadly recognized patterns of gender-based violence, such as conflict-

related sexual violence, may also expand the scope of their work to acknowledge and investigate IPV alongside other forms of gendered harm. While truth commissions are not a silver bullet for IPV, inclusion of intimate violence may be an important step forward in creating more victim-sensitive transitional justice mechanisms and in working towards non-repetition of gendered violence.

Chapter 4: Transitional Justice and the Ongoing Exclusion of Sexual Exploitation and Abuse by International Intervenors

Since the 1990s, transitional justice mechanisms have addressed conflict-related sexual violence (CRSV). Sexual exploitation and abuse (SEA) by intervenors, however, has been left out of transitional justice mechanisms applied in the after- math of armed conflict. This is despite SEA and CRSV taking many of the same forms, occurring in the same contexts, being underpinned by the same vulnerabilities and affecting the same populations. Both forms of violence, moreover, fall within the Women, Peace and Security framework, which urges inclusion of these violations within transitional justice mechanisms (Clark, 2021; Dolan et al., 2020). Drawing from an original transitional justice database, the Gender Violence in Truth Commissions database, this chapter explores why the exclusion of SEA perpetrated by intervenors persists across transitional justice.

CRSV includes sexual and reproductive violations directly or indirectly linked to a conflict. Perpetrators are frequently members of armed groups, although sexual violence facilitated by a context of impunity resulting from conflict is also considered CRSV regardless of the perpetrator's group identity (Nordås and Cohen, 2021). SEA encompasses 'actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes', and 'the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions' (UNSG, 2003). SEA thus includes interactions between international peacekeeping or humanitarian staff—referred to here as 'intervenors'—and the local populations alongside whom they work. This chapter examines SEA perpetrated by intervenors against people local to the host community.[19] Although SEA and CRSV disproportionately take the form of violence against women and girls by men, these violations may be both perpetrated and

[19] While sexual harassment and sexual violence do occur between intervenors, these violations involve different power dynamics and are typically responded to using an internal response framework distinct from SEA. See: Mazurana and Donnelly, 2017.

experienced by people of any gender identity (Boesten and Wilding, 2015; Sjoberg, 2016).

SEA has been documented in a range of humanitarian settings in which intervenors work, including natural disasters and disease outbreaks (Flummerfelt and Peyton, 2020; O'Neill, 2021). This issue is widely documented and persistent, despite repeated attempts at accountability and prevention. This chapter focuses specifically on armed conflict, which falls within the purview of transitional justice, unlike abuse amid other interventions. Transitional justice measures are implemented to facilitate a 'transition' from armed conflict to peace, or from authoritarianism to democracy, and to address past human rights abuses. The spread of transitional justice creates opportunities to provide accountability for SEA alongside CRSV through these mechanisms.

Understanding the exclusion of SEA by intervenors from the coverage of transitional justice is a matter of urgency, as transitional justice mechanisms are in existence or planned in

several contexts reporting extensive SEA. Currently, mechanisms are in place in the Gambia and Colombia, both contexts in which allegations of SEA have been made against intervenors (UN Conduct, 2022).[20] A truth commission has also been announced in the Central African Republic, which during the civil war recorded SEA allegations against UN peacekeepers impacting at least 577 identified victims—the largest number of identified SEA victims of any UN peace- keeping mission (UN Conduct, 2022). Excluding SEA from transitional justice blocks pathways to justice and undermines goals of accountability and prevention; it is therefore critically important to understand why this exclusion occurs.

This chapter first explains why the exclusion of SEA from transitional justice matters, then asks why this exclusion persists, highlighting the only two cases where SEA has been addressed within transitional justice: the Sierra Leonean and Liberian truth commissions. Using a Women, Peace and Security framework, this chapter demonstrates how SEA and CRSV can be addressed as

[20] All websites current as of writing, 26 February 2022.

interconnected but separate forms of violence within transitional justice, despite differences in criminality, jurisdiction, immunity, and perpetrator.

1. Understanding the separation

SEA and CRSV are conceptually and practically siloed, although both fall under the umbrella of the Women, Peace and Security framework (Luedke et al., 2017). The framework includes ten recommendations for including women in conflict prevention and peacebuilding, protecting women's rights during and after conflict, and meeting women's specific needs during processes such as post-conflict reconstruction. The framework considers transitional justice an integral step within peacebuilding and reconstruction. Early Women, Peace, and Security resolutions outlined the need to prosecute sexual violence against women and situated CRSV as a war crime and crime against humanity. In 2013, Resolutions 2122 and 2106 highlighted the need to 'ensure that transitional justice measures address the full range of violations and abuses of women's human rights' and 'the importance of a comprehensive

approach to transitional justice in armed conflict and post-conflict situations, encompassing the full range of judicial and non-judicial measures' (UNSC 2122; UNSC 2106).

The Women, Peace and Security framework did not initially include SEA, although CRSV was an early focus of the framework. This exclusion of SEA occurred despite international recognition of SEA and CRSV developing at the same time. SEA first gained widespread attention during the UN peacekeeping mission to Cambodia in 1993 (Whitworth, 2004). Although policy and literature focus predominantly on military peacekeepers, SEA is perpetrated by a range of other intervenors, including private contractors and humanitarian workers (Westendorf and Searle, 2017). SEA has been reported in all deployed UN peacekeeping operations since the Cambodian mission, as well as among humanitarian staff and aid workers (Westendorf and Searle, 2017; O'Neill, 2021). Leaders excused SEA during the Cambodian mission; however, there has since been a growing push to establish accountability for SEA (Westendorf, 2020). The UN issued a 'zero tolerance' bulletin in 2003, and in 2005 the Zeid Report outlined

recommendations for investigating and responding to SEA (Zeid, 2005; UNFPA, 2003).

The timeline for addressing CRSV overlaps with that of SEA. Although historically wartime sexual violence was considered inevitable, the Rwandan genocide and the violent disintegration of the former Yugoslavia altered this view. Sexual violence became understood as a 'weapon of war' rather than as collateral damage. The 1993 International Criminal Tribunal for the Former Yugoslavia and the 1994 International Criminal Tribunal for Rwanda solidified this view, creating an accountability precedent for CRSV as a serious crime warranting recognition and redress (Boesten, 2014; Kreft, 2019; Prosecutor versus Akayesu, 1998; Manjoo and McRaith, 2011). The UN framework for CRSV, which shapes global norms, was developed under the Women, Peace and Security umbrella.[21] While the resolutions broke new ground, this origin led to an initial focus on 'weaponized' forms of violence,

[21] See UNSC Resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013) and 2467 (2019).

particularly rape. Paul Kirby notes how conceptualizing sexual violence within the 'weapon of war' narrative creates 'an unduly simplistic account of where and why such violence happens' (Kirby, 2015, p. 458). This narrative excludes SEA by intervenors, normatively and practically isolating it from CRSV even further.

The framing of CRSV as a 'weapon of war' excludes violations by individuals ostensibly outside or neutral to the conflict, such as intervenors, prioritizing instead systematic or strategic violations. There is no evidence that SEA perpetrated by intervenors is carried out systematically or strategically, so that it does not meet the legal threshold to be considered an international crime and addressed through legal frameworks used to prosecute CRSV as a crime against humanity or as genocide (Freedman et al., 2021). A 'weapon of war' focus overlooks changes in how CRSV is understood and addressed outside legal frameworks. Research by Elisabeth Jean Wood and Dara Kay Cohen has established that wartime sexual violence may be tolerated or condoned, rather than strategic or ordered (Wood, 2014; Cohen, 2016; Dolan et al., 2020). These patterns of CRSV have been addressed in non-legal

transitional justice mechanisms, such as truth commissions.[22] Similarly, intervenors perpetrate SEA in ways that are both planned and opportunistic (Westendorf and Searle, 2017). While SEA does not meet the international legal standards that are often used to define CRSV, the two categories overlap in how they occur beyond those rigid legal frameworks.

Over time, SEA has been considered within the Women, Peace and Security framework (Westendorf, 2018; Jennings, 2019). Resolution 1820, which condemned CRSV as a tactic of war, also outlined accountability and prevention efforts for SEA (UNSC 1820). The 'mainstreaming of gender' into UN peace operations is attributed to normative shifts driven by the Women, Peace and Security framework, with implications for how both intervenor-contributing and host countries address gender concerns (Basu, 2016).

Normative shifts rooted in the tribunals for Rwanda and the former Yugoslavia, and in the Women, Peace and Security framework,

[22] See Chapters 2 and 3.

impelled post-conflict transitional justice mechanisms to include CRSV within their mandates and findings; yet transitional justice almost universally overlooks SEA. Transitional justice mechanisms, however, have progressively widened their scope. Mechanisms expanded their remit beyond killings and disappearances, the focus of early transitional justice efforts, to address issues such as human rights abuses by corporations and gender-based violence more broadly (Payne et al., 2020). This widening demonstrates the possibility of expanding the scope of transitional justice to encompass SEA by international intervenors. Women, Peace and Security resolutions which outline transitional justice responses to sexual violence also urge accountability for SEA by UN intervenors (UNSC 2467). Since its creation, the Women, Peace and Security framework's normative elasticity has enabled its application to a wide range of aims, including justice for sexual violations (UN Women, 2015). This framework provides a bridge for SEA and CRSV to be considered together within transitional justice.

2. Why address SEA and CRSV together through transitional justice?

Despite recognition of and responses to SEA and CRSV both falling within the Women, Peace and Security framework and developing along overlapping timelines, transitional justice mechanisms have addressed CRSV while largely excluding SEA. Distinct pathways currently exist to address SEA. These are typically structured as individual issues of discipline, rather than as part of a larger accountability process contextualized within the armed conflict setting (Anania et al., 2020).

This separation of SEA and CRSV contradicts current understandings of gender-based violence, now seen as existing on a 'continuum of violence', in which distinct manifestations of gender-based violence are related and under- pinned by shared structural and ideological factors, regardless of when, on what scale, or in what form they are carried out (Boesten, 2014; Kreft, 2020). Recognizing a continuum 'forces us to examine the underpinning norms, values, and institutional structures that normalize certain violences and exceptionalize others' (Boesten,

2010, p. 113). Separating SEA and CRSV prevents identification of shared underlying factors, crippling account- ability efforts which aim to investigate, compensate, or offer non-repetition. In 2019, as part of the Women, Peace, and Security framework, UN Resolution 2467 recognized the continuum of violence, invoking 'broader understandings and incidences of gender-based violence before, during, and post-conflict' (UNSC 2467).

SEA and CRSV are interconnected and mutually reinforcing: the occurrence of one predicts the occurrence of the other (Nordås and Rustand, 2013). Addressing only CRSV within transitional justice therefore does not depict the entire landscape of sexual violence during conflict. The early 'restricted' framing of CRSV within the Women, Peace and Security framework has been criticized for precluding 'recognition of the "continuum of violence" that characterizes the experiences of many individuals whose lives are marked not only by the "extraordinary" violence of "rape as a weapon of war"' but also by everyday violations encouraged by inequity (Kirby and Shepard, 2016). These excluded harms include

SEA, largely fuelled by social and economic inequalities and instability (UNSC 2467).

SEA is related to CRSV: both sit along the same continuum of violence. This interconnection between SEA and CRSV has been documented throughout the investigation of and policy response to SEA. A powerful 2002 Save the Children investigation identified a history of CRSV as underlying SEA in Liberia, Guinea and Sierra Leone (Save the Children, 2002). The 2005 Zeid Report, which set the tone for the UN (and, arguably, the global) response to SEA, flagged up the interconnection between SEA and CRSV. Interviewees from women's organizations in the Democratic Republic of Congo identified poverty and the 'high incidence of sexual violence against women and children' during the war, which normalized gender-based violence, as driving SEA (Zeid, 2005, p. 13). More recently, the Independent Review on SEA in the Central African Republic also recognized this relationship, stating that the 'most significant step the UN can take to improve its response' to SEA would be to reframe those violations as a form of CRSV (UNGA, 2016, p. 10). While subsuming SEA under CRSV may

lead to only certain forms of SEA, such as rape, being addressed, while overlooking others, such as transactional sex, this recognition of SEA and CRSV as interconnected in a context of armed conflict provides a further basis for their being considered together within transitional justice.

Despite this recognition of the need to consider SEA and CRSV together, there has been little progress in actually doing so, including through transitional justice. Transitional justice continues to focus primarily on CRSV, even though research finds that accountability would be improved by considering SEA alongside CRSV (Westendorf, 2020). Responses to date have failed to interrogate the interconnection between SEA and CRSV, which are likely to be fuelled by the same factors and may mutually reinforce vulnerability to sexual violations. Statistical analysis across peacekeeping missions between 1999 and 2010 found that higher rates of SEA were reported in armed conflicts with high levels of sexual violence, indicating that CRSV may drive later SEA (Nordås and Rustand, 2013). For instance, CRSV is used as a tactic in war to displace populations; displacement in turn enhances

vulnerability to SEA (UNSC, 2019). Feelings of shame or having 'nothing left to lose' may also push victims of CRSV into transactional sex with intervenors, particularly if they face economic and social ostracization.

SEA, alongside CRSV, can contribute to the post-transition continuation of or increase in sexual violence. SEA creates harmful legacies of 'gendered economic and social power relations', even after armed conflict ends, entrenching gender inequities and undermining the prevention of future sexual violence (Westendorf, 2020; McGill, 2014). Transitional justice mechanisms often aim to prevent further abuse. Failure to account for SEA may undermine these goals of non-repetition, as the long-term impact of SEA and of subsequent peacekeeping economies may lead to post-transition sexual exploitation and violence.[23]

[23] The term 'peacekeeping economies' refers to the web of businesses, including hotels, bars, transportation and sex work, which emerge to cater to international intervenors, typically centred on UN missions. Peace-keeping economies may service NGO workers, humanitarian staff and/or private contractors in addition to peacekeepers. See McGill, 2014.

Including SEA alongside CRSV within transitional justice creates opportunities to consider the complete continuum of sexual violence during armed conflict, and to identify and address the shared root causes which underpin both. Addressing SEA through transitional justice could also illuminate how inequalities perpetuate these abuses—for instance, identifying in a truth commission the gendered economic inequalities which facilitate transactional sex and awarding reparations to target that inequality. Understanding the root causes of SEA and CRSV is a core element of going beyond accountability to prevention. There is a need for 'transformative gender justice' addressing the socio-economic and structural underpinnings of sexual (among other forms of gendered) violence. Work by Paul Gready and Simon Robins (2014), and by Jelke Boesten and Polly Wilding (2015), has identified poverty as driving general and sexual violation. This has direct relevance not only to CRSV but also to SEA, given the significant proportion of violations that involve transactional and survival sex (McGill, 2014).

SEA and CRSV are also related when post-conflict countries—which may have experienced CRSV—later contribute intervenors to other conflicts. Peace- keepers replicate patterns of social inequality within their home countries when perpetrating SEA abroad (Karim and Beardsley, 2016). This means that peacekeepers from countries in which gendered discrimination, violence or exploitation—particularly of women and girls—is normalized may be more likely to engage in SEA against local women. Conversely, higher proportions of peacekeepers from countries with robust gender equality norms correlate to lower rates of SEA. These findings emphasize the importance of intervenors' socialization prior to their being deployed abroad. Addressing the underlying structural and ideological causes of SEA, including factors present in the host country, may therefore help prevent future sexual violence not only in the host country post-transition but also abroad, should the host country later deploy intervenors. This observation is exemplified by UN peacekeepers. Of the at least 46 countries that have implemented or are currently implementing a truth commission, 82 per cent are troop-contributing countries,

based on most recent UN peacekeeping deployment figures.[24] The transitional justice literature demonstrates how societal rupture and reconsolidation provide space to advance gender equality domestically through accountability mechanisms (Aguirre and Pietropaoli, 2008; Ní Aoláin, 2010). Should a host country later deploy intervenors, the fact of having addressed the underlying causes of both SEA and CRSV through transitional justice could offer protection against the perpetration of SEA. In future research, I plan to interrogate the relationship between transitional justice and gender equality, with implications for intervenor-contributing countries.

3. The exclusion of SEA from transitional justice

Despite the interconnection of SEA and CRSV, SEA by intervenors remains largely excluded from truth commissions, trials and reparations, the core transitional justice mechanisms. This situation

[24] Data comes from the Gender Violence in Truth Commissions database (See: Chapter 2) and UN Peacekeeping data on 'Uniformed Personnel Contributing Countries by Ranking,' as of 31 December 2021.

reflects the international community's greater focus on CRSV as a widespread and systemic problem necessitating a coordinated response, while treating SEA as an issue of individual discipline. This exclusion is at odds with understandings of sexual violence as existing on a continuum that are recognized within the Women, Peace and Security framework.

Truth commissions are temporary bodies that investigate patterns of past abuse by collecting testimony and gathering evidence (Hayner, 2011). The original Gender Violence in Truth Commissions database includes all references to gender-based violence across every truth commission with a publicly available report.[25] SEA by international intervenors comprises fewer than 1 per cent of the approximately 4,640 references in the database. The 1997 Commission of Inquiry into the Deployment of Canadian Forces to Somalia, while not investigating SEA, established a precedent for truth commission-like bodies to address intervenors' violations (Rodriguez and Kinne, 2019). However, not all countries

[25] For full coding details, see Chapter 2.

or organizations that deploy intervenors are capable of creating such an inquiry. In the case of UN peacekeepers, the majority come from global South countries that may struggle to finance, or lack the political will to implement, expansive evidence-gathering efforts in response to SEA, particularly given the greater scrutiny and bias faced by troop-contributing countries from the global South (Henry, 2018).[26] In practice, such inquiries are rare. Rosa Freedman has written on the potential of transitional justice mechanisms, like truth commissions, to provide accountability for SEA (Freedman, 2018). While she argues for the adoption of certain aspects of transitional justice methodology to address SEA, this chapter argues for the direct inclusion of these offences within transitional justice.

Transitional justice trials have not included SEA, largely because it has not yet been prosecuted under international criminal law (Freedman et al., 2021). The end of impunity and the need for

[26] Preventing and providing accountability for SEA remains a pervasive issue in even the most well-funded militaries, as is evident from the sexual abuse of detainees by the US military at Abu Ghraib.

sexual violence prosecutions are emphasized in the original Women, Peace and Security resolution (UNSC, 2122). This emphasizes the framework's focus on legal measures for accountability, reinforcing the exclusion of SEA from transitional justice trials. Individual investigations, which often occur during a trial, have been criticized as failing 'to address the complex mix of contextual, normative, and systemic factors' which produce SEA (Westendorf, 2018).

Transitional justice reparation schemes have also not yet explicitly addressed SEA (Ferstman, 2020). In 2016, the UN created a trust fund to support survivors of SEA (UNSG, 2015). This fund currently provides support only to victims in Liberia, Haiti and the Democratic Republic of Congo (UN, 2021); this support is framed explicitly as aid, rather than as reparatory payments admitting responsibility or wrongdoing, meaning it is not considered as reparations (Ferstman, 2020).

SEA violations such as rape or forced prostitution may technically entitle victims to claim reparations through transitional justice

frameworks which cover sexual violence. However, confusion over the perpetrator and who bears the responsibility for redress muddles this entitlement and obscures whether claims were made for reparations solely on the basis of SEA. If international intervenors are not included as 'perpetrators' on official lists, or if redress for those violations is considered the responsibility of other states or external actors, survivors may be left without a pathway to reparations, even if the violations suffered—such as rape—are technically included within the transitional justice framework. While intervenor-contributing organizations have not created reparations programmes of their own, they have funded state-level reparations programmes—for instance, in Sierra Leone—that have addressed sexual violence, albeit not SEA by intervenors.

4. Understanding exclusion: Differences in criminality, jurisdiction, and immunity

Given their definitions, SEA and CRSV can clearly be located on the same continuum of violence. They encompass overlapping forms of violation, are facilitated by the same context of armed

conflict, and affect congruent victim populations. A comparison between SEA and CRSV reveals that the reasons for their separation include differences in criminality, jurisdiction, immunity and perpetrators.

SEA encompasses both criminal and non-criminal acts, whereas CRSV is fully criminalized. Within the broad scope of SEA, some violations, such as rape, are considered criminal while others, like consensual transactional sex between adults, may not be criminal depending on the laws governing sex work and age of consent in the host country. Such non-criminal acts violate organizational policies rather than national or international law and are considered an issue of conduct and discipline for the intervenor's organization. This frames SEA as the product of individual misbehavior, rather than as systemic or connected to the armed conflict (Westendorf, 2020; Westendorf and Searle, 2017). Conversely, all CRSV violations fall within the purview of international human rights law and are considered war crimes and crimes against humanity (UNSC, 2019). Framing SEA as an issue of individual discipline isolates these violations from broader sexual violence agendas,

including the Women, Peace and Security framework (Westendorf, 2018).

Disaggregated data on SEA allegations are sparse. There are no publicly available data on SEA by intervenors outside the UN, nor have aid organizations publicly released data on SEA allegations made against their staff (International Development Committee, 2021). The only existing source of these data is that on SEA allegations made against UN peacekeepers. Even then, those data are available only from 2015 to 2021, despite UN peacekeeping missions having taken place since 1956 and SEA having been reported within peacekeeping missions since 1993.[27]

After creating a dataset of these allegations, 939 allegations of SEA by UN peacekeepers across 23 UN peacekeeping missions are recorded. This includes all SEA allegations, not just cases in which misconduct was recognized. Given the narrow time period, barriers to reporting, and the difficulty of investigation and evidence

[27] Data can be accessed at conduct.unmission.org.

collection in conflict zones, this number is probably below the actual total. These figures, while useful in comparing reported patterns of SEA and CRSV, do not accurately capture the scale of SEA and, given the likely underreporting, should not be read as indicating the true prevalence of these violations. Of these allegations, 42 per cent could be classified as criminal, including 306 allegations of rape, three of attempted rape, 48 of sexual assault, ten of attempted sexual assault, 24 of sexual activity with a minor, three of non-consensual physical contact, one of transactional sex with a child and one of sexual abuse. While more than half of these SEA violations would likely not be considered criminal, the findings reveal that a signification proportion of SEA violations are, like CRSV, considered criminal.

Table 4.1: A comparison of SEA and CRSV

	CRSV	***SEA***
Context	Armed conflict	Armed conflict, humanitarian contexts
Forms of violence	Rape, sexual slavery, forced prostitution,	Sexual exploitation (e.g., transactional sex) and sexual

	forced pregnancy, etc.[28]	abuse (e.g., rape, sexual slavery, forced prostitution)[29]
Victim population	Not specified, although research and policy response focus on civilians	Not specified, although research and policy response focus on civilians
Criminal under international law	Yes[30]	Does not meet threshold for genocide or crimes against humanity like CRSV. Some forms, such as rape, have been theorized as international crimes, although no such prosecutions have taken place.[31] Other forms may be criminal under host country law.[32]
Jurisdiction	International, regional and national courts	National governments retain jurisdiction over military peacekeepers; UN can investigate civilian and military peacekeepers; host country has jurisdiction over humanitarian intervenors.
Immunity	Immunity is not granted; international recommendations oppose immunity via amnesty.[33]	UN personnel including civilian and military staff have functional immunity.[34]
Perpetrators	Primarily members of state and non-state armed groups, but may also include individuals, such as civilians[35]	Primarily international intervenors, e.g., peacekeepers and aid workers. Local staff can perpetrate violations but are largely excluded from SEA frameworks.

[28] See: Nordås and Cohen, 2021.
[29] See: UNSG, 2003.
[30] See: UNSG, 2020.
[31] See: Freedman, 2018; Hovell, 2018.
[32] See: Brown, 2019.
[33] See: UNSC 2467.
[34] See: Freedman et al., 2021.
[35] See: Nordås and Cohen, 2021.

Even with this overlap in criminality, however, the jurisdiction under which intervenors fall and intervenors' immunity status further explain the separation of SEA and CRSV. Memorandums of understanding confer jurisdiction on the troop-contributing country to investigate, discipline and prosecute violations by UN military peacekeepers. Judicial accountability for SEA perpetrated by intervenors remains rare. UN peacekeeping data reveal that just 6 per cent of substantiated and unsubstantiated SEA allegations between 2007 and 2021 resulted in jail sentences.[36] Contributor countries may not exercise their jurisdiction owing to lack of logistical or financial capacity, lack of will or concern for their reputation.

The UN is tasked with investigating allegations against civilian and police personnel, military experts on mission, and any military personnel not investigated by their member states. The

[36] Calculated by dividing the number of jail sentences by the number of substantiated and unsubstantiated allegations disaggregated by the number of victims. All allegations were included, given the barriers to substantiating claims. Allegations were disaggregated as they often contain multiple victims. Data from: https:// conduct.unmissions.org/sea-data-introduction, accessed 1 Oct. 2021.

memorandums of understanding also empower the UN to remove the commander of a contingent who did not cooperate with an SEA investigation or was found not to have 'taken effective action to prevent serious misconduct' or to have failed to immediately report and take action against SEA allegations (UNGA, 2006). In such cases, the UN recovers payments to that commander by withholding funds from future reimbursement to the national government. This may provide incentives to contingent commanders to hide allegations of SEA for fear of being repatriated and losing payments to their national government for having failed to prevent violations.

The host country can prosecute non-UN civilian personnel under domestic law; however, this is rare. Expatriate personnel in practice are typically repatriated, and host countries' judicial systems may be too weak to exercise jurisdiction due to the crisis to which humanitarian workers were responding in the first place. UN civilian staff, and often police peacekeepers, also have functional immunity in the host country. While SEA does not fall under functional immunity, the UN will not hand staff over to the

jurisdiction of the host country if local processes do not meet rule of law and human rights standards—as most armed conflict contexts to which intervenors are deployed do not (Freedman et al., 2021; Rawski, 2017). Investigations into whether an act is protected under functional immunity often focus on whether there is 'sufficient evidence to cooperate with local authorities', shielding perpetrators under the guise of functional immunity (Freedman, 2018). These jurisdiction and immunity barriers mean that even in cases where an SEA violation is criminal, perpetrators typically cannot be tried for the violations, so that they are largely excluded from transitional justice prosecutions.

These differences in criminality, jurisdiction and immunity best explain why transitional justice trials have not included SEA alongside CRSV. What, then, explains the exclusion of SEA from non-judicial transitional justice mechanisms to which these barriers do not apply? As noted in Table 4.1, many violations—like rape or forced prostitution—can be classified as either SEA or CRSV. Often, the only difference is the perpetrator: SEA is carried out by an international intervenor, whereas CRSV is, in some definitions,

assumed to be perpetrated only by a member of a state or non-state armed group. Jasmine-Kim Westendorf (2020) summarizes this distinction as having a 'mandate for peace'—in the case of intervenors (referring to UN peacekeepers)—or a 'mandate for war'—in the case of combatants. Similar arguments could be made in respect of non-peacekeeping intervenors, such as aid workers, who have a mandate for humanitarianism. This difference in perpetrator—and in the perpetrator's responsibility to local populations—is one reason why SEA and CRSV may be separated.

While this raises important points about perpetrators' varying roles and responsibilities, focusing on a perpetrator's official group overlooks the murkiness of group categorization in a context of conflict. Intervenors' very presence means they are not removed from the dynamics of armed conflict, nor are they entirely neutral actors; instead, they arrive with their own complex motivations and biases, which are facilitated and shaped by their surroundings. This was recognized in early analysis of peacekeeping missions. A report on the lessons learnt during the UN peacekeeping mission to Cambodia—the first mission which reported SEA—noted that

international intervenors may easily be perceived as party to the conflict, despite goals of neutrality (Ledgerwood, 1994).

Neutrality is not only a problem of perception. Intervenors may associate with combatant groups, including with regard to SEA. Intervenors have been documented as working with local organized crime groups to traffic women for sexual enslavement (Westendorf, 2020; Godec, 2010). During the breakup of the former Yugoslavia, UN Protection Force members were accused of patronizing brothels run out of Serb concentration camps—the same 'rape camps' which ushered in a global recognition of CRSV as a weapon of war and a form of genocide (Salzman, 1998). This example highlights how distinctions between armed group members and intervenors may collapse in situations of conflict. The direct or indirect involvement of intervenors with criminal or armed networks is representative of 'networked SEA', one of the two most common forms of SEA perpetrated by peacekeepers (Westendorf and Searle, 2017). Intervenors' actions are further informed by the biases they bring to their deployment, including national, racial or neo-colonial biases against host populations

(Westendorf, 2020; Grady, 2016). These biases may be exacerbated by the power dynamics of intervention in armed conflict, in turn undermining neutrality and contributing to high levels of SEA.

Furthermore, while *state* armed groups may have a 'mandate for war' in terms of fighting *non-state* armed groups, their mandate for civilians—the group most likely to experience SEA and/or CRSV[37]—may be similar to that of intervenors. State forces, such as the military or police, may at least on paper be responsible for protecting civilians. CRSV, like SEA, therefore, is a violation of that mandate to protect and not harm that population. Beyond their mandate, many intervenors are also members of national militaries and are subject to similar socialization processes as members of armed groups within the host country. The limited research on intervenors' motivations for perpetrating sexual violence indicates that they commit these violations for similar reasons to combatants,

[37] Data on victims/survivors suffer from under-reporting. Recent reporting on CRSV, however, notes that civilians are the most likely to experience these forms of violence, or, in the case of SEA, it frames these violations only in relation to civilian victims/survivors. See UNFPA, 2021.

for instance individual sexual desire or opportunism (Dolan et al., 2020; Westendorf and Searle, 2017). Focusing only on group membership also ignores CRSV not committed by armed combatants, as sexual violence perpetrated by civilians but facilitated by a conflict context—for instance, sexual violence inflicted on an intimate partner—is considered conflict-related (Kirby, 2015). Missing the interconnection between CRSV and SEA undermines accountability for victims and reinforces artificial templates of what violations are conflict- related.

These issues of perpetrator identity are, again, most pronounced in trials, given their focus on perpetrators, giving truth commissions and reparations systems greater potential to overcome these barriers. Identifying truth commissions and reparations systems as sites where SEA can be addressed alongside CSRV aligns with calls for 'victim-centred approaches' to addressing sexual violence made within transitional justice and within the Women, Peace and Security frame- work (Clark, 2021). Transitional justice mechanisms such as truth commissions have held actors beyond local combatants accountable, including non-state unarmed and

international actors (Payne et al., 2020). This reinforces the plausibility of including intervenors within non-judicial transitional justice mechanisms.

5. Exceptional cases: Inclusion of SEA in Sierra Leone and Liberia

Only two transitional justice mechanisms—the Sierra Leonean and Liberian truth commissions—address SEA alongside CRSV. Transitional justice trials and reparations have not yet addressed SEA. The original Gender Violence in Truth Commissions database found just 53 references to SEA out of more than 4,640 references to gender-based violence across 50 truth commissions. Of these, only the 33 cases in the Sierra Leonean (2002–2004) and Liberian (2006–2009) truth commissions include 'SEA' as understood in this chapter, that is, occurring amid armed conflict and perpetrated by international intervenors. The 20 other references to sexual exploitation or sexual abuse involved local actors rather than intervenors.

Table 4.2: SEA in truth commissions

Truth commission	*Transition context*	*No. of SEA references*	*Perpetrator(s)*
Sri Lanka, 1994	Armed conflict	1	Police and army personnel
Nigeria, 1999	Authoritarian	1	None named
Peru, 2001	Armed conflict	1	Professor
Sierra Leone, 2002	Armed conflict	18	Humanitarian workers, peacekeepers, local civilians
East Timor, 2002	Armed conflict	5	Teachers, local and foreign civilian administrators, military
Paraguay, 2004	Authoritarian	1	National military
Morocco, 2004	Authoritarian	1	None named
East Timor and Indonesia, 2005	Armed conflict	2	National military, police, and civilian officials
Liberia, 2006	Armed conflict	15	Peacekeepers, aid workers, local civilians including businessmen and teachers
Ecuador, 2007	Democracy	2	Police Officers
Canada, 2008	Democracy	1	Teacher
Solomon Islands, 2009	Armed conflict	1	Local and national militants
Kenya, 2009	Armed conflict	2	None named
Mauritius, 2009	Democracy	2	None named

In 20 of the 33 references to SEA, violations were perpetrated against women and girls. In the remaining cases, gender was unknown, or reference was made to a gender-neutral group such as 'children'. The victim was a civilian in all cases. Perpetrators' gender was indicated for just two of these cases: that the truth commission reports did not explicitly state perpetrators' gender identity speaks to the implicit assumption of a male perpetrator. By including both forms of violation, the commissions locate SEA and CRSV along the same continuum of violence and reveal their interconnection.

The commissions gathered data on the context in which these violations occurred, revealing that both SEA and CRSV were underpinned by and contributed to structural vulnerabilities such as displacement, poverty and lack of access to education. Including both forms of violation allowed the commissions to identify shared underlying causes, such as economic deprivation, and to make relevant recommendations on employment, societal shame and stigma, and educational opportunities to prevent and offer reparation for sexual violence. The Sierra Leonean and Liberian

commissions issued 33 and 17 recommendations respectively on gender-based violence, including recommendations on SEA. Sierra Leone's commission addressed the way in which lack of education and poverty fuel the trafficking and sexual exploitation of children, and Liberia's commission urged the national government to implement legislation and educational measures to protect children from sexual abuse. Recommendations also addressed the long-term effects of SEA and CRSV; for instance, both commissions recommended free or improved access to HIV testing and treatment for survivors of sexual violence.

The 33 cases of SEA by intervenors named aid workers and UN peacekeepers as perpetrators, as well as local civilians not considered international intervenors. This inclusion does not interrogate the differing power dynamics between local women and aid workers or UN peacekeepers, compared to, for instance, those between local women and local men both displaced by armed conflict. The Economic Community of West Africa Military Observer Group (ECOMOG) was the only group directly identified by either commission in connection with SEA. ECOMOG was

composed of approximately 4,000 troops from the Gambia, Ghana, Guinea, Nigeria and Sierra Leone as a subregional organization of the Economic Community of West African States. It was not a subsidiary of the UN, nor did it receive funding directly from the UN (UNOMIL). Beyond ECOMOG, neither truth commission named a specific aid organization or specific peacekeeping contingent as perpetrating SEA; rather, vague terminology like 'humanitarian workers' was deployed.

The naming of ECOMOG only by the Liberian commission could indicate a greater willingness to hold global South actors directly and specifically accountable compared to global North actors. To test this, data on contributing countries were analysed from 2003, the first year of the UN peacekeeping mission in Liberia, to 2009, the year the Liberian truth commission released its final report. On average across this period, 41 per cent of peacekeeping forces came from sub-Saharan African countries, compared to 8 per cent from Europe and North America combined. This reflects wider and ongoing patterns. Global South countries continue to provide most UN peacekeeping personnel, yet SEA remains underreported. The

lack of specific naming of contingents therefore does not seem to be related to whether forces came from a global South or global North country, but rather whether they fell under a larger organization, such as the UN. This finding is at odds with the stated goals of the UN under the Women, Peace and Security framework, which urge prevention and accountability for SEA.

The inclusion of SEA in the Sierra Leonean and Liberian commissions is not commensurate with the scale of SEA in these countries. SEA is estimated in Sierra Leone and Liberia at a much higher rate than reported in UN statistics. For instance, more than 58,000 women in Liberia are estimated to have participated in transactional sex, half before age 18 (Westendorf and Searle, 2017). One reason for this discrepancy could be dependence on aid from intervenor-contributing organizations. The UN and organizations such as Oxfam supported the Liberian and Sierra Leonean truth commissions and larger peace projects (UN News, 2001; UNMIL, 2006). Both countries' populations were also heavily reliant on foreign aid, including from organizations which

contribute intervenors.[38] When the UN Mission in Liberia began in 2003, Liberia's GDP had collapsed by 91 per cent (Thompson, 2018). The UN pumped hundreds of millions of dollars into Liberia between 2003 and 2009 for peacekeeping, peacebuilding and other forms of aid, while the presence of peacekeepers and a subsequent peacekeeping economy brought significant inflows of spending. By the time the UN peacekeeping mission in Liberia ended, it had created more than US$827 million in local expenditure (Thompson, 2018). Despite the ideals ascribed to transitional justice, local actors are aware of how such processes relate to their individual and national self-interest. Given the normative, financial and structural contributions of international organizations to many transitional justice mechanisms, their influence can shape the implementation of transitional justice at the local level, meaning there may be incentives to overlook SEA by intervenors (Subotić, 2010).

[38] In 2002 and 2003, the last years of civil war in, respectively, Sierra Leone and Liberia, 25% of Sierra Leone's and 18% of Liberia's GNI came from ODA. By 2007, 92% of Liberia's GNI came from ODA. See World Bank data, https://data.worldbank.org/indicator/DC.ODA.TLDC.GN.ZS.

This reflects larger trends. Intervenor-contributing organizations provide financial assistance to transitional justice mechanisms, and intervenor personnel provide support for the implementation of those mechanisms. This dynamic is ongoing; for instance, the UN peacekeeping mission in the Central African Republic is currently involved with implementing transitional justice measures, while intervenors in the Central African Republic have faced recent and widespread allegations of SEA (France 24, 2021). This dissonance with stated goals—preventing SEA and promoting justice—reflects pathologies identified within international organizations which contribute intervenors (Barnett and Finnemore, 1999).

These power dynamics and, beyond Sierra Leone and Liberia, the universal exclusion of SEA by international intervenors from transitional justice, raise the question of what facilitated the inclusion of SEA by intervenors within these two commissions. While empirical analysis to determine causality is beyond the scope of this chapter, media influence and public outcry emerge as likely factors warranting further investigation. In 2002, Save the Children UK and the UN High Commissioner for Refugees released an

explosive report documenting widespread SEA perpetrated by peacekeepers and aid workers against children in Sierra Leone, Liberia and Guinea (2002). Media coverage and public outrage led to a heightened focus on SEA in the context of interventions in armed conflict, triggering the creation in 2003 of the UN's zero tolerance bulletin for SEA (Blakemore et al., 2019). Therefore, both Sierra Leone and Liberia's truth commissions, created in 2002 and 2006 respectively, were implemented within an environment of heightened awareness of SEA, both generally and specifically in West Africa, as a result of this report. The Sierra Leonean commission mentions the report five times in the context of SEA by intervenors and the Liberian commission mentions it once, underscoring the report's influence over both truth commissions. Allegations of SEA made in the Save the Children report led directly to the creation of a task force on SEA within the Women, Peace and Security framework that same year (UN, 2002; Flummerfelt and Peyton, 2020; O'Neill, 2021).

This influence of media and public outcry is reflected in historic patterns of response to SEA. Prominent SEA investigations have

been triggered by international media attention and public outrage, rather than by proactive investigation (Westendorf and Searle, 2017). This pattern goes back decades; it was not until media pressure mounted significantly that an investigation was launched into sex trafficking involving peacekeepers from the UN Mission in Bosnia and Herzegovina from 1995 to 2002 (Westendorf and Searle, 2017). Strong press freedom in either the host or the contributing country, or both, is a significant factor in predicting decreased rates of SEA Rodriguez and Kinne, 2019). This relationship between the media and accountability reinforces the point that the response to SEA often does not follow a standard pattern but rather is triggered by public outcry to specific breaking stories. This also applies to CRSV: it was global media coverage of sexual violence in Yugoslavia and Rwanda that triggered inclusion of these violations within transitional justice mechanisms (Bassiouni and McCormick, 1996).

The media's role stems from intervenor-contributing organizations' failure to collect and publicly report accurate data on SEA allegations. Evidence-gathering and reporting on SEA is

often the responsibility of the organization which deployed the intervenors. There may be reluctance to seek out or share data that implicate one's own intervenors in SEA and tarnish one's organizational or national reputation (Westendorf and Searle, 2017). Pressure to implement policies of 'zero tolerance' may have had the unintended consequence of driving SEA underground (Grady, 2016). For the UN, there may also be an incentive to not publish data, as countries found to perpetrate high levels of SEA could be 'named and shamed' and subsequently contribute fewer peacekeepers. As the UN is dependent on these troops to make up its peacekeeping forces, there is every incentive to avoid this scenario (Neudorfer, 2014). In the aid sector, it has been found that even when victims or whistle-blowers report abuse, the absence of accountability means that these perpetrators are merely cycled through to another aid organization (International Development Committee, 2021).

Reporting SEA violations through existing channels is a difficult and convoluted process, and victims face societal, logistical, linguistic and/or geographic barriers. Victims may also lack

awareness of how to report violations. A 2021 study in the Democratic Republic of Congo flagged that out of the 48 women interviewed, only one—an employee at a humanitarian organization—was aware of local reporting mechanisms for SEA (Carter et al., 2021). An investigation in 2021 found that Oxfam officers bypassed local authorities for reporting SEA, burying allegations and preventing victims from accessing support services (International Development Committee, 2021). Victims consequently mistrust reporting to the systems which deploy intervenors. This may be owing to intervenors' perceived power, concern about retaliation, or even a lack of awareness of what violations to report. SEA reporting mechanisms currently rely on victims to come forward spontaneously. In contexts of armed conflict where sexual violence and gender-based discrimination are frequent and normalized, victims may not even identify their experiences as violations requiring redress, leading to high levels of under-reporting (Grady, 2016).

Transitional justice mechanisms cannot include what is it not known: the absence of reliable data on SEA may therefore

perpetuate the omission of SEA from transitional justice. The role of the media demonstrates the power of investigation and public outcry to trigger responses to SEA, including from intervenor-contributing organizations. Host countries could use the Women, Peace and Security framework, which applies to sexual violence in conditions of armed conflict, to justify the inclusion of SEA alongside CRSV in non-judicial transitional justice mechanisms. Transitional justice mechanisms, such as truth commissions, may then provide a space for SEA data and testimonies to be collected alongside those of CRSV. These investigations have potential to improve accountability for both SEA and CRSV, inform local and international audiences about SEA violations that have taken place, and contribute to recommendations—as in the cases of Sierra Leone and Liberia.

6. Conclusion

This chapter demonstrates the interconnection of SEA and CRSV and the ability to address them as related but separate forms of violation under the Women, Peace and Security framework, and

within mechanisms of transitional justice. Those mechanisms, however, have hitherto excluded SEA, with the exception of the Sierra Leonean and Liberian truth commissions. Barriers to inclusion of SEA include issues of criminality, jurisdiction, immunity and perpetrators. This chapter has addressed the external barriers to accountability for SEA through transitional justice; future research should consider the internal dynamics at play within intervenor-contributing countries and organizations. Future research is also needed to investigate the impact of transitional justice on gender equality, considering the implications for intervenor-contributing countries that have previously undergone transitional justice processes.

Looking forward, recognizing SEA as a serious violation alongside CRSV requires a more resolute Women, Peace and Security framework. This emphasis could include a mandate for transitional justice mechanisms—where possible, given criminality, jurisdiction, and immunity—to include SEA alongside CRSV. The framework should consider SEA and CRSV as distinct but related

issues. Doing so would prevent the tendency to subsume SEA under CRSV, thereby erasing it.

This chapter has demonstrated the ways in which issues of criminality, jurisdiction, immunity and perpetrators impede the inclusion of SEA alongside CRSV, particularly within judicial accountability mechanisms. Given the focus on 'judicial and non-judicial measures' outlined in Women, Peace and Security Resolution 2106, non-judicial mechanisms such as truth commissions and reparations systems provide the best opportunity to address both SEA and CRSV. Host countries should leverage the Women, Peace and Security framework to justify the inclusion of SEA alongside CRSV within transitional justice mechanisms, given that both fall within the framework. Transitional justice investigations should, with due respect to survivors' privacy and safety, be shared to inform local and global audiences about SEA violations, particularly given the barriers to reporting and incentives for intervenor-contributing countries and organizations to overlook investigation.

Addressing SEA and CRSV together through transitional justice mechanisms allows them to be situated along the same continuum of violence. Mechanisms may then work to identify and issue recommendations addressing how these violations compound one another and their shared underlying causes, such as economic deprivation or displacement. Failure to recognize and respond to these common underlying causes undermines accountability and prevention of post-conflict sexual violence. The Sierra Leonean and Liberian truth commissions provide, to date, the only examples of SEA being considered alongside CRSV. These two cases demonstrate that SEA and CRSV can be considered as related phenomena within transitional justice and provide a starting point for future research.

5. Conclusion

In this thesis, I examine broadly *how truth commissions have addressed gender-based violence*. To do so, I created and analyzed the first ever cross-national data – the GVTC database - on truth commissions' inclusion of gender violence, accounting for the entire universe of cases with an available final report. This database encompasses 4,640 references to gender-based violence across 50 truth commission final reports over 50 years. Although each standalone empirical chapter in this thesis addresses a unique line of enquiry, all four speak to this overarching research question. These chapters thus work together to progress understanding of patterns, limitations, and opportunities in how truth commissions address gender violence.

In this Conclusion chapter, I first summarize the findings of this thesis. I then turn to outlining further directions for this research, including ways to expand and share the GVTC database. I conclude by reflecting on this work's contributions for two main audiences: first, researchers who can utilize the original GVTC database and

its findings as a foundation for future transitional justice or gender scholarship, and second, policymakers and practitioners advocating for greater gender violence inclusion within transitional justice.

1. Summary of findings

In this thesis, I address two key themes: what truth commissions have done and opportunities for expansion. Chapter 2, **Gender Violence in Truth Commissions (GVTC): An introduction to the database**, finds that more recent truth commissions are more likely to address gender violence in their final reports. Commissions, however, still focus primarily on sexual violations against women during war. The descriptive statistics in Chapter 2 offer the first cross-national insight into gender violence inclusion across truth commissions.

Chapters 4 and 5 identify opportunities to expand truth commissions' inclusion of gender-based violence to address two forms: intimate partner violence and sexual exploitation and abuse

by international intervenors. Chapter 3, **Private violence, public 'justice'?: Addressing intimate partner violence in truth commissions,** reveals references to intimate partner violence in one-quarter of all truth commissions, despite no truth commission explicitly investigating these violations. I contend that intimate partner violence falls within the scope of transitional justice, and its inclusion is demonstrably feasible based on these existing references. Building from this, I argue for the explicit inclusion of intimate partner violence within truth commissions. In Chapter 4, **Transitional justice and the ongoing exclusion of sexual exploitation and abuse by international intervenors,** I uncover references to sexual exploitation and abuse by international intervenors in both Sierra Leone's Truth and Reconciliation Commission (2002 – 2004) and Liberia's Truth and Reconciliation Commission (2006 – 2009). Drawing from these two cases, I identify what facilitates or hinders inclusion for these violations and put forth an argument for why they should be included within truth commissions. Taken together, these two chapters offer ways to expand the scope of truth commissions and further address

gender-based violence within future transitional justice mechanisms.

The four empirical chapters in this thesis provide a multi-faceted discussion of *how truth commissions have addressed gender-based violence.* I contribute new data in the form of the GVTC database and provides an unprecedented cross-national understanding of gender-based violence inclusion across the full sample of truth commission cases. This work lays the foundation for future study and provides a new and valuable resource.

2. Contributions and impact

This thesis targets two key audiences for impact: researchers, and policymakers and practitioners. Both audiences benefit from the GVTC database as a novel data tool and from the findings of the four empirical chapters in this thesis. First, as the first cross-comparative data on gender-based violence and truth commissions, the GVTC database is a significant contribution to the field and fills a crucial gap within the broader 'quantitative turn' of transitional justice study (Stewart and Weibelhaus-Brahm, 2017). The GVTC

data and its analysis in this thesis provide a foundational understanding of how truth commissions comparatively address gender-based violence over time. Researchers may use these findings – particularly in Chapter 2– as a starting point for case study specific work, further cross-national analysis, or comparison with other transitional justice mechanisms. Given the increasing attention to gender-based violence within truth commissions and other currently ongoing research projects on this topic,[39] this thesis and its findings will have an immediate impact.

Second, this work is directly relevant to policymakers and practitioners. The GVTC database is a tool enabling cross-comparison of gender-based violence in truth commissions by time, region, country, or form of violence. This resource can help guide policymakers and practitioners seeking to understand how gender-based violence has been included in past transitional justice processes. Research demonstrates that transitional justice

[39] To the best of my knowledge, there at least two other research teams working on truth commissions and gender-based violence, albeit with different truth commission samples and different operationalizations of 'gender-based violence.' These research teams are led by Kathryn Sikkink and Elin Skaar respectively.

mechanisms, including truth commissions, are iterative and learn from past mechanisms. The GVTC database facilitates that process for truth commissions and gender violence.

This thesis can also inform practitioners and policymakers who seek to design or advocate for commissions more attentive to gender violence. By analyzing global patterns of gender violence inclusion, I highlight areas where more progress can be made, such as better investigating violations against men and boys, as well as transgender and nonbinary individuals. I also reveal gaps and opportunities for addressing gender-based violence within truth commissions. Chapters 4 and 5 identify forms of violence which unexpectedly emerge in truth commissions – intimate partner violence and sexual exploitation and abuse by international intervenors – and advocate for their intentional and direct inclusion in transitional justice processes. These are two prevalent forms of harm with long-term impact. Recognizing and responding to them through truth commissions is one way policymakers and practitioners could deepen inclusivity of and impact on gender violence within transitional settings.

3. Future directions

The contribution of this thesis is clear; there are, however, ways to build upon these findings in the future. These include expanding the GVTC database and investigating puzzles which emerged from this thesis yet are beyond the scope of this project. To better facilitate future research, I am currently creating a website to house the GVTC in its entirety and will share replication data with the *Journal of Peace Research* alongside the publication of Chapter 2 this year. This will enable other researchers to easily download and use the GVTC data. While other researchers will hopefully build upon my work, I also plan to address some of these remaining puzzles, discussed below, in future articles. I currently have an additional paper under review[40] investigating the inclusion of gender-based violence against transgender individuals in Ecuador's Truth Commission to Impede Impunity (2007 – 2009), the only commission to address gender violence against this population in a final report.

[40] Co-authored with Dr. Jamie Shenk, Harvard Kennedy School.

The GVTC data is intended as a living resource, and as such I anticipate it growing as new truth commissions are created or final reports of past commissions become available. First, I plan to include two recently completed truth commissions: Colombia's Commission for the Clarification of Truth, Coexistence and Non-repetition and Gambia's Truth, Reconciliation and Reparations Commission. I have begun the process of extracting and coding these reports. Coding final reports, however, can take several months per truth commission depending on the report's length and density of inclusion. For that reason, I was unable to include these two commissions in this thesis within the given time frame. I will include these reports, however, in future versions and analysis of the GVTC database.

Beyond the commissions in Colombia and Gambia, I identified 13 other truth commissions with unavailable final reports. Including these reports would require new access to reports or language expertise for codebook development; other researchers – particularly those with local access or linguistic expertise – could

add these commissions. To better enable such expansion, I will include the list of 'missing' reports on the GVTC website. Ongoing or future truth commissions can also be included in the GVTC database upon release of a final report, such as the pending Commission on Truth, Reconciliation and Healing in South Sudan (Human Rights Watch, 2023). Obtaining and coding additional final reports will further reinforce the database's geographic and temporal coverage and increase the utility of the GVTC database and its findings.

Furthermore, the GVTC model can be adapted and applied to other transitional justice mechanisms, such as trials or reparations schemes, which can be coded for their inclusion of gender-based violence. This would be an important step, given that transitional justice mechanisms are often implemented concurrently – for instance, a truth commission alongside a reparations scheme. This would reveal a richer picture of gender violence inclusion within truth commission processes and enable comparison between mechanisms implemented in the same settings and of mechanisms implemented in isolation versus in tandem.

Other forms of gender-based violence can also be coded for and included within the GVTC database. Several forms of harm were excluded from the GVTC database in its current form to ensure consistency and feasibility. These included sexual harassment, verbal abuse, and sex-selective massacres, as well as the two forms of violation initially coded for then cut from the current database: threatened or actual sexual violence against a relation and the use of children within torture. Future iterations of the database could be expanded to include these violations.

Finally, this thesis speaks to how gender violence has been addressed in truth commissions, but it is beyond the scope of this project to engage with implementation. My findings thus introduce new puzzles on the interplay of inclusion and impact. Examples of such puzzles are whether truth commissions which address gender violence to a greater degree better reduce or prevent post-conflict gender violence, as well as how inclusion matches the preferences of victims and survivors of gender-based violence.

In Chapter 2, I explore patterns of adoption in gender violence inclusion. This analysis, however, does not speak to impact or implementation. For instance, a country may create a truth commission which robustly addresses gender-based violence yet fails to enact recommendations on gender violence or otherwise translate that final report into action. Future research could test impact or implementation rate alongside inclusion data from the GVTC database. This is particularly salient given research suggesting truth commissions do not always translate their findings and recommendations into direct impact (Robins et al., 2022; Weah, 2012), although limited research suggests a correlation between transitional justice mechanisms and improved gender-based violence outcomes (Rubin, 2020). In Chapters 4 and 5, I develop a theoretical argument for the inclusion of intimate partner violence and sexual exploitation and abuse within truth commissions and use data from past commissions to demonstrate the feasibility of such inclusion. Any practical steps to address these violations in truth commissions must be victim-centered and victim-informed, necessitating further research. Qualitative research could also assess how accountability via truth

commissions aligns with victims' preferences for recognition and redress.

Looking forward, this thesis and the GVTC database are vital first steps in the cross-national empirical study of gender-based violence and transitional justice. There are many exciting ways for myself and other researchers to expand upon the GVTC data and the puzzles raised by this thesis' findings. Identifying these additional lines of enquiry is yet another contribution this project makes to scholarship on gender violence and transitional justice. Most importantly, this work will hopefully have a positive impact on recognizing, researching, and improving gender-based violence inclusion within transitional justice mechanisms. As noted in the opening of this thesis, you can't improve what you don't measure. This thesis and the GVTC database thus advance progress towards transitional justice mechanisms more inclusive of victims and survivors of gender-based violence.

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LIST OF INTERVIEWS

Below are listed the interviews undertaken to contextualize the GVTC database and its findings. All interviews were conducted remotely from Oxford, United Kingdom.

Interview (2 June 2022) *Sierra Leone*
Interview (2 June 2022) *Sierra Leone*
Interview (3 June 2022) *Liberia*
Interview (15 June 2022) *Liberia*
Interview (21 June 2022) *East Timor*
Interview (23 June 2022) *East Timor*

APPENDIX

Appendix A: Full list of truth commissions

Country, year	Region	Truth commission name	Inclusion in GVTC database	Number of GBV references	Forms of violation
1972, Pakistan	Asia	The War Inquiry	Yes, complete	7	Rape
1974, Uganda	Africa	Commission of Inquiry into the Disappearance of People in Uganda since the 25th of January	Yes, complete	1	Rape
1980, USA	North America	Commission on Wartime Relocation and Internment of Civilians	Yes, complete	3	Rape, forced prostitution, obstetric violence
1982, Bolivia	Latin America and the Caribbean	National Commission of Inquiry into Disappearance	No, no report released		
1983, Argentina	Latin America and the Caribbean	National Commission on the Disappeared	Yes, complete	26	Rape, gang rape, sexual torture, forced abortion or sterilization, obstetric violence, menstruation as torture
1983, Zimbabwe	Africa	Commission of Inquiry into the 1980's Disturbances in Matabeleland & The Midlands	No, no official report published		

1985, Uruguay	Latin America and the Caribbean	Investigative Commission on the Situation of 'Disappeared' People and its Causes"	Yes, complete	23	Rape, sexual slavery or forced marriage, forced prostitution, forced abortion or sterilization, forced pregnancy, general sexual violence
1986, The Philippines	Asia	Presidential Committee on Human Rights	No, no report released		
1990, Chile	Latin America and the Caribbean	Rettig Commission	Yes, complete	8	Rape, gang rape, sexual torture, general sexual violence
1990, Chad	Africa	The Commission of Inquiry into the Crimes and Misappropriations Committed by Ex-President Habré, His Accomplices and/or Accessories	Yes, complete	0	N/A
1990, South Africa	Africa	Harms Commission	Yes, complete	0	N/A
1990, Nepal	Asia	Commission on Inquiry to Find the Disappeared Persons during the Panchayat Period	No, unavailable		
1991, Estonia	Europe	International Commission for the Investigation of Crimes Against Humanity	Yes, complete	2	Rape
1992, El Salvador	Latin America and the Caribbean	Truth Commission for El Salvador	Yes, complete	3	Rape

1992, Germany	Europe	Commission of Inquiry for the Assessment of History and Consequences of the SED Dictatorship in Germany	No, unavailable		
1993, Rwanda	Africa	International Commission of Investigation on Human Rights Violations	Yes, complete	7	Rape
1993, Zambia	Africa	Munyama Human Rights Commission	Yes, complete	11	Rape, sexual torture, intimate partner violence, economic violence
1993, Ethiopia	Africa	The Special Prosecution Process in Ethiopia by the Office of the Special Prosecutor	Yes, complete	0	N/A
1993, Honduras	Latin America and the Caribbean	Commission of Inquiry: National Commissioner for the Protection of Human Rights	Yes, complete	0	N/A
1994, Sri Lanka	Asia	Presidential Commission of Inquiry into the Involuntary Removal or Disappearance of Certain Persons (combination of all four sub-commissions)	Yes, complete	30	Rape, gang rape, sexual torture, sexual exploitation and abuse, economic violence, general sexual violence
1995, Haiti	Latin America and the Caribbean	National Truth and Justice Commission	Yes, complete	85	Rape, gang rape, sexual torture, general sexual violence

1995, South Africa	Africa	Commission of Truth and Reconciliation	Yes, complete	282	Rape, gang rape, sexual torture, sexual mutilation, forced prostitution, forced abortion or sterilization, obstetric violence, intimate partner violence, menstruation as torture, general sexual violence
1995, Burundi	Africa	International Commission of Inquiry for Burundi	Yes, complete	1	Rape
1995, Germany	Europe	Commission of Inquiry for the Assessment of History and Consequences of the SED Dictatorship in Germany	No, unavailable in its entirety		
1995, Germany	Europe	Commission of Inquiry on Overcoming the Consequences of the SED Dictatorship in Process of German Unity	No, unavailable in its entirety		
1996, Ecuador	Latin America and the Caribbean	Truth and Justice Commission	No, no report released		
1997, Guatemala	Latin America and the Caribbean	Commission for Historical Clarification	Yes, complete	605	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual

					mutilation, forced abortion or sterilization, intimate partner violence, economic violence, general sexual violence
1998, Lithuania	Europe	The International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania	Yes, complete	1	Rape
1999, East Timor	Asia	International Commission of Inquiry on East Timor	Yes, complete	13	Rape, gang rape, sexual torture, sexual slavery or forced marriage, general sexual violence
1999, Nigeria	Africa	The Judicial Commission for the Investigation of Human Rights Violations (Oputa Panel)	Yes, complete	36	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, sexual exploitation and abuse, forced abortion or sterilization, intimate partner violence, general sexual violence

2000, Grenada	Latin America and the Caribbean	Grenadian Truth and Reconciliation Commission	Yes, complete	1	Sexual mutilation
2000, South Korea	Asia	National Committee for Investigation of the Truth about the Jeju April 3rd Event	Yes, complete	14	Rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced abortion or sterilization, intimate partner violence, general sexual violence
2000, South Korea	Asia	Presidential Commission on Suspicious Deaths	Yes, complete	0	N/A
2000, Uruguay	Latin America and the Caribbean	Peace Commission	Yes, complete	0	N/A
2001, Peru	Latin America and the Caribbean	Commission for Truth and Reconciliation	Yes, complete	231	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced prostitution, sexual exploitation and abuse, forced abortion or sterilization, intimate partner violence, menstruation as torture, general

					sexual violence
2001, Panama	Latin America and the Caribbean	Truth Commission of Panama	No, unavailable		
2002, East Timor	Asia	Commission for Reception, Truth, and Reconciliation	Yes, complete	939	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual exploitation and abuse, forced abortion or sterilization, intimate partner violence, menstruation as torture, general sexual violence
2002, Sierra Leone	Africa	Truth and Reconciliation Commission	Yes, complete	785	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced prostitution, sexual exploitation and abuse, forced

					abortion or sterilization, forced pregnancy, intimate partner violence, economic violence, general sexual violence
2002, Serbia & Montenegro	Europe	Commission for Truth and Reconciliation	No, no report released		
2003, Chile	Latin America and the Caribbean	Valech Commission	Yes, complete	149	Rape, gang rape, sexual torture, sexual mutilation, forced abortion or sterilization, obstetric violence, intimate partner violence, general sexual violence
2003, Ghana	Africa	National Reconciliation Commission	Yes, complete	8	Rape, gang rape, sexual torture, sexual mutilation, general sexual violence
2003, Algeria	Africa	Ad Hoc Inquiry Commission in Charge of the Question of Disappearances	No, unavailable		
2003, Central African Republic	Africa	Truth and Reconciliation Commission	No, unavailable		

2004, Morocco	Africa	Equity and Reconciliation Commission	Yes, complete	18	Rape, sexual torture, sexual exploitation and abuse, forced abortion or sterilization, obstetric violence, menstruation as torture, general sexual violence
2004, Paraguay	Latin America and the Caribbean	Truth and Justice Commission	Yes, complete	39	Rape, sexual torture, sexual slavery or forced marriage, forced abortion or sterilization, forced pregnancy, obstetric violence, general sexual violence
2004, DRC	Africa	Administrative Report only: Final Report of Activities from July 2003 to February 2007	Yes, complete	3	Rape, general sexual violence
2004, USA	North America	Greensboro Truth and Reconciliation Commission	Yes, complete	0	N/A
2005, East Timor	Asia	The Commission on Truth and Friendship in Timor-Leste	Yes, complete	111	Rape, gang rape, sexual slavery or forced marriage, forced pregnancy, sexual exploitation and abuse, forced

					abortion or sterilization, forced pregnancy, general sexual violence
2005, South Korea	Asia	Truth and Reconciliation Commission	Yes, complete	3	Sexual slavery or forced marriage, forced abortion or sterilization, general sexual violence
2006, Liberia	Africa	Truth and Reconciliation Commission	Yes, complete	416	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced prostitution, sexual exploitation and abuse, forced abortion or sterilization, forced pregnancy, obstetric violence, intimate partner violence, economic violence, general sexual violence

2007, Ecuador	Latin America and the Caribbean	Truth Commission to Impede Impunity	Yes, complete	153	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced prostitution, sexual exploitation and abuse, forced abortion or sterilization, forced pregnancy, obstetric violence, intimate partner violence, menstruation as torture, general sexual violence
2008, Canada	North America	Truth and Reconciliation Commission	Yes, complete	37	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual exploitation and abuse, general sexual violence

2009, Kenya	Africa	Truth, Justice, and Reconciliation Commission	Yes, complete	210	Rape, gang rape, sexual torture, sexual slavery or forced marriage, sexual mutilation, forced prostitution, sexual exploitation and abuse, forced abortion or sterilization, obstetric violence, intimate partner violence, economic violence, general sexual violence
2009, Mauritius	Africa	Truth and Justice Commission	Yes, incomplete	7	Rape, sexual torture, sexual exploitation and abuse, forced pregnancy
2009, Togo	Africa	Truth, Justice, and Reconciliation Commission	Yes, complete	16	Rape, gang rape, general sexual violence
2009, Solomon Islands	Oceania	Truth and Reconciliation Commission	Yes, partial	186	Rape, gang rape, sexual torture, sexual slavery or forced marriage, forced prostitution, sexual exploitation and abuse, forced abortion or

					sterilization, forced pregnancy, intimate partner violence, general sexual violence
2010, Honduras	Latin America and the Caribbean	Truth and Reconciliation Commission	Yes, complete	14	Rape, gang rape, sexual torture, forced prostitution, general sexual violence
2010, Thailand	Asia	Truth and Reconciliation Commission of Thailand	Yes, complete	2	Rape, gang rape
2011, Cote d'Ivoire	Africa	Commission for Dialogue, Truth, and Reconciliation	Yes, complete	11	Rape, sexual torture, general sexual violence
2012, Brazil	Latin America and the Caribbean	National Truth Commission	Yes, complete	55	Rape, sexual torture, sexual mutilation, forced prostitution, forced abortion or sterilization
2013, Tunisia	Africa	Truth & Dignity Commission	Yes, complete	85	Rape, sexual torture, sexual slavery or forced marriage, forced abortion or sterilization, economic violence, general sexual violence

2014, Nepal	Asia	Truth and Reconciliation Commission and Commission of Inquiry on Enforced Disappeared Persons	No, unavailable		
2018, Colombia	Latin America and the Caribbean	Commission for the Clarification of Truth, Coexistence and Non-repetition	No, to be completed		
2018, The Gambia	Africa	Truth, Reconciliation and Reparations Commission	No, report released in 2022 and coding in progress		
2018, Taiwan	Asia	Transitional Justice Commission	No, completed May 2022 with report not yet available		

Appendix B: Comparative lists of truth commissions

Country	Truth Commission	Dancy et al., 2010	Hayner, 2011	Hayner, 1994	Payne et al., 2020	Transitional Justice Research Collaborative
Algeria	Ad Hoc Inquiry Commission in Charge of the Question of Disappearances	**X**			**X**	**X**
Argentina	National Commission for the Disappearance of Persons (CONADEP)	**X**	**X**	**X**	**X**	**X**

Bosnia and Herzegovina	Commission for the Investigation of the Events in and around Srebrenica between 10 and 19 July 1995					**X**
Bolivia	National Commission of Inquiry into Disappearances	**X**	**X**	**X**	**X**	
Brazil	National Truth Commission				**X**	**X**
Burkina Faso	Commission of Inquiry into Norbert Zongo's Murder					**X**
Burundi	International Commission of Inquiry for Burundi	**X**				**X**
Canada	Truth and Reconciliation Commission		**X**			**X**
Central African Republic	Truth and Reconciliation Commission	**X**				**X**
Chad	The Commission of Inquiry into the Crimes and Misappropriations Committed by Ex-President Habré, His Accomplices and/or Accessories	**X**	**X**	**X**	**X**	**X**
Chile	Rettig Commission	**X**	**X**	**X**	**X**	**X**
Chile	Valech Commission		**X**		**X**	**X**
Cote D'Ivoire	Commission for Dialogue, Truth,				**X**	

	and Reconciliation					
Democratic Republic of Congo	Administrative Report only: Final Report of Activities from July 2003 to February 2007	**X**	**X**		**X**	**X**
Ecuador	Truth and Justice Commission	**X**	**X**		**X**	**X**
Ecuador	Truth Commission to Prevent Impunity		**X**		**X**	**X**
Egypt	Fact Finding Commission				**X**	
El Salvador	Truth Commission for El Salvador	**X**	**X**	**X**	**X**	**X**
Estonia	International Commission for the Investigation of Crimes Against Humanity				**X**	**X**
Ethiopia	The Special Prosecution Process in Ethiopia by the Office of the Special Prosecutor				**X**	**X**
Germany	Commission of Inquiry for the Assessment of History and Consequences of the SED Dictatorship in Germany	**X**	**X**	**X**	**X**	**X**
Germany	Commission of Inquiry on Overcoming the Consequences of the SED Dictatorship in Process of German Unity		**X**		**X**	**X**
Ghana	National Reconciliation Commission	**X**	**X**		**X**	**X**

Grenada	Grenadian Truth and Reconciliation Commission					**X**
Guatemala	Commission for Historical Clarification	**X**	**X**		**X**	**X**
Haiti	National Commission for Truth and Justice	**X**	**X**		**X**	**X**
Honduras	Commission of Inquiry: National Commissioner for the Protection of Human Rights		**X**		**X**	**X**
Honduras	Commission for Truth and Reconciliation				**X**	
India	Shah Commission of Inquiry					**X**
Indonesia	Commission for Human Rights Violations in East Timor	**X**				
Kenya	Truth, Justice, and Reconciliation Commission		**X**		**X**	**X**
Lebanon	Official Commission of Investigation into the Fate of the Abducted and Disappeared Persons					**X**
Lebanon	Commission of Investigation into the Fate of the Abducted and Disappeared Persons					**X**
Lebanon	International Independent Investigation Commission Established Pursuant to Security Council Resolution 1595				**X**	**X**

Lebanon	Lebanese-Syrian Commission (UN International Independent Investigative Commission)		**X**		**X**	**X**
Liberia	Truth and Reconciliation Commission	**X**	**X**		**X**	**X**
Lithuania	The International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania				**X**	**X**
Mauritius	Truth and Justice Commission		**X**			**X**
Morocco	Equity and Reconciliation Commission	**X**				**X**
Nepal	Commission on Inquiry to Find the Disappeared Persons during the Panchayat Period	**X**	**X**		**X**	**X**
Nepal	Truth and Reconciliation Commission and Commission of Inquiry on Enforced Disappeared Persons					
Nigeria	The Judicial Commission for the Investigation of Human Rights Violations (Oputa Panel)	**X**			**X**	**X**
Nigeria	International Independent Investigation Commission Established Pursuant to Security Council Resolution 1595				**X**	

Pakistan	The War Inquiry		**X**		**X**	**X**
Panama	Panama Truth Commission	**X**	**X**		**X**	**X**
Paraguay	Truth and Justice Commission	**X**	**X**		**X**	**X**
Peru	Truth and Reconciliation Commission	**X**			**X**	**X**
The Philippines	Presidential Committee on Human Rights		**X**	**X**	**X**	**X**
Rwanda	International Commission of Investigation on Human Rights Violations		**X**	**X**		**X**
Serbia & Montenegro	Commission for Truth and Reconciliation	**X**				**X**
Sierra Leone	Truth and Reconciliation Commission	**X**	**X**		**X**	**X**
Solomon Islands	Truth and Reconciliation Commission		**X**			**X**
South Africa	Harms Commission				**X**	**X**
South Africa	Commission of Inquiry into Public Violence and Intimidation (Goldstone Commission)					**X**
South Africa	Commission of Enquiry into Complains by Former African National Congress Prisoners and Detainees ("The Skweyiya Commission")			**X**		

South Africa	Commission of Enquiry into Certain Allegations of Cruelty and Human Rights Abuse against ANC Prisoners and Detainees by ANC Members ("The Motseunyane Commission")			**X**		
South Africa	Commission of Truth and Reconciliation	**X**	**X**		**X**	**X**
South Korea	National Committee for Investigation of the Truth about the Jeju April 3rd Event	**X**	**X**		**X**	**X**
South Korea	Presidential Commission on Suspicious Deaths	**X**	**X**		**X**	**X**
South Korea	Truth and Reconciliation Commission		**X**		**X**	
Sri Lanka	Presidential Commission of Inquiry into the Involuntary Removal or Disappearance of Certain Persons (All Island)	**X**	**X**			
Sri Lanka	Presidential Commission of Inquiry into the Involuntary Removal or Disappearance of Persons in the Central, North Western, North Central and Uva Provinces					**X**

Sri Lanka	Presidential Commission of Inquiry into Involuntary Removal or Disappearance of Persons in the Northern and Eastern Provinces	**X**	**X**			**X**
Sri Lanka	Presidential Commission of Inquiry into Involuntary Removal or Disappearance of Persons in the Western, Southern, Sabaragamuwa	**X**				**X**
Sri Lanka	Lessons Learnt and Reconciliation Commission					
Thailand	Truth and Reconciliation Commission of Thailand		**X**		**X**	**X**
Timor-Leste (East Timor)	Commission for Reception, Truth, and Reconciliation	**X**	**X**		**X**	
Timor-Leste (East Timor) & Indonesia	The Commission on Truth and Friendship in Timor-Leste	**X**			**1**	**X**
Timor-Leste (East Timor)	International Commission of Inquiry on East Timor		**X**		**X**	
Togo	Truth, Justice, and Reconciliation Commission					**X**
Tunisia	Truth & Dignity Commission		**X**		**X**	
Uganda	Commission of Inquiry into the Disappearance of People in Uganda since the 25th of January	**X**	**X**	**X**		**X**

Uganda	Commission of Inquiry into Violations of Human Rights	**X**	**X**	**X**		**X**
UK	The Bloody Sunday Inquiry					**X**
Uruguay	Parliamentary Investigative Commission on the Situation of Disappeared Persons and its Causes	**1**		**X**	**X**	**X**
Uruguay	Investigate Commission on the Kidnapping and Assassination of Former National Representative Zelmar Michelini and Hector Gutierrez-Ruiz		**X**		**X**	**X**
Uruguay	Investigate Commission Requested by Senator Juan Carlos Blanco Regarding His Conduct in the Ministry of External Relations in the Case of Elena Quinteros		**X**		**X**	**X**
Uruguay	Peace Commission	**X**			**X**	**X**
USA	Commission on Wartime Relocation and Internment of Civilians					**X**
USA	Greensboro Truth and Reconciliation Commission		**X**			**X**
Federal Republic of Yugoslavia	Commission for Truth and Reconciliation				**X**	

Zambia	The Chitepo Commission					**X**
Zambia	Munyama Human Rights Commission		**X**		**X**	
Zimbabwe	Commission of Inquiry into the 1980's Disturbances in Matabeleland & The Midlands	**X**		**X**		**X**

Appendix C: Further defining gender-based violence

This section provides further insight into how each form of gender-based violence is defined and coded within the GVTC database. Operationalizations of gender violence differ based on the actor and intention behind the definition, and research on gender violence may differ in what forms of violence are classified as 'gender-based' and how those violations are specifically defined. While this is broadly addressed in the main body of this thesis, this section provides additional detail helpful to ensure understanding and accuracy when applying or replicating the GVTC data.

Rape is defined as penetration of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital

opening of the victim with any object or any other part of the body. The invasion must have been committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent. 'Repeated' rapes or 'multiple' rapes are coded in the GVTC as 'rape,' unless clearly distinguished as gang rape.

Gang rape is defined as rape by more than one individual at one time or in immediate succession. This is indicated by explicit labelling within the truth commission, or by testimony/description which reveals more than one assailant against one victim-survivor during one instance of violation – for instance, if a woman is described as being raped by 'soldiers' or 'members of the army' the plural indicates that a gang rape occurred. If there is more than one victim-survivor, this cannot be accurately inferred as soldiers could mean two perpetrators violating two individuals, and this is instead coded as rape.

Sexual torture includes any form of torture that is sexual in nature but does not meet the threshold for another form of violation, such as *rape*. Torture includes 'any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity' (UN, 1984). Forced nudity, although often part of torture, is not coded as sexual torture as it does not meet the threshold for gender-based violence. Sexual torture is also coded for only if it is explicitly named or described – for instance, saying an electric prod was used 'all over' doesn't qualify, even though it could reasonably be assumed this involved the genitals.

For instance, the following excerpt does not meet the threshold for sexual torture:

> All kinds of abuse were inflicted on these intellectuals during their detention at the National Gendarmerie Camp. After the arrests came harsh interrogations followed by caning, humiliation and other forms of torture including torture by electric shock, that is, the use of electric current in contact with the most sensitive parts of the body (Argentina's CONADEP).

While one could guess that the 'most sensitive' areas of the body described include the genitals, it cannot be ascertained for certain and thus sexual torture cannot be coded. Beatings of the buttocks also do not count as sexual torture unless combined with another form of violation or otherwise sexualized in an extreme manner. Buttocks do not constitute genitals and therefore physical violence against them do not meet the threshold for sexual torture.

Forced marriage or sexual slavery occurs when the perpetrator 'exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty' (Cohen, 2016). The perpetrator caused such person or persons to engage in one or

more acts of a sexual nature. This includes forced marital unions, including marriage resulting from kidnap, the use of 'bush wives,' or other coerced marital arrangements. Being held for a sustained period of time for the purpose of sexual exploitation is coded as sexual slavery, since it involves both a deprivation of liberty and the forced engagement in 'one or more acts of a sexual nature.' For instance, being kidnapped and raped over several days or weeks would be coded as forced marriage or sexual slavery rather than *rape* or *gang rape.* This is distinct, however, from a rape which occurs in the context of detention – for instance, a woman being detained in a prison who is then raped by a guard is not being held for the purpose of sexual exploitation and is not, therefore, sexually enslaved. Sexual slavery is coded only when the deprivation of liberty is clearly to facilitate sexual acts. For instance, the Guatemalan Commission for Historical Clarification describes how:

> Several women accused of being guerrillas were detained for six months in the Uspantán convent, occupied by the Army: 'At night the soldiers entered to rape the young ladies.'

In this case, the women are being held based on accusations of their group identity as guerrillas, rather than for the explicit purchase of sexual enslavement. These violations would therefore be coded as *rape* within a context of detention. In contrast, the following example from East Timor's Commission for Reception, Truth, and Reconciliation meets the definitional requirements for sexual slavery:

> In 1987, in the village of Matohoi (Uatu-Lari, Viqueque), NI was threatened with a knife to accept the sexual advances of a member of Special Forces Command Chandrasa-7 by the name of PS304. Because two of her family members were still in the forest… NI entered a situation of domestic sexual slavery. She had a child from this relationship.

Finally, coding a violation as sexual slavery or forced marriage does not automatically require coding the person as 'detainee' for group membership or coding 'detainment' for context. Unless words like 'abducted' or 'captured' are used to indicate detainment, these are not automatically triggered by the coding of sexual slavery or forced marriage. Sexual arrangements in transitional settings may be complicated and raise complex questions of agency. For instance, individuals may become a 'partner' or 'wife'

to one combatant to avoid being raped by multiple fighters, or individuals may 'choose' to stay with a 'bush husband' once fighting ends. In such cases, the victim may not technically be detained or imprisoned; however, such choices may be made under duress which muddies consent. These cases raise interesting ethical questions which could be examined using GVTC data in the future.

Sexual mutilation is the permanent disfiguration, including but not limited to cutting/severing of breasts or genitals. The conduct may have caused death or seriously endangered the physical or mental health of affected person or persons. Cultural forms of mutilation – for instance, female genital mutilation – are not coded in the database. Note that nonconsensual castration resulting from the removal of external genitals is coded as sexual mutilation rather than as forced sterilization or abortion, given the risk of death from dismemberment. Sexual mutilation can be distinguished from sexual torture 'in that it involves the permanent damage and scarring of reproductive organs' (Cohen, 2016).

Forced prostitution occurs when the perpetrator or another person obtained or expected to obtain pecuniary or other advantage in exchange for or in connection with the acts of a sexual nature (Cohen, 2016). Instances where 'prostitution' or other forms of sex work are mentioned but participation is not forced do not meet the criteria for inclusion in the database. Cases where individuals are described as 'forced' into prostitution by structural factors, like poverty, are also excluded. While these cases are interesting and warrant further study, they do not meet the threshold for gender-based violence. Instead, they may instead reflect structural or gendered inequalities within the given context.

Sexual exploitation or abuse refers to 'actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions, while sexual exploitation includes any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another' (UNHCR, 2023). This is distinct from other forms of gender-based violence, particularly in the role of agency and

consent as women this category encapsulates transactional or other forms of exchange for sex. Sexual exploitation is in some cases used as a synonym for other forms of violation – for instance, rape. These uses are not coded as *sexual exploitation or abuse*, as they do not reflect the operationalization of 'sexual exploitation and abuse' used in this dataset.

Forced sterilization includes any denial of reproductive capability, including forced medical sterilization or abuse which results in an inability to procreate and forced medical abortion or abuse which results in an unwanted miscarriage. For instance, torture of a pregnant woman which results in a miscarriage would be coded as forced sterilization or abortion. The forced use of birth control, while an infringement upon bodily autonomy, is not coded as forced sterilization or abortion as it is not permanent sterilization. This category may overlap with *sexual mutilation* when the mutilation results in an inability to have children (e.g., cutting off testicles). In these cases, the primary violation should be coded for based on the context. If the mutilation occurred to prevent reproduction, it is coded as *forced sterilization or abortion*. If

sterilization is a secondary impact or byproduct of the mutilation, then it is coded as *sexual mutilation.* This category does not include miscarriages which result from trauma, anxiety, or fear.

Forced pregnancy is defined as the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy. This definition is not restricted to only forced pregnancy intended to impact ethnic composition; 'grave violations' could also include torture of the victim. This dataset does not code a pregnancy resulting from rape as a forced pregnancy unless the victim-survivor is confined or otherwise prevented from accessing contraception or abortive services by the perpetrator. Any instance of pregnancy which results from sexual slavery or forced marriage is coded as a forced pregnancy since the victim-survivor is confined and therefore unable to seek abortive services if wanted.

Obstetric violence includes the purposeful denial of medical care or aid during pregnancy or birth which results in harm to the mother and/or child, and/or the forcing of certain practices related to birth (for instance, a forced Caesarian section). This does include conditions which passively negatively influence obstetric health. For instance, giving birth in prison does not on its own constitute obstetric violence. Giving birth in a prison where healthcare is denied, the mother is abused or tortured during labor, or medication is withheld does constitute obstetric violence. Giving birth while blindfolded or with guards/soldiers present does not constitute obstetric violence on its own. The beating or other physical abuse of pregnant women does not constitute obstetric violence unless it is part of the birth process. If such abuse results in a miscarriage, it is coded as *forced sterilization or forced abortion.* This category is intended to capture gendered violence specific to the pregnancy and birthing process, and the weaponization of pregnancy and birth as a way to inflict torture, harm, or even death to the victim.

Intimate partner violence includes sexual, physical, economic, or psychological violence which occurs between intimate partners

that does not meet the threshold for another form of codified violence. These violations typically emerged in truth commissions during testimony on the impact of trauma or violence – e.g., former combatants abusing their wives upon their return home. Acts of violence between intimate partners which reach the threshold for other forms of codified violence in the database are coded as such. For instance, if a truth commission describes a husband raping his wife, that would be coded as *rape*. This category is intended to capture domestic violence which would not otherwise be included in the database under other categories of violation.

Economic violence encompasses economic harm that is gendered; controls or limits the ability to gain, use, and sustain economic resources; and results from direct and specific action by an individual or entity (e.g., the army). The requirement for direct action is a key part of defining this violation. A truth commission reporting on gendered economic inequality or the feminization of poverty does not meet this threshold as it reflects structural inequalities rather than direct violation. For instance, the following excerpt from the Liberian Truth and Reconciliation Commission

would not meet the threshold for inclusion as economic violence as there is no direct action by an individual or entity and thereby does *not* count as a form of violence by definition of this database:

> The Economy Fifty-four percent of the total informal and formal labor forces are women, 90% of whom are workers and are found in the low productivity sectors of informal and agricultural work. Although agriculture accounted for 56% of Liberia's GDP in 2007 it is anticipated that it will decline with the ascendant domination of the forestry and mining sectors in economic growth. This will drastically accelerate the feminization of poverty as women are an overwhelming majority in the informal agricultural sector.

The loss of a breadwinner – for instance, through detainment, disappearance, or arbitrary execution – is also not coded as economic violence as it is not a direct and specific violation, but rather an impact resulting from another form of human rights violation.

Menstruation as a form of torture is operationalized specifically for the GVTC database; this has, to the best of knowledge, never before been operationalized as a form of gender-based violence. This includes any instance in which menstruation is incorporated into or weaponized as a form of torture, abuse, or other mistreatment. This

often emerges in discussion of detainment and the denial of hygiene facilities for menstruating women.

Finally, sexual violations which do not fit into the aforementioned categories of violence are coded as *general sexual violence.* This encompasses general statements on gender-based violence which are not violation-specific. For instance, a truth commission stating that it 'documented widespread gender-based violence' or 'sexual violence' would be included as such. 'Violence against women' alone does not meet the threshold for this, as any act of violence perpetrated against a woman may not necessarily be gender-based – for instance, the killing of a woman during a massacre.

Appendix D: Statistical Testing

Previous iterations of this thesis utilized statistical methods to test the relationship between truth commissions' inclusion of gender-based violence as part of Chapter 2. This section is included to detail what tests were conducted as well as why statistical testing was ultimately not included in the final version of the thesis.

Several limitations, including endogeneity concerns and lack of available data, meant this this testing was ultimately left out of the thesis. This testing is included here, however, as reference for future researchers looking to expand on this thesis' work including through the possible use of statistical methods. Importantly, detailing these statistical methods acknowledge that statistical testing of the GVTC database was not overlooked. Rather, such testing was completed and intentionally excluded from the final version of the thesis.

Testing was done in Stata using logistical regressions initially using a four-level Robustness variable. The data was originally tested using an ordinal logistic regression. However, this data was found to violate the proportional odds assumption as a Brant test was significant (Agresti, 2013). The data was also found to fail a likelihood ratio test conducted using an omodel test. Robustness was then recoded as a binary variable, with '0' representing a truth commission with none or limited inclusion of gender-based violence and '1' representing moderate or comprehensive inclusion (robust_nl). Splitting robustness in this way best captures robust

adoption, as many of the cases of limited robustness have only one or two references to gender-based violence, in some cases which are incidental. While some granularity is lost without the ordinal dependent variable, a binary dependent variable in this way best tests the factors which influence a truth commission to more robustly address gender-based violence.

Drawing from the theoretical framework and descriptive statistics, independent variables for consideration include timing, transition type, mandate, the presence of women commissioners, women's mobilization. Timing was coded as the distance from 2022, rather than start year, to better account for a truth commission's recency given literature which suggests truth commissions – and transitional justice mechanisms broadly – increasingly address gender-based violence due to continuously evolving norms on gender and gender violence (change_time). Additional timing variables accounting for the first year and last year investigated by the truth commission were dropped due to high multicollinearity. Transition type was coded as a binary variable with '0' representing post-authoritarian or democratic truth commissions and '1'

representing post-armed conflict truth commissions. This variable (conflict) was coded in this way drawing from literature which suggests truth commissions following conflict are likely to have greater inclusion gender-based violence compared to truth commissions following other types of transitions. Mandate was coded as a binary variable indicating whether or not the truth commission's mandate addressed gender-based violence (mandate). The presence of women truth commissions was coded to reflect the percentage of total commissioners who were women (wom_comm). Region was coded as a categorical variable reflecting the global region in which the truth commission was implemented (region).

Finally, women's mobilization was coded as two variables accounting for the average number of women's protest events during the years investigated by the truth commission and the average number of women's protest events during years the truth commission was implemented. Women's mobilization data was dropped, however, as testing revealed it over specified the model given the small sample size (N = 43), made smaller given the

limitations of the available data on women's protest movements which did not contain data for all truth commission cases (Murdie & Peksen, 2015). Given the theoretical underpinnings of this variable, this remains a rich area for future research through the development of more expansive mobilization data or through qualitative case-study specific research. Coding for women's INGO linkages from the same dataset resulted in the same problem and was therefore also dropped (Murdie & Peksen, 2015).

Variables were tested for multicollinearity at each stage of testing using a correlation matrix. For the final model, no variable had multicollinearity higher than 0.4824. As this is only moderate correlation, analysis with these variables proceeded. A logistic regression was run predicting robust_nl. This model found the percentage of women commissions to be significant (p=0.026). Region was dropped at several levels likely because they had only one type of truth commission. This model was then tested for goodness of fit using Hosmer and Lemeshow's test (Fagerland & Hosmer, 2012). This test has a higher than significant p-value, suggesting the data fits the model well. The model also had no

specification errors as a linktest did not reveal any significant values.

The log odds for women commissioners, the only statistically significant variable, was then calculated. A 1 percent increase in the number of women commissioners results in a 0.124 unit increase in the log odds. Calculating the odds ratios reveal that for every percentage increase in women commissioners, there is a 1.13 percent higher change of moving to moderate/comprehensive inclusion. While this may at first seem small, this increases in magnitude as truth commissions typically have small number of commissioners.

Predicted probabilities were calculated to capture the influence of the percentage of women commissioners ranging from none to 70 percent of total commissioners. 70 percent was the highest percentage of women commissioners reported (which commission); no other commission had more than half women commissioners. Holding all other factors constant, the predicted probability for inclusion (moderate or comprehensive) is 0.09 with

no women commissioners, but rises to 0.97 with 70 percent women commissioners. The predicted probability increases of moderate/comprehensive robustness increases with every 10 percent increase in representation of women commissioners.

The level of reported gender-based violence based on transition type was considered to the best of ability. Testing for the prevalence of gender-based violence, however, is difficult. Data is limited, and the data that does exist suffers from underreporting. The level of sexual violence as documented in the Sexual Violence in Armed Conflict dataset (Cohen, 2016) was coded for each truth commission where available. This dataset reports incidences of sexual violence as 'none,' 'isolated,' 'numerous,' or 'massive.' Looking at the three truth commissions with comprehensive inclusion, 'massive' sexual violence was reported only in Sierra Leone. Liberia was reported as 'numerous' and there was no data for East Timor. 'Massive' sexual violence also does not correlate directly to more robust inclusion; massive sexual violence was reported in Cote d'Ivoire yet the subsequent truth commission had only limited inclusion.

Widespread and systematic gender-based violence is also documented during authoritarian regimes. This underscores the question of why only post-conflict truth commissions report comprehensive inclusion. One possible explanation for this is how the truth commission operationalizes gender-based violence. Existing frameworks for understanding gender-based violence are largely rooted in international human rights law based on wartime sexual violence. Transplanting these frameworks into transitional justice mechanisms, like truth commissions, may privilege identification and investigation of gender-based violence, such as rape, which fits those scripts. Authoritarian regimes may report different patterns of violence, meaning these scripts may exclude some of the gender-based violence which occurred. More research is needed to understand variance in gender-based violence during armed conflict and authoritarian regimes.

Although this statistical testing is not ultimately used in this thesis' empirical chapters, undertaking this line of enquiry facilitated clear and methodical thinking on what factors may influence truth

commissions' inclusion of gender-based violence and through what pathways. This overview of the statistical testing is included here to provide insight to future researchers looking to use similar methods, alerting them to the decisions and obstacles faced.

Appendix E: Codebooks for creating the GVTC database

This section details the keywords in English, Spanish, French and Portuguese used to locate and extract relevant text from truth commission final reports. Keywords were developed and cross-checked with native speakers to ensure their linguistic and contextual accuracy.

1. English:

For English language translations, US or UK spellings used as appropriate.

Gender

'woman'; 'women'

'girl(s)'

'male'

‘lesbian’

‘gay’

‘transgender’

‘LGBT’

‘boy(s)’

‘homosexual’

Gender-based Violence

‘rape’

‘sex’ [incl. ‘sexual assault,’ ‘sexual slavery,’ ‘sexual violence’]

‘by force’

‘viol-‘ [violate’; ‘violence against’ (followed by gender identity group)]

‘marriage’ [as in ‘forced’]

‘domestic [violence]’

‘birth’ [as in ‘forced’]

‘abortion’ [as in ‘forced’]

‘pregnancy’

‘wife’ ‘wives’ [‘bush wife’; ‘make a wife’; ‘make me a wife’]

‘traffic’; ‘trafficking’; ‘trafficked’

‘reproductive’

‘steril-‘; ‘sterilize’; ‘sterilized’ ‘forced sterilization’

2. French:

Gender

‘woman’; ‘women’ – ‘femme’; ‘femmes’ ; ‘dame(s)’

‘girl(s)’ – ‘fille’ ; ‘filles’ ; ‘petite amie’ ; ‘copine’ ; jeune fille’ ; ‘fillette’

‘male’ – ‘homme’; ‘mâle’; ‘masculin’

‘lesbian’ – ‘lesbienne’ ; ‘gay’ ; ‘gaie’ ; ‘une homosexuelle’

‘gay’ – ‘gay’; ‘gai(e)’; ‘un homosexual’ ; ‘il/elle/iel est de la jacquette OR est due bâtiment’

‘transgender’ – ‘transgenre’

‘LGBT’ – ‘LGBT’ ; ‘communauté LGBTQ+’

‘boy(s)’ – ‘garçon(s)’; ‘fils’; ‘gamin’ ‘homosexual’ – ‘homosexuel(le)’; ‘homo’

Sexual minority – ‘une/de minorité sexuelle’

Mother - ‘mère’; ‘maman’

Grandmother - ‘grand-mère’; ‘grand-maman’; ‘mémé’ ; ‘mami’

Gender-based Violence - la violence fondée sur le sexe

Gender – ‘genre’ (correct word but a lot of people still say sexe)

‘sex’* [incl. ‘sexual assault,’ ‘sexual slavery,’ ‘sexual violence’] – ‘sexe’; ‘agression sexuelle’; ‘harcèlement sexuel’ ; ‘abus sexuels’ ; ‘esclavage sexuel’ ; ‘violence sexuelle’

‘by force’ – ‘par la force’ ; ‘de force’

‘viol-’* [violate’; ‘violence against’ (followed by gender identity group)] – ‘violer’ ; ‘La violence
à l'égard des femmes; ‘la violence à l'encontre des femmes’; ‘la violence perpétrée par les hommes envers les femmes’

‘La violence contre les femmes’ ‘rape’ – ‘viol’ ; ‘violer’
‘marriage’ [as in ‘forced’] – ‘mariage forcé’ ; ‘mariage précoce’

‘domestic [violence]’ – ‘’ violence domestique’ ; ‘violence familiale’ ; ‘violence conjugale’ ‘birth’ [as in

‘forced’] – ‘accouchement’ ; ‘naissance’ – forced would be ‘obliges/obligatoire’ ‘abortion’ [as in

‘forced’] – ‘avortement forcé/obligatoire’

‘pregnancy’ – ‘grossesse’/ enceinte

‘wife’ ‘wives’ [‘bush wife’; ‘make a wife’; ‘make me a wife’] – ‘femme(s)’; ‘épouse’; ‘conjointe’; ‘bougresse’

‘traffic’; ‘trafficking’; ‘trafficked’ – ‘trafic’ ; ‘la traite’ ; ‘esclavage’ ; ‘La traite des êtres humains’ ; ‘trafic de personnes’

‘reproductive’ – ‘reproductif’

‘steril-‘; ‘sterilize’; ‘sterilized’ ‘forced sterilization’ – ‘stérilisation forcée’; ‘stérilisation contrainte’

3. Spanish:

Gender

‘woman’; ‘women’ – ‘mujer’; ‘mujeres’; ‘femininas’

‘girl(s)’ – ‘niña(s)’

‘male’ – ‘hombre(s)’

‘lesbian’ – ‘lesbiana’

‘gay’ – ‘gay’

‘transgender’ – ‘transgénero’

‘LGBT’ – ‘LGBT’

‘boy(s)’ – ‘niño(s)’

‘homosexual’ – ‘homosexual’ minorías sexuales

Mother – ‘madre’

Grandmother – ‘abuela’

Gender-based Violence Gender – ‘género’

‘sex’* [incl. ‘sexual assault,’ ‘sexual slavery,’ ‘sexual violence’] – ‘sexo’; ‘agresión sexual’; ‘asalto sexual’; ‘esclavitud sexual’

‘by force’ – ‘por la fuerza’

‘viol-’* [violate’; ‘violence against’ (followed by gender identity group)] – ‘violencia contra la(s) mujer(es)’; ‘violencia de género’;

‘rape’ – ‘violación’; ‘violar’

‘marriage’ [as in ‘forced’] – ‘matrimonio forzado’

‘domestic [violence]’ – ‘violencia doméstica’

‘birth’ [as in ‘forced’] – ‘nacimiento forzado’

‘abortion’ [as in ‘forced’] – ‘aborto forzado’

‘pregnancy’ – ‘embarazo’

‘wife’ ‘wives’ [‘bush wife’; ‘make a wife’; ‘make me a wife’] – ‘espos*’ [‘esposa’/ ‘esposas,’ etc.] (note context, ‘esposa’ also means handcuff)

‘traffic’; ‘trafficking’; ‘trafficked’ – ‘traficar’ [e.g. mujeres]
‘reproductive’ – ‘reproductiva’

‘steril-‘; ‘sterilize’; ‘sterilized’ ‘forced sterilization’ – ‘esteriliz-‘ à ‘esterilizar’; ‘ser esterilizada’; ‘esterilización’

‘Desaparecidas’

4. Portuguese:

Mulher, mulheres, femininas

Menina, meninas

Homem/Homens

Menino(s)

Homossexual

Mãe

Avó

Gênero

Sex* - sexual, assédio sexual, agressão sexual, escravidão sexual

À força

Violência doméstica

Nascimento forçado

Aborto

Gravidez

Esposa

Tráfico, traficada(s), traficantes

Reprodutiva(s)

Esterilização

Desaparecida(s)