

OPINION NOTE

Letting go of the gender binary: Charting new pathways for humanitarian interventions on gender-based violence

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Increasing acknowledgement in some quarters that women and girls are not the only victims of sexual violence, and that sexual violence is not the only form of

gender-based violence (GBV), has yet to be adequately reflected in policy and practice in the humanitarian world.

Current mainstream approaches to GBV, as generated by and reflected in international humanitarian and developmental discourse, and as embedded in policy and practice in crises around the globe, have improved humanitarian responses to women and girl victims. They have also brought partial sight to some of the previously gender blind, and generated some political discussion and action aimed at preventing such violence. The Global Summit on Ending Sexual Violence in Conflict, held in London in June 2014 and spearheaded by UK Foreign Secretary William Hague and pop-culture icon Angelina Jolie, is an indicator of the unprecedented traction the issue has gained on (parts of) a global stage.

Notwithstanding these important advances in terms of political recognition of GBV, the situation for victims in conflict and humanitarian settings remains cause for concern. If gender is a potentially powerful analytical, practical and political engine, it is one which is currently firing on only half its cylinders. This article highlights some emerging thinking about GBV, examines the Inter-Agency Standing Committee's (IASC) 2005 Guidelines on GBV prevention, and argues that as a ten-year review process of the Guidelines nears completion, a number of key shifts in the conceptualization of GBV in humanitarian settings are required, for unless understandings of GBV shift from an emphasis on gender equality towards an ethos of gender inclusivity, the situation of victims will not improve, and social justice and change agendas will continue to falter.

For mainstream humanitarian approaches significantly to increase the effectiveness of prevention, mitigation and response to GBV, the 2005 focus on sexual violence cannot be lost.¹ However, the range of victims and survivors that are not just recognized but also addressed needs to be more inclusive – most urgently male and lesbian, gay, bisexual, transgender and intersex (LGBTI) victims and survivors – and a range of non-sexual forms of GBV must also become the target of humanitarian attention.

To achieve this, the importance and appropriateness of pursuing male–female gender equality when people are in crisis must be questioned and the primacy of humanitarian principles must be reaffirmed; static models of gender vulnerability must be replaced with analysis of situational vulnerability; opportunistic use of statistics must yield to consistent concern with establishing relevant data; and the concentration of expertise in the hands of “gender experts” cannot be allowed to substitute the larger task of attitudinal change in humanitarian personnel as a whole.

Some signs of change in thinking about gender-based violence

In a range of national and international spaces, there are signs of change in perspectives on and approaches towards addressing GBV. Women and men alike

1 The full title of the IASC 2005 Guidelines is *Guidelines for Gender-based Violence Interventions in Humanitarian Settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies*, September 2005, available at: www.humanitarianinfo.org/iasc/downloadDoc.aspx?docID=4402.

increasingly recognize that not only women should be fighting for women's rights, and there is a corresponding growth in attention to the objective of and methods for engaging men in ending violence against women – a shift which, in some instances, also engages men in ending violence against men. The MenEngage movement, for example, emphasizes the centrality of “masculinities in different domains and disciplines of development and social justice related action in a globalizing world”,² and focuses on men's responsibilities in addressing blatant injustices against women while also emphasizing nurturing aspects of normative masculinities, such as fatherhood.³ Funding support from UN Women and other key stakeholders championing gender equality has also given this approach a certain legitimacy and ensured its gradual adoption in GBV policy and programming.⁴

The White House's September 2014 “It's On Us” campaign offers a good example of the “men engage” approach.⁵ As President Obama himself urges people to “learn how and take the pledge” to “help keep women and men safe from sexual assault”, he epitomizes an engaged man, a role model to millions who need help to redefine their masculinity. Regardless of the multiple possible motivations for this presidential involvement,⁶ the political significance of having a national leader who acknowledges a problem of sexual assault at home, and is simultaneously a leader on the global stage, should not be underestimated.⁷

For the purposes of this paper it is also significant that, as silence is broken, new language emerges. In 2005, in his Foreword to the IASC GBV Guidelines, Jan Egeland wrote of the need to address “women's and girls' risk to sexual violence”.⁸ By simply including in his 2014 statement on sexual assault the two words “and men”, President Obama both indicated and gave visible leadership to what had

2 See the announcement of the second MenEngage Global Symposium, available at: www.xyonline.net/content/cfp-2nd-menengage-global-symposium-new-delhi-india-november-10-13th-2014 (all internet references were accessed in October 2014).

3 Examples can be found at www.menengage.org/take-action/.

4 It can be seen, for example, in the IASC's Gender Equality Policy Statement, which puts “Actively involving boys and men as allies in the promotion of gender equality” as one of its seven principles. See IASC, “Policy Statement: Gender Equality in Humanitarian Action”, 20 June 2008 (Gender Equality Policy Statement), available at: <https://icvanetwork.org/resources/iasc-policy-statement-gender-equality-humanitarian-action>

5 See the webpage www.itsonus.org/#pledge; and the video “It's On Us: Sexual Assault PSA”, available at: <https://www.youtube.com/watch?v=wNMZo31LziM>.

6 The US Army's published 2012 statistics regarding sexual assault within the military, for example, show that 53% of 26,000 reported cases in that year involved male-on-male assault. What this means for the victims has been reported in depth in popular media; see, for example, Nathaniel Penn, “Son, Men Don't Get Raped”, *GQ*, undated, available at www.gq.com/long-form/male-military-rape. Stemple's work demonstrates how changing definitions of rape have led to new statistics that fundamentally redraw the map when it comes to the gendered distribution of sexual assault and sexual violence; see Lara Stemple and Ilan H. Meyer, “The Sexual Victimization of Men in America: New Data Challenge Old Assumptions”, *American Journal of Public Health*, Vol. 104, No. 6, June 2014, pp. 19–26.

7 It is not just rhetoric: the US State Department is thus far the first government donor to take seriously the issue of sexual violence against men and boys in conflict settings.

8 IASC 2005 Guidelines, above [note 1](#), p. iii.

until recently been a rather quiet revolution in understanding driven by activists and academics and their individual allies in the major institutions.⁹

Within the humanitarian context, the age, gender and diversity (AGD) policy of the United Nations High Commissioner for Refugees (UNHCR) provides a noteworthy example of an institutional effort to go beyond a focus on women and girls. The policy's objective is "to ensure that all persons of concern enjoy their rights on an equal footing and are able to participate fully in the decisions that affect their lives and the lives of their family members and communities". The rationale for the approach is spelled out as follows:

By analyzing the AGD dimensions as interlinked personal characteristics, we are able to better understand the multifaceted protection risks and capacities of individuals and communities, and to address and support these more effectively. By promoting respect for differences as an enriching element of any community, we promote progress toward a situation of full equality.¹⁰

This rather radical statement (in policy terms) combines (i) a nuanced understanding of difference which goes far beyond a blunt gender binary with (ii) an immediate and actionable protection objective and (iii) an understanding of how this progresses us towards that valuable but nonetheless elusive political goal, "a situation of full equality".¹¹ Although the UNHCR's AGD approach is policy rather than law, its extensive definition of diversity¹² is considerably more elaborated than the five grounds for protection established more than half a century earlier in the 1951 Refugee Convention,¹³ thereby demonstrating how policy can be a vehicle of change, even as we wait for the law to catch up.

- 9 For humanitarians, the IASC's own 2008 Gender Equality Policy Statement already talked of the need to "ensure women, girls, boys and men have equitable access to and benefit from humanitarian protection and assistance response" (Gender Equality Policy Statement, above note 4, p. 4), but with regard to addressing sexual violence the most important signal of this shift towards including men and boys came with the declaration on preventing sexual violence in conflict adopted by G8 foreign ministers in London on 11 April 2013 and UNSC Res. 2106 of June 2013, which, within a statement on the women, peace and security framework, included men and boys as victims, albeit alongside secondary victims. For more detailed discussion, see Chris Dolan, "Has Patriarchy Been Stealing the Feminists' Clothes?", *IDS Bulletin*, Vol. 45, No. 1, 2014. The difference between these earlier statements and Obama's involvement in a 35-second video short a year later is in the level of intentional visibility; whereas UNSC Res. 2106 was a reluctant compromise that most people never heard about, Obama's statement is intended to reach millions.
- 10 UNHCR, "Age, Gender and Diversity Policy: Working with People and Communities for Equality and Protection", 2011, available at: www.unhcr.org/4e7757449.html.
- 11 My recent experience in some field settings suggests that the roll-out of these policy positions, or perhaps more accurately their internalization by country- and field-level staff, still has quite some way to go. However, having participated in one of the earliest pilots of the AGD mainstreaming approach in the eastern Democratic Republic of the Congo in 2005, I believe I can safely say that even in its earliest formulations it opened the door to new discussions and dialogues and thereby to important attitudinal change.
- 12 AGD is defined as referring to "different values, attitudes, cultural perspectives, beliefs, ethnic background, nationality, sexual orientation, gender identity, ability, health, social status, skill and other specific personal characteristics"; see UNHCR, above note 10, para. 5.
- 13 These are race, religion, nationality, membership of a particular social group, and political opinion. See Article 1, on the definition of the term "refugee", of the 1951 Convention Relating to the Status of Refugees.

A third area in which there has been considerable progress, at least amongst major institutional stakeholders in the protection sector, is in levels of recognition for the rights of LGBTI persons. The Office of the United Nations High Commissioner for Human Rights' (OHCHR) fact sheet on homophobic and transphobic violence describes violence against LGBTI persons as "a form of gender-based violence, driven by a desire to punish those seen as defying gender norms".¹⁴ This brings to the fore the nexus of gender, sexuality and GBV in a manner that – unfortunately – has been sorely lacking in much of the action and thinking on GBV to date. Growing recognition of the rights of LGBTI persons is visible in changing *de facto* funding conditionality in situations with aggressive patterns of homophobia,¹⁵ and in the humanitarian sphere it is reflected in increasing efforts by the UNHCR to understand¹⁶ and in some situations respond to the specific needs of LGBTI asylum seekers and refugees.¹⁷

The centrality of the IASC Guidelines in shaping humanitarian interventions on GBV

The initiatives described above – including those of the lead humanitarian agency, the UNHCR – are not representative of the mainstream, at least not yet. Even in the second decade of the twenty-first century, they are outliers in an otherwise somewhat monolithic GBV discourse.¹⁸ They model exciting future possibilities both for progressive approaches to gender that go beyond a simple male-female binary, and for correspondingly more nuanced understandings of GBV. It remains to be seen, however, whether or not these possibilities will be endorsed and promoted by one of the major arbiters of humanitarian matters at a global level, the IASC.

Established in June 1992,¹⁹ the IASC represents an important proportion of humanitarian stakeholders operating internationally, with a correspondingly

- 14 UN, "Homophobic and Transphobic Violence", fact sheet, available at: www.ohchr.org/Documents/Issues/Discrimination/LGBT/FactSheets/unfe-27-UN_Fact_Sheets_Homophobic_English.pdf
- 15 In 2014, for example, the US government withdrew substantial HIV funding from the Inter-Religious Council in Uganda in reaction to the latter's public support for Uganda's infamous Anti-Homosexuality Bill and Act (2014).
- 16 The UNHCR should be commended on its *Guidelines on International Protection No. 9: Claims to Refugee Status based on Sexual Orientation and/or Gender Identity within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/12/09, 23 October 2012, available at: www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=509136ca9&query=lgbt%20policy; on its Need to Know Guidance Note on "Working with Lesbian, Gay, Bisexual, Transgender and Intersex Persons in Forced Displacement", 2011; and on the availability of an extensive collection of LGBTI-related policy documentation, at www.refworld.org/sogi.html.
- 17 For example in response to the influx of LGBTI asylum seekers from Uganda into Kenya in the wake of the presidential assent to the Anti-Homosexuality Act.
- 18 For a discussion of the manner in which the Women, Peace and Security architecture arising from UNSC Res. 1325 and subsequent related resolutions have contributed to this discourse, see C. Dolan, above [note 9](#).
- 19 The IASC was created by UNGA Res. 48/57, A/RES/48/57, 14 December 1993. It comprises nine full members (FAO, OCHA, UNDP, UNHABITAT, UNHCR, UNICEF, WFP, WHO) and nine standing invitees (ICRC, ICVA, IFRC, InterAction, IOM, OHCHR, UNFPA, World Bank, Steering Committee

significant responsibility for populations in humanitarian crisis settings.²⁰ Its first Guidelines on GBV interventions were produced in 2005 with the title *Guidelines for Gender-Based Violence Interventions in Humanitarian Settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies*. As described by Jeanne Ward, the impetus for the Guidelines arose “in large part from the failure of humanitarian agencies to institute basic protection against sexual violence in Darfur, with the longer-term goal of establishing essential steps all humanitarian actors could take in their areas of operation to reduce the risk of exposure to GBV”.²¹ In the IASC’s own words, the Guidelines are “designed for use by humanitarian organisations, including UN agencies, non-governmental organisations (NGOs), community-based organisations (CBOs), and government authorities operating in emergency settings at international, national, and local levels”.²²

The 2005 Guidelines are not only a barometer of the key perspectives prevalent in the wider discourse on GBV in humanitarian and development circles at the time they were written; they have for the last decade also played a part in creating and consolidating these into an agenda for humanitarian action, having been “rolled out in humanitarian settings globally via training and other information-sharing activities”.²³ When the size of their intended beneficiary populations is taken into account,²⁴ coupled with the role of GBV in fuelling forced displacement and the risks of GBV to which populations requiring humanitarian intervention are exposed, it is evident that the potential impact of the IASC’s policy positions on GBV is considerable.

What’s wrong with the 2005 IASC Guidelines?

The 2005 Guidelines were a milestone when first published, signalling as they did a new level of awareness of GBV as it affects women and girls, and an institutional endorsement of greater efforts to respond to such violence within humanitarian settings. Ten years later, however, it is evident that even if adopted and implemented in their entirety, they would address only certain parts of the

for Humanitarian Response, Office of the Special Representative on the Human Rights of Internally Displaced Persons).

- 20 Several of the standing invitees are themselves umbrella bodies for a multiplicity of organizations; InterAction, for example, has more than 180 members. See www.interaction.org/members/about-members.
- 21 Jeanne Ward, “Revising the 2005 IASC Guidelines for Gender-Based Violence Interventions in Humanitarian Settings: Prioritising Accountability”, *Humanitarian Exchange*, No. 60, February 2014, available at: www.odihpn.org/humanitarian-exchange-magazine/issue-60/revising-the-2005-iasc-guidelines-for-gender-based-violence-interventions-in-humanitarian-settings-prioritising-accountability.
- 22 IASC 2005 Guidelines, above note 1. They also gave rise to a range of derivative related materials, such as the UNFPA’s e-learning course on “Managing Gender-Based Violence Programmes in Emergencies”, available on the Global Protection Cluster website at: <https://extranet.unfpa.org/Apps/GBVinEmergencies/index.html>.
- 23 J. Ward, above note 21.
- 24 In 2008 the number of people newly displaced by natural disasters was estimated at 36 million, while in 2014 the estimates for internally displaced persons and refugees are above 43 million. See www.un.org/en/globalissues/briefingpapers/refugees/.

spectrum of gender-based violence and harms that afflicts persons in humanitarian crises. The shortfall can, in my view, be traced to a number of major conceptual and practical limitations of the GBV model adopted in the Guidelines.

Focus on women and girls

The limitations begin with the demarcation of persons of concern. The opening sentence on page 1 of the Guidelines reads as follows: “Gender-based Violence (GBV), and in particular sexual violence, is a serious, life-threatening protection issue primarily affecting women and children.”²⁵

The conflation of victims with women and (girl) children begins even before page 1: in his Foreword to the Guidelines, the then UN undersecretary-general for humanitarian affairs and emergency relief coordinator Jan Egeland stressed that the document provided practical advice on how to ensure “that humanitarian protection and assistance programs for displaced populations are safe and do not directly or indirectly increase *women’s and girls’* risk to sexual violence”.²⁶ Although the subsequent text talks of women and *children*, there is little to suggest that the sexual abuse of boys is given any serious consideration.²⁷ When it is acknowledged that “Men and boys are also vulnerable to sexual violence, particularly when they are subjected to torture and/or detention”, this is immediately qualified by the statement that “[n]evertheless, the majority of survivors/victims of sexual violence are females”,²⁸ and further undermined by the almost total absence of other categories of victim throughout the body of the text.

The focus on women and girls/children offers little support to those who are sexually or gender “non-conforming”. As the OHCHR’s elegant statement indicates, those who are sexually non-conforming are, by virtue of that sexual non-conformity, simultaneously *gender* non-conforming. Yet gender experts can be reluctant to address the often extreme difficulties confronting lesbian and trans women as a result of their minority status within the overarching category of “women”. The heteronormativity of this position and its systemic underpinnings in patriarchal gender constructs have yet to be adequately addressed in humanitarian spaces.

There are good grounds for challenging the statement that sexual violence affects women and children primarily; firstly, as I shall return to below, humanitarian response should not be restricted to what is seen as the “majority” of those suffering from a given form of violence. Secondly, evidence is slowly but surely emerging that men are victims of sexual violence in a range of conflict settings. In those places where gender-inclusive statistics on sexual violence are

25 IASC 2005 Guidelines, above [note 1](#), p. 1.

26 *Ibid.*, p. iii, emphasis added.

27 The list of “vulnerable groups” further forecloses consideration of males: “Groups of individuals that are often more vulnerable to sexual violence include, but are not limited to, single females, female-headed households, separated/unaccompanied children, orphans, disabled and/or elderly females.” *Ibid.*, p. 8.

28 *Ibid.*, p. 4.

available, they tend to confirm that overall more women than men are affected, but they certainly do not show that male victims are so few as to require no attention – instead, they suggest that the numbers of male victims whose needs are currently entirely unaddressed should be a matter of concern and concerted action.²⁹ Documentation of sexual violence against boys in conflict is even more lacking than that for men, but in countries where figures for sexual abuse of girl and boy children do exist, they again indicate that while the documented abuse of boys is less than that of girls, it is not insignificant.³⁰ When it comes to abuses of LGBTI persons, the impacts of homophobia and transphobia on LGBTI persons are also increasingly being documented, as is the fact that such violence frequently prompts affected persons to seek protection in humanitarian settings.³¹ As such, the data that do exist do not support the kind of one-sided focus on women and girls that the word “primarily” has been used to justify.

The prioritization of sexual violence

In prioritizing sexual violence against women and girls, the 2005 Guidelines did not simply obscure a range of victims of sexual violence who are not necessarily women or children. They also downplayed the many forms of violence that fall outside this reductivist focus on a supposedly asexual “sexual” violence – forms that should nonetheless be regarded as gender-based and as worthy of humanitarian attention.

While female genital mutilation/cutting, female infanticide, intimate-partner violence, transactional sex and trafficking are sometimes referred to in the 2005 Guidelines, there is little discussion of forms of violence that target and affect men in particular ways.³² How are we to qualify what happens to the men and boys who, in addition to purposive emasculation and attacks on sexual identity through the use of sexual violence, are, to borrow a phrase, “disproportionately affected” by landmines, abduction/military conscription and forcible recruitment, gender-specific massacres, and being forced to commit atrocities against others (with all the resultant psychological damage to themselves)? Indeed, why do we still fail to see that the militarization of men is

29 For a fuller discussion of available literature and statistics, see Chris Dolan, “Into the Mainstream: Addressing Sexual Violence against Men and Boys in Conflict”, briefing paper prepared for the workshop held at the Overseas Development Institute, London, 14 May 2014, available at: www.refugeelawproject.org/resources/briefing-notes-special-reports/87-sprpts-gender/358-into-the-mainstream-addressing-sexual-violence-against-men-and-boys-in-conflict.html.

30 The organization 1 in 6, for example, provides a number of sources for the statistic that one in six boys in North America experiences sexual abuse; see <https://1in6.org/the-1-in-6-statistic/>. The British organization Mankind argues that three in twenty men are affected by sexual violence; see www.mankindcounselling.org.uk/index.php.

31 See, for example, Organization for Refuge, Asylum and Migration, “Blind Alleys: The Unseen Struggles of Lesbian, Gay, Bisexual, Transgender and Intersex Urban Refugees in Mexico, Uganda and South Africa”, February 2013, available at: www.oraminternational.org/en/component/content/article/39-english/publications/264-blind-alleys.

32 For an important discussion of this, see Charli Carpenter, “Recognizing Gender-Based Violence Against Civilian Men and Boys in Conflict Situations”, *Security Dialogue*, Vol. 37, No. 1, 2006, pp. 83–10. See also Adam Jones, “Gendercide and Genocide”, *Journal of Genocide Research*, Vol. 2, No. 2, 2000, pp. 185–211.

an egregious form of GBV that should be of paramount concern to gender experts the world over, not only because the products of militarization are highly represented amongst perpetrators of sexual violence in conflict, but also because in the course of becoming and being militarized, men themselves are victims of lethal doses of GBV that, according to some analysts, leave them psychologically disabled for life?³³

Equally, why would we fail to recognize repeated evictions from accommodation and work, as well as denial of access to basic health and education services, and resultant exclusion and structural disadvantage, as forms of GBV that are highly prevalent against LGBTI persons – not least in humanitarian crises?

Unidirectional and static model of gender-based violence

The 2005 Guidelines argued that:

The term “gender-based violence” highlights the gender dimension of these types of acts; in other words, the relationship between females’ subordinate status in society and their increased vulnerability to violence. It is important to note, however, that men and boys may also be victims of gender-based violence, especially sexual violence.³⁴

This definition is problematic in several senses. It arises from a particular moment in the history of addressing women’s needs and circumstances.³⁵ It asserts a unidirectional causal relationship between being a woman, having subordinate status and being correspondingly vulnerable to violence. It assumes a direct overlay of femininity onto biological women or females. By concentrating on females’ subordinate status rather than the subordinate status of the feminine, it thus misses the vulnerabilities of gender non-conforming men, for example, and limits itself to systemically reproduced gender inequality manifest within a (heterosexual) male–female binary.

It also misses the vulnerability to violence of normative men in that it assumes that it is *subordinate* status in society that creates vulnerability to violence, and fails to see that the inverse logic can and does also hold true. Higher social status can render men’s subordination through sexual violence strategic; men’s assumed greater strength can make them more likely targets of forcible military recruitment and abduction, as well as of sex-selective massacres; men’s greater freedom to move, or their (often forcible) involvement in armed forces can render them more vulnerable to landmines, and so on.

33 For an insider view of how militaries purposively work on men’s sense of self, see Lt. Col. Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*, 2nd ed., Open Road Integrated Media, New York, 2009. See also Aaron Belkin, *Bring Me Men: Military Masculinity and the Benign Façade of American Empire, 1898–2001*, Hurst & Co, London, 2012.

34 IASC 2005 Guidelines, above [note 1](#), p. 7.

35 Gender Equality Policy Statement, above [note 4](#), p. 7.

Despite the manner in which the 2005 Guidelines' statement qualifies a unidirectional model of harm by suggesting that "men and boys may also be victims", my own interactions in various fora suggest that many GBV "experts" do not in fact believe that sexual violence against men is a GBV issue. Instead, they feel that to tag it as such is to dilute the very meaning of GBV (and detract from the gains made for women and girls). When asked what a sexualized attack on both a man's sense of masculinity and sexuality is if not a gender issue, no answer is forthcoming. How is it possible, one wonders, that the mantra that "rape is about power not sex" applies only when the victim is female? Are those who say that the rape of men is not GBV – and therefore presumably not about (gender) power – suggesting that it is perhaps after all about sex? Do they still believe (along with the nineteenth-century drafters of British colonial penal codes) that a man cannot be raped, that a "real man" could defend himself under any circumstances, and that therefore the man who is raped must secretly have wanted it (and is therefore a homosexual)? Whatever the underlying reason, the reality is that in practice, despite acknowledging the possibility ("they *may* be") of male victims, mainstream humanitarianism continues to make virtually no provision for male survivors.

The use and abuse of statistics

A unidirectional and static model of GBV and gender harms can only be sustained through the selective and opportunistic use of statistics. The 2005 Guidelines and the IASC 2008 Gender Equality Policy Statement do make certain empirical claims that appear to support the focus on women and children (for example, "civilian women and children are often targeted for abuse, and are the most vulnerable to exploitation, violence, and abuse simply because of their gender, age, and status in society"³⁶), but at the same time they argue that "[a]ll humanitarian personnel should ... assume and believe that GBV, and in particular sexual violence [which we were told on page 1 affects primarily women and girls], is taking place and is a serious and life-threatening protection issue, regardless of the presence or absence of concrete and reliable evidence".³⁷ Where figures from actual crises are given they are all estimates,³⁸ but they are offered in a way that implies that they are clear and consistent enough to merit no further interrogation.

While the existing statistics on sexual violence tend to confirm that in a global aggregate there are more *reported* cases of sexual violence against women than against men,³⁹ to deduce from this that in every specific situation women

36 *Ibid.*

37 IASC 2005 Guidelines, above note 1, p. 2.

38 For Rwanda, "it is estimated that between 250,000 and 500,000 [women] survived rape". For Bosnia and Herzegovina "[i]t is estimated that between 20,000 and 50,000 women were raped during the war". *Ibid.*, p. 4.

39 The 2005 Guidelines draw on a global figure and apply it unquestioningly to complex emergencies: "At least one in three of the world's female population has been either physically or sexually abused at some time in her life." *Ibid.*, p. 3.

and girls are the primary targets is problematic. Not only is it generally acknowledged that sexual violence against women and girls is underreported, it is also widely believed that reporting is frequently even more difficult for men and boys than for women and girls. Any statistics on sexual violence, therefore, should be treated with caution. Building on such an unstable empirical foundation becomes particularly dangerous when it is conjoined with the “majoritarian” thinking evident in the statement that “[m]en and boys are also vulnerable to sexual violence, particularly when they are subjected to torture and/or detention. Nevertheless, the majority of survivors/victims of sexual violence are females.”⁴⁰ This statement implies that the numeric majority automatically trumps and displaces the presumed numeric minority.⁴¹ The manner in which this assumed majority status of female victims becomes both the beginning of an extensive exploration of that victimhood and the end of any analysis of the impacts on and needs of the assumed minority of victims is extraordinary: no serious social scientist, no donor and no committed humanitarian should allow so much action to be premised on such shaky empirical foundations. At best, a first-past-the-post electoral system, in which those who get the largest number of votes get all the power, has been applied to the allocation of humanitarian aid such that those who are believed to be the largest percentage of victims get all the assistance.⁴² At worst, the allocation has been rigged, with ballot papers for male victims removed from the count.

The absence of data on male victims is not an objective reflection of levels of violence, but rather a symptom of immense difficulty – both on the part of male victims themselves and, for different reasons, on the part of those tasked with shaping GBV support interventions – in acknowledging that men too can be rendered vulnerable by virtue of their gender. This difficulty is reflected both in the design of data-collection instruments, and in those moments when the evidence that has been collected is ignored or downplayed because it contradicts the model of a unidirectional male–female power and vulnerability relationship.

The 2015 IASC Guidelines: Will humanitarian action on GBV be held back or move forward?

In 2012, an extensive and lengthy review process of the IASC Guidelines was begun,⁴³ in part to ensure that “a number of important lessons, strategies and

40 *Ibid.*, p. 4.

41 For further discussion about recent data on sexual assault against men, see C. Dolan, above [note 29](#).

42 If the same logic were applied to landmine victims there would be very little attention to women and girl victims, given that they represent only 15% of direct victims globally.

43 The review process, prompted in part by the fact that “the 2005 Guidelines predate the Humanitarian Reform and Transformative Agenda processes and therefore do not reflect the Cluster System and other changes in humanitarian coordination, leadership, accountability and partnership”, involved “direct dialogue with over 100 individuals representing all regions of the world, all clusters and AoRs [Areas of Responsibility], all crosscutting areas, 26 international NGOs, 11 UN agencies and other entities (e.g. Red Cross/Red Crescent) and five donor agencies. In addition, two surveys were

tools” generated in the decade since first publication could be fully reflected, and in part because it was felt that the Guidelines had not been wholly successful in delivering the message that humanitarian actors should be accountable for GBV occurring under their watch.⁴⁴ Ward’s description of the process further suggests that the primary concern of the review was to ensure that the revised Guidelines would align with and be readily inserted into the new humanitarian architecture. The acknowledgement in the IASC’s own 2008 Gender Equality Policy Statement that “the humanitarian community is recognizing the need to know more about what men and boys face in crisis situations”⁴⁵ perhaps offered additional motivation to move beyond the emphasis on women and girls that permeates the 2005 Guidelines.

Letting go of the gender binary

How far the revised Guidelines will move beyond the existing emphasis depends on whether or not the mainstream can let go of what is now clearly an anachronistic framing of “gender” as a simple male–female binary. Letting go of a perspective that has held sway for several decades will not be easy, not least for institutions that have structured themselves around it, but it must be done if the “different needs, capacities and *vulnerabilities* of women, girls, boys and *men*” noted in the IASC 2008 Gender Equality Policy Statement⁴⁶ are to be recognized.

A number of steps may help facilitate the process – steps which are not necessarily sequential. It would be crucial, for example, that the 2015 Guidelines go beyond acknowledgement of the potential victimhood of men by providing guidance on how to actually address their specific health, sanitation, nutrition, shelter and camp management needs when they are victims.⁴⁷ This is a major practical challenge insofar as the existing framing of GBV has resulted in a deficit of examples of how to address these needs. It is likely also to prove a political challenge for those gender “experts” who have been trained to see a perpetrator–victim binary as co-terminous with a simplistic male–female gender and biological binary. Ultimately, however, it will result in more sustainable outcomes and shifts in gender power and relations.

Another step is to recognize homophobia and transphobia as forms of GBV that cannot be adequately addressed through an exclusive focus on sexual violence, and that necessarily demand that we discard an oversimplified gender binary. It is evident that the humanitarian sector needs to engage fully with these dynamics if it is to meet its own commitments and to avoid becoming complicit through its inaction on these particular forms of violence. If LGBTI issues are not to remain to “gender” as oil is to water (two substances that can be added together but ultimately cannot be

distributed globally in four languages to approximately 160 individuals and organisations and eight interagency distribution lists, which resulted in 428 completed responses.” J. Ward, above [note 21](#).

44 *Ibid.*

45 Gender Equality Policy Statement, above [note 4](#), p. 7.

46 *Ibid.*, p. 2 (emphasis added).

47 The specific health needs of male victims of sexual violence, for example, include medical personnel with particular attitudinal competencies, as well as specific surgical skills in repairs to rectal and genital damage.

combined), humanitarians will have to proactively address the specific difficulties facing LGBTI persons in accessing protection, food, shelter, education, health care, water and sanitation. The principle of ensuring that women are represented in decision-making and staffing will have to be extended to LGBTI persons as well as representatives of the many other at-risk groups such as male victims. If this is not done, separate boxes will be created wherein “those people” can be conveniently isolated, and the limitations of working simply on creating equality between (heterosexual) women and (heterosexual) men will be left untouched.

Over and above these two clearly defined steps towards expanding our vision of who the persons of concern to humanitarians should be, an even larger and, in some respects, more difficult step in letting go of the gender binary is to embrace a broader perspective on what non-sexual *forms* of violence should be recognized as GBV. Is it possible, for example, to recognize sexual violence against men as a form of GBV, but then to go beyond this to also include militarization and a whole range of related forms of violence (abduction, forcible recruitment, gender-specific massacres, landmines⁴⁸ etc.) as egregious – and complex – sites of GBV, the primary targets of which are male?⁴⁹

The broadening of GBV to include – among other things – homophobia, transphobia and militarization creates a raft of areas to which humanitarian GBV interventions have hitherto paid little attention. Siting camps, for example, to maximize the protection of male youth from abduction may be no less important than discussion about location of gender-segregated latrines for women and girls. The mental and physical health needs of, among others, ex-combatants may require as much attention as those of survivors of sexual violence.

Each of the above steps involves an intellectually and emotionally challenging and time-consuming engagement with the ambiguities of gender power and vulnerability. Given that in the heat of a humanitarian emergency this attitudinal change may not be realistic, an interim measure is to develop lists of vulnerable or at-risk groups of which humanitarians need to be aware. Thus, it is to be hoped that the revised version of the Guidelines will include a far more extensive list of “at-risk groups” than the 2005 list of “vulnerable groups”.⁵⁰ This could potentially include male rape victims, ex-combatants, victims of torture, adolescent boys and so forth. If, as suggested here, attention to sexual forms of GBV is extended to non-sexual forms, then this list will inevitably become somewhat lengthy.

48 It is generally agreed that men and boys constitute 85–90% of landmine victims. See “Why Mainstreaming Gender in Mine Action?”, Gender and Mine Action website, available at: www.gmap.ch/index.php?id=8. It is important, however, to take the analysis deeper, lest it lead us to the kind of “majoritarian” thinking that has done such a disservice to male victims of sexual violence. Additional questions to be posed in determining whether landmines are a form of GBV might take us back to intention: did those who set the mines intend to target men more than women? Does it matter, if the impacts are felt not just by the direct victims but also – particularly if the victim is the household breadwinner – by their families?

49 These are gender-based forms in the sense that they are informed by gendered assumptions about masculinity and femininity. They are complex in that gender constructs – particularly militarized masculinities – simultaneously craft perpetrators and victims out of the same human being (deliberate de-individualisation in boot camps and their equivalent military training processes, coerced participation into acts of extreme violence that are antithetical to the individual’s own moral framework, etc.).

50 See above [note 27](#).

Recognizing and documenting the contextual nature of gender harms

To reduce the risk that a new listing will simply create another hierarchy of victims and reinforce a static view of privilege and vulnerability as opposed to a context-by-context analysis of how those play out in a particular population, it will be important to train people on how to integrate the intersection of gender with other axes of power and vulnerability.⁵¹

Part of the challenge of revising the 2005 Guidelines is that they have to a certain extent structured interventions over the last ten years and, because they themselves were structured on a very partial analysis, they have also resulted in a paucity of examples, case studies and statistics on which to base guidance to humanitarian actors. In the absence of adequate documentation, the admonition that “[a]ll humanitarian personnel should ... assume and believe that GBV, and in particular sexual violence, is taking place ... regardless of the presence or absence of concrete and reliable evidence”⁵² is essential.

However, simply assuming that GBV has taken, is still taking and will continue to take place against women, girls, men, boys and others, without developing situation-specific analyses of the distribution of GBV, will do little to overturn existing beliefs about who the likely targets are, and risks an unsustainable dilution of resources. Alongside a default assumption that anyone could be a victim until proven otherwise, therefore, there must be a consistent concern with establishing relevant data that allows context-specific and evidence-based interventions.⁵³ Such documentation will, in my view, be one of the major steps towards complicating understandings of the gender binary.⁵⁴ Documentation is not a matter of stand-alone research projects, as these are neither desirable nor particularly feasible in many crisis situations. What is required instead is to ensure that in the routine collection of data (registration data, food distribution lists, clinic attendance, health screening, etc.), the right questions are asked and the resultant data are subjected to a gender analysis.⁵⁵

51 This itself raises questions about the professionalization and technicization of “gender”: as the issues of GBV, and within that of sexual violence, have gained increasing traction, there has been a corresponding professionalization of the field of “gender”. While this is in principle a good thing, it is also a problem if those professionals have been trained in terms of the unsatisfactory frameworks outlined here. There is also a tension between the need to develop specific expertise on gender issues and the resultant tendency to technicize and compartmentalize what are fundamentally social, cultural, economic and political issues that require profound increases in self-awareness and resultant attitudinal change across the board.

52 IASC 2005 Guidelines, above [note 1](#), p. 2.

53 This is neatly captured as the first of the IASC 2008 Gender Equality Policy Statement’s seven principles for achieving gender equality, namely: “Routine collection and reporting of key data by sex and age to allow analysis of the different needs and capacities of women, girls, boys and men of all ages.” Gender Equality Policy Statement, above [note 4](#), p. 7.

54 It will flesh out the implications of the IASC’s own argument that gender “refers to the social differences between females and males throughout the life cycle that are learned, and though deeply rooted in every culture, are *changeable over time*, and have *wide variations both within and between cultures*.” *Ibid.* (emphasis added).

55 In many cultures, for example, the vast majority of people expect to marry in their early twenties; the existence of single persons above a certain age on food distribution lists might trigger enquiries into

Reaffirming humanitarian principles and developing more sustainable approaches of gender equality

For many humanitarians, the focus on sexual violence against women and children has come to be seen as an integral component of the pursuit of gender equality – interpreted as focusing on those areas in which women are seen to be more discriminated against or more vulnerable than men. Although the IASC’s 2008 Gender Equality Policy Statement “urges individual members to strengthen their own actions to ensure that the human rights of women, girls, boys and men are *equally* promoted and protected, and their different needs and responsibilities addressed”,⁵⁶ in practice women’s rights have been promoted and protected when it comes to GBV, with little attention given to the different needs of men and others. In this sense the pursuit of gender equality by way of GBV interventions has been at the cost of humanitarian principles.⁵⁷

Not only can this particular approach to pursuing gender equality be seen as opportunistic and unsustainable if done at a time when social status and social relations are already severely disrupted, but it also frequently creates pushback and resistance from men once situations have stabilized somewhat. To minimize such pushback, the “engaging men” paradigm may be helpful in pre-empting such resistance. Equally, the principle of involving all those at risk of or already affected by GBV in discussions about response, mitigation and prevention of GBV is essential, as is seeking representation from identified vulnerable groups in staffing of projects, committees and the like. In this regard, bringing understandings of the impact of GBV on men into gender work with men can provide an opportunity to ensure that men are not just engaged in what has largely been presented as someone else’s struggle, but are engaged with as actual or potential co-victims of the same system.

From gender equality to gender inclusivity

The mainstream discourse of a decade ago, as embodied in the exclusionary language and logical inconsistencies of the 2005 IASC Guidelines, should be of serious concern to humanitarians, reproducing as it does some of the very same oppressive assumptions and frameworks and practices that the goal of gender equality demands be dismantled. The focus on sexual forms of GBV and on one

whether their solitary existence was an indicator of prior experiences of GBV that resulted in either stigmatization and exclusion by the community, or depression and withdrawal by the affected person.

56 *Ibid.*, p. 1.

57 It is important to note that the ICRC added a disclaimer to the Gender Equality Policy Statement, arguing that while the “ICRC, standing invitee to the IASC, consistent with its unique mandate to protect and assist all victims of armed conflict, strives to address specifically the needs of women in all its programs”, it “does not have a policy of transforming gender relations in the contexts it works in”. *Ibid.*, p. 1. The need to place such a disclaimer indicates a recognition that it is not easy to separate gender equality from a social change or transformation agenda, and that in the process the commitment to all victims of armed conflict, which is the core of the humanitarian imperative, can easily be compromised.

constituency of victims silenced the experiences of large numbers of other victims and forms of GBV and underlying systemic and institutionalized gender power, thereby constituting a serious obstacle to understanding the full scale and locations of human need, and a corresponding block on realizing the humanitarian imperative “that action should be taken to prevent or alleviate human suffering arising out of disaster or conflict, and that nothing should override this principle”.⁵⁸

Dependence on a partial narrative had the cumulative impact of inverting a patriarchal prioritization of male over female (at least in the need-for-assistance stakes) and replacing one form of discrimination with its almost equally unsatisfactory mirror image. At a grass-roots level, this inversion, by failing to establish common ground between all those whose gender is used against them, has proven self-defeating. The marginalization from assistance of a sizeable segment of those suffering has contributed to the intellectual and political alienation of the victims concerned from the specific political change agenda to which humanitarian response has been yoked, namely the pursuit of a narrowly envisaged male–female gender equality. This marginalization has also had the unfortunate effect of reinforcing patriarchal and heteronormative assumptions about who is rendered vulnerable by their gender – and who we are supposed to assume is immutably resilient by virtue of their gender.

To reverse the current malfunction of gender as an analytical, practical and political engine, we must replace women and girls as the default at-risk group with more gender-inclusive formulations. This requires us to break down conceptual barriers, foremost of which are the assumption that gender power and inequality is unidirectional, the belief that gender power always has the same biological targets and the related view that (sexual) violence against women and children is the paradigmatic expression of these unidirectional inequalities. We need to rigorously remind ourselves that if gender truly is a social construct rather than a simple reflection of biology, then logically the holders of gender power are also constructed and their power is correspondingly destructible rather than biologically irreducible. Men and boys *can* therefore be vulnerable, particularly in contexts of conflict designed to destabilize the *status quo*; their privilege in peacetime can become the source of their vulnerability in conflict.

Recognizing various forms of militarization, homophobia and transphobia as GBV, and providing interventions in support of their victims, will prompt a sea change in the struggle for equality. In addition to fulfilling human rights and humanitarian commitments, such interventions, rather than being co-opted in the pursuit of a self-limiting gender equality agenda, will instead demand a new commitment to gender inclusivity that destabilizes a simple male perpetrator/female victim gender binary, and throws into sharp relief the profound heteronormativity and associated limitations of pursuing only male–female gender equality as a strategy for ending GBV.

58 See Sphere Project, *Humanitarian Charter and Minimum Standards in Humanitarian Response*, 2011, p. 20, available at: www.sphereproject.org/handbook/.

As the humanitarian imperative recovers meaning, the risk of a narrowing professionalization of gender as a domain of action will be reversed, gender will recover its analytical, practical and political potential, the present discourse's self-marginalizing tendencies will be overcome, a larger proportion of victims of GBV will be able to come forward and be treated, and we shall shift from the pursuit of male–female gender equality to the realization of gender inclusivity.