



POLICY BRIEF 1.3

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CHILDREN BORN OF WAR + WPS

About the Series

Forward Looking Strategies in the Women, Peace and Security Agenda: A Policy Brief Series maps new policy priorities in recognition of the 25th anniversary of the Beijing Declaration and Platform for Action (Beijing+25) and the 20th anniversary of the United Nations Security Council (UNSC) Resolution 1325 in 2020. The series will examine the WPS agenda in relation to men and boys as victims of sexual violence; men and boys as allies in promoting gender equality; masculinities; children born of war; disabilities, and sexual orientation and gender identity (SOGI).

About the Author

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Summary

- For the purpose of this brief, children ‘born of war’ refers to people conceived as a result of rape and sexual exploitation (among other gender-based forms of violence) under politicized situations such as war, military occupation or revolution. This definition does not carry an age restriction because, even as adults, the circumstances of their conception shape life opportunities and experiences.
- As part of the Women, Peace and Security (WPS) agenda, the United Nations Security Council (UNSC) passed Resolution 2467 in April 2019, recognizing children born of war as a particular victim group for the first time. In so doing, it recognized them as rights-holders who endure both related and *distinct* harms from women impregnated in acts of sexual violence.
- Despite such recognition, children born of war have not yet emerged as independent subjects of concern in policy and practice.
- This policy brief (1.3) examines the conceptualization of children born of war across academic and policy-related literature, with particular attention to the United Nations and other international standards concerning child protection in war affected areas. The brief considers the challenges of defining children born of war given their complex ‘victim status’, and the forms of structural violence that shape their lives. The brief further explores concepts of justice for children born of war.
- Given the circumstances of their birth, a child’s identity and sense of belonging are contested, creating dangers for their physical security and emotional well-being. These unique factors exacerbate general risks attached to growing up in post-war conditions.
- While there is a growing body of research exposing the unique vulnerabilities this group faces, there still remains critical policy and protection gaps. The brief advances recommendations towards addressing these gaps, which is central to exploring post-conflict reconstruction and social repair.

Children Born of War in WPS Resolutions

To commemorate the third International Day for the Elimination of Sexual Violence in Conflict, the UN Special Representative of the Secretary General (SRSG) on Sexual Violence in Conflict, Pramila Patten, announced the focus of her office in 2018 was the plight and rights of children born of war. In her opening remarks, Patten highlighted the link between the mothers' stigmatization, social exclusion and discrimination, and the fate of children born of war, who are at risk of infanticide, abuse, abandonment and rejection (UN, 2018). Recognizing that children born of wartime rape and sexual exploitation constitute an understudied and underserved category of war-victims, Patten called for a strong normative framework to assess and address the potential barriers to the realization of their human rights (Ibid).

It must be recognized – once and for all – that these children are not just the consequence of a human rights violation; they are the holders of human rights themselves. [...] The rights, needs, and vulnerabilities of these children require specific understanding, attention and approaches that are both linked with those of the mother, where appropriate, as well as tailored to the individual rights and needs of each girl or boy.

SRSR Pramila Patten, 2018

Although children born of war remain relatively invisible on the Women, Peace and Security (WPS) agenda, they have been referenced in two particular resolutions, both of which illustrate a significant shift from how their rights are assessed and addressed. First, children born of war were indirectly referenced in UNSCR 2122 (2013) when attempting to understand the reproductive rights of women who conceive as the result of conflict-related sexual violence (CRSV). Second, they were recognized in UNSCR 2467 (2019), for the first time, as a particular victim group.

Resolution 2122 (2013) recognizes the need to provide for “the full range of medical, legal, psychosocial and livelihood services to women affected by armed conflict and post-conflict situations,” noting “the need for access to the full range of sexual and reproductive health services, including regarding **pregnancies** resulting from rape, without discrimination.”

Resolution 2467 (2019) recognizes children born of war as a particular victim group. In so doing, it recognizes them as rights-holders who endure both related and distinct harms from women and girls impregnated in acts of sexual violence.

UNSCR 2467, Article 18: *Recognizes that women and girls who become pregnant as a result of sexual violence in armed conflict, including those who choose to become mothers, may have different and specific needs, and noting the connected, distinct, sometimes life threatening and enduring risks and harms often faced by those women, girls, and their **children born as results of sexual violence** in conflict, including economic and social marginalization, physical and psychological injury, statelessness, discrimination and lack of access to reparations; and urging states to recognize the equal rights of all individuals affected by sexual violence in armed conflict, including women, girls and children born of sexual violence in armed conflict, in national legislation [...].*

About the CSiW Partnership

‘Conjugal Slavery in War (CSiW): A partnership for the study of enslavement, marriage, and masculinities’ is a Social Sciences and Humanities Research Council of Canada Partnership Grant (SSHRC PG).

The partnership documents cases of so-called forced marriage in conflict situations, places this data in historical context, and examines the international prosecution of crimes against humanity as well as local reparations programs for survivors of violence. With the central participation of community-based organizations in Africa, this project will strengthen individuals’ and organizations’ capacity to prevent violence, and advance understanding of the use of conjugal slavery as a tool of war through evidence-based research.

The CSiW partnership, of which the School of Public Policy and Global Affairs at the University of British Columbia (UBC) is a partner, consists of an interdisciplinary team of researchers and partners who explore the social and legal meaning of conjugal slavery or servile marriage in times of war and the implications of this gender violence in post-conflict situations. Through archival, qualitative, and legal research this Partnership explores the experiences of men and women who were subject to or participated in enslavement in the conflicts in the Democratic Republic of the Congo, Liberia, Nigeria, Rwanda, Sierra Leone, and Uganda.

It is important to note that before UNSCR 2467 was passed, a report on [*Conflict related sexual violence*](#) was published to mark the tenth anniversary of the establishment of the mandate and Office of the SRSG on Sexual Violence in Conflict. The report, published in March 2019, captured the shift in the understanding of the scourge of CRSV and its impact in international peace and security, the response required to prevent such crimes and the multidimensional services needed by survivors (UN, 2019). As part of such required response, the report supported survivor-centred and holistic approaches to justice that account for the experiences and specific needs of children born of war. The report recognized the potential ways women and children rights may contradict and so, called for the complete harmonization of the United Nations system entities' laws with respect to the rights of survivors (Ibid). The recognition of children born of war under the WPS agenda thus serves as a significant milestone; it urges states to recognize the equal rights of children and fulfill obligations under international law to protect and support them.

Literature Review

The experiences of war-affected children were ushered onto the global stage following the publication of Graça Machel's extensive multi-country study, [*Impact of armed conflict on children*](#), presented in 1996 to the UN General Assembly. The report describes the brutality millions of children are exposed to in wartime. Highlighting issues concerning child soldiering, unaccompanied minors, and gender-based violence, the report convincingly demonstrated the centrality of war-affected children to the international human rights, peace, security and development agendas (UN, 1996). Despite efforts to raise awareness and programs concerning this issue, children born of war remain hidden within the shadows of international networks concerning children's rights (Seto, D., 2013; Mitreuter, S. et al., 2019).

Children can help. In a world of diversity and disparity, children are a unifying force capable of bringing people to common ethical grounds. Children's needs and aspirations cut across all ideologies and cultures. The needs of all children are the same: nutritious food, adequate health care, a decent education, shelter and a secure and loving family. Children are both our reason to struggle to eliminate the worst aspects of warfare, and our best hope for succeeding at it.

Graça Machel, 1996

All children are entitled to the basic right to survival, a family, a nationality, and equal treatment despite the identity of their parents, religion, and ethnicity under international standards concerning child protection. However, children born of war were exempt from the promises set out in the United Nations Convention on the Rights of the Child (UN CRC), rendering them invisible in post-conflict political processes and the work of humanitarian organizations. These children are more likely to become victims of infanticide and abandonment (violating the right to survival), familial rejection and obstacles to international adoption

(violating the right to a family), a lack of citizenship or group membership (violating the right to an identity and nationality), and political and social discrimination (violating the right to non-discrimination) (Seto, D., 2013)

In light of this, academics and practitioners have argued for the conceptualization of children born of war as a particular victim group. The inclusion of their voices in post-conflict societies, where possible, is central to understanding and explaining their unique experiences—individually and collectively.

Who are children born of war?

Defining who these children are can help to build strategies that identify their needs, the structural causes of their marginalization, and develop a space in which they can be recognized as subjects of academic enquiry.

Donna Seto, 2013

Since the late 1990s, the lives and experiences of children born during and after conflicts have been associated directly with CRSV (Lee, S., 2017). This is not surprising. As Carpenter (2010b) argues, “sexual violence has historically been, and continues to be, endemic in war-affected regions across the globe, and although they are often not remarked on, babies are often produced as a result” (p. 20). Wartime sexual violence includes forced marriage, forced pregnancy and childbearing, rape, and sexual enslavement by warring parties (Atim, Mazurana and Marshak, 2018). Thus, most academic engagement with children born of war has been in the context of CRSV. These children, however, embody the suffering other victim groups endure throughout conflict, which extends beyond sexual violence.

Charli Carpenter (2007) defines children born of war as “persons of any age conceived as a result of violent, coercive, or exploitative sexual relations in conflict zones” (p. 3). They have one parent that was part of a local or foreign army or peacekeeping force (usually the father) and the other parent a local citizen (usually the mother) (Grieg, K., 2001; Mochmann, I., 2017). Deep concern regarding sexual exploitation and abuse at the hands of peacekeepers was raised by advocates in the early 1990s and since then, all UN peace support operations have been associated with sexual misconduct to some degree (Westendorf and Searle, 2017; Lee and Bartels, 2019).

Children born of war are ‘stigmatized’ as a result of the circumstances of their birth (Mochmann, I., 2008). According to Joanne Neenan (2017), this stigma can be internalized and/or external. While internalized stigma refers to a child’s internalization of negative perceptions of being born of sexual violence and to an enemy or foreign father, external stigma refers to discrimination, stereotyping, labelling acts and behaviours directed against a child on the basis of their perceived ‘status’ (p. 23). The current status of these children is thus shaped by both the victimization of their mothers and the acts perpetrated by their fathers, which is reinforced by discriminatory

acts and behaviours directed against them by their extended family and community members who were themselves victims of wartime violence (Oliveira and Baines, 2019).

The status of children born of war is intrinsically tied to how war is waged and how societies recover from the damage caused by conflict. This, however, presents a series of challenges to defining their victim status.

Challenge to defining ‘Victim Status’

The challenge to defining the status of children born of war is their conceptualization as part of the problem as opposed to individuals in need of protection. Eithne Dowds (2019) argues that the unique *victim status* of children “requires a complex understanding of victimization and vulnerability that is difficult to articulate within narratives that attribute problems to the ‘deliberate (intentional) actions of individuals’” (p. 229 from Keck and Sikkink, 1998, p. 2). Accordingly, the next section highlights how children born of war have been conceptualized as a victim group in the literature.

A hidden group

Children born of war remain a hidden population, often with limited access to support networks (Mitreuter, S. et al., 2019). Their invisibility presents a challenge for researchers to account for their experiences (Ibid.), which further challenges the practitioner’s ability to understand their struggle and address violations of their human rights. At the same time, many children purposefully do not wish to be found (Dowds, E., 2019). Identification of children for the purpose of research may draw unwanted attention, raising ethical concerns (Mertus, J., 2007). There are many reasons for this. Firstly, their suffering is often entangled in that of another (Theidon, K., 2015). For instance, many rape survivors want to hide their trauma and the way their child was conceived to avoid stigma (Theidon, K., 2015; Denov and Lakor, 2017; Woolner, L. et al., 2018; Denov and Kahn, 2019). Secondly, as they grow older, many children try to hide their identity to escape discrimination from the broader community (Carpenter, C., 2010b). Lastly, there are ethical concerns about breaking ‘protective silences’ about children’s birth origins and generating stigma by singling them out as a group in need of protection (Neenan, J., 2017). Aid workers in Bosnia, for example, decided that they could mitigate stigma and promote social acceptance by explicitly not identifying children born of wartime rape and clustering them into the broader group of unaccompanied minors (Carpenter, C., 2010c). This decision, however, prevented such group from becoming a recognized victim group and resulted in the subject of stigma against them to be dropped off the humanitarian agenda (Ibid.).

Secondary victims

Children born of war are often framed in research and policy as secondary victims of sexual violence; their existence is irrefutable evidence of such harm (Watson, A., 2007; Sanchez Parra, T., 2017). Where women are generally seen as the primary victim, raising a child born of rape is considered an ongoing trauma, which challenges the conceptualization of

the child as an affected individual (Van Ee, E. and Kleber, R.J., 2013). However, while rape is a crime against the mother, the birth of a child can never be seen as a crime against the child itself (Ibid.). Perceiving children born of wartime rape and sexual exploitation as secondary victims limits the complex understanding of their victimization to that of their mother. As secondary characters, these children are thus used narratively to shape other subjects and social relations instead of their own (Sanchez Parra, T., 2017).

Constructions of forced impregnation as genocide acknowledged and depended on the child's presence but treated the child not as a member of the victimized group but as either a non-victim or a member of the perpetrating group.

Charlie Carpenter, 2000:475

Association with father's perpetrator status

Children are often stigmatized by perceived association with their perpetrator fathers, behaviours fuelled by gender-discriminatory, patriarchal and patrilineal understandings of a child's identity (Neenan, J., 2017). Drawing on Denov's *transmission on trauma*, Eunice Akullo (2019) argues that in patriarchal societies, the identity of a child is drawn from one's parent biological traits transferred through DNA, in addition to ecological factors. Accordingly, post-war communities tend to stigmatise and discriminate children born of wartime rape and sexual exploitation on the basis of their genetic relation to the father, in particular if he is a perpetrator to crimes endured by an affected community (Goodhart, M., 2007; Denov et al., 2017; Akullo, E., 2019). Fathered by the enemy, a child's future can be further jeopardized by the lack of paternal clan identity and social safety net (see *Structural violence against children born of war* section for further information).

Assumptions about men as only and ever perpetrators reinforce the notion that fathers are unwilling to take responsibility for these children, and that in any case a relationship between father and child in these circumstances is undesirable. However, Oliveira and Baines (2019) demonstrate that this is not always the case, referencing patrilineal societies where a child's well-being is the responsibility of a paternal family, and when a relationship may be desired by a child. Further research is required to understand how sharing responsibility for caring for children can help diminish the challenges faced by children. This requires moving beyond the limitations of gendered categories of victim and perpetrator to ground responses in the context within which children born of war grow (Ibid). In the case of post-conflict northern Uganda, for instance, mothers and extended families sometimes engage paternal clans, seeking recognition, material support and to facilitate a child's sense of belonging (Mutsonsiwa, T. et al., 2020).

Structural violence against children born of war

Despite geographical and contextual differences, these children experience similar systematic forms of discrimination and alienation.

Lack of citizenship or group membership

As offspring of a foreign military force, children born of war are left in a compromising position with regards to citizenship in societies that place emphasis on patrilineal lineage (Seto, D., 2013). The lack of formal citizenship can have long-term economic impacts if children are denied access to land, medical care, education, and other social benefits (Carpenter, C., 2010b; Denov et al., 2017; Denov and Kahn, 2019). Land ownership, for example, is vital to present and future livelihood. Children who are unable to inherit land are more likely to be vulnerable to poverty, homelessness and have decreased prospects of marriage (Neenan, J., 2017). Further, their statelessness impairs their freedom of movement, ability to receive asylum, chances of being formally adopted, and increases their vulnerability to trafficking (UN, 2018).

Health-related impacts

The lack of assistance (e.g. medical facilities and other social services) available for women who are pregnant during conflict can be detrimental to the health of the fetus and the development of the child (Seto, D., 2013). Survivors have drawn attention to the fact that some of their children born during periods of active combat have physical disabilities, such as amputations, loss of hearing due to bomb blasts or health related issues due to malnutrition (Amony, E., 2015). Many women experience physical torture combined with acts of sexual violence while pregnant; many unsuccessfully attempt to abort, exposing the child to considerable health risks and developmental problems (Van Ee, E. and Kleber, R.J., 2013; Clark, J.N., 2017; Woolner, L. et al., 2018). Further, many women who become mothers under these circumstances risk experiencing poor mental health and being parented by traumatized mothers can create additional risk factors for children themselves (Seto, D., 2013).

I do not know whose child she is. [...] My daughter is a good child, but I am sorry for her because she lives my pain. She does not live her own life; she lives mine.

Bosnian survivor, CBC Documentary

Children who survive childbirth may be exposed to infanticide, abandonment and abuse, and their psychological health may be affected in a variety of ways over the course of their young lives. Children born of war are particularly vulnerable to the possibility of neglect and lack of long-term, supportive family relationships. Some rape survivors experience difficulty bonding with their children, and even if children have positive relationships with their mothers, they can still be indirectly affected by their mothers' psychological trauma, as well as emotional abuse from close relatives, peers and members of the broader community (Carpenter, C., 2010b; Denov and Lakor 2017; Woolner, L. et al., 2018; Denov and Kahn, 2019).

Social and political impacts

Children born of war often experience discrimination, particularly social isolation from their peers, community, and the state on the basis of their social origins (Stewart, B., 2017; Atim, Mazurana and Marshak, 2018).

These children are often given names of injurious nature that turns them into living reminders of the suffering of war (Theidon, K., 2015). The names that these children are called represent the events that took place and suggest that the memory of violence is very much alive by identifying their connections with their fathers and how they are conceived under politicized situations (Seto, D., 2013; Denov et al., 2017).

Due to the political attitudes prevailing after the end of war, they can be used as a political tool in post-conflict nation-building, reconstruction and recovery processes (Weitsman, P., 2008). Their identities and descriptions of their fate are often manipulated and constructed so as to serve the interests of actors with very different agendas (Carpenter, C., 2010a). Generally, however, their complex experiences are met with political and policy blindness (Neenan, J., 2017).

Justice for Children born of War

As Mochmann and Lee (2010) argue, the concept of children's rights is of relatively recent origin. Only after WWI did the formulation of their rights find its first expression in the form of the 'Geneva Declaration of the Rights of The Child' of 1924. Since then, there have been different conceptions of the nature of childhood, making it clear that childhood and the rights children are entitled during this time of life are a *social construct* (Ibid.).

Relevant Documents:

- 1924 Geneva Declaration of the Rights of The Child
- 1945 United Nations Declaration of Human Rights (article 25)
- 1959 Declaration of the Rights of the Child
- 1989 United Nations Convention on the Rights of the Child

Transitional justice is defined as the “broad spectrum of measures that have been implemented by different countries to redress the legacies of massive human rights abuses” (McClain Opiyo, L., 2015). As Denov and Hahn (2019) argue, children born of war remain largely overlooked and excluded from transitional justice. Transitional mechanisms, which tend to impose a top-down approach to justice, elude the complexity of experiences of children born of war. Their identity as unwanted children positions them in situations where they fail to be protected by their families or their communities (Seto, D., 2013). Their fathers tend to be absent and their mothers often struggle to provide for them. In Uganda, for example, women have limited access to justice systems for enforcement of their rights and struggle to provide for their children as they face “discriminatory cultural norms for having children out of wedlock, abject poverty and scarce resources, patrilineal systems of identity, and stigma and rejection due to their perceived association with rebels” (Ladish, V., 2015). This is by no means unique to the Ugandan conflict but is a pattern that traverses all cultures and continents as part of a legacy of war.

Children born of wartime rape exist, and often die, on the margins of the already marginal.

Siobhán McEvoy-Levy, 2007: 149

As D. DeLaet (2007) argues, one of the underlying factors that complicate any consideration of justice for children born of war is that there is not a clear line dividing victims and perpetrators in most war-torn societies (p. 129). Justice for these children not only involves harm done against them, but also to their mothers and communities, the latter of which simultaneously discriminate against and stigmatize them. Accordingly, one first step toward social repair may be for communities to recognize the humanity of children born of war and emphasize their connection to their mothers and community instead of their perpetrator fathers and the violent circumstances leading to their birth. Doing so might contribute to the blurring of rigid distinctions between enemy perpetrators and victims that complicate any consideration of justice for children born of war in the first place (Ibid.).

It is important to recognize that communities transitioning from long-term, entrenched conflicts to peace face very complex challenges. This way one can look at the entire situation and identify areas where specific actors can advance a response that contributes to respecting the rights of children born of wartime rape and their mothers, so they are able to live in dignity and peace (Ladish, V., 2015). The acknowledgement of and redress for children born of war thus require a transformative approach to justice that is grounded in survivor-centred experiences and senses of justice. It requires post-conflict recovery and development plans that understand and analyze the nuanced experiences and challenges faced by children born of war and match any form of accountability to such understanding and analysis.

Transitional justice mechanisms, including reparations, offer a key opportunity to enforce the rights of children born of sexual violence and repair harms against them. However, in the absence of broader, specific policy frameworks to address their needs and remove any broader social, cultural or other barriers to rights implementation, their rights are unlikely to be enforced properly or at all.

Joanne Neenan, 2017: 12

Policy Implications

- While there is a growing body of research exposing the unique vulnerabilities children born of war face, there still remains critical policy and protection gaps. In the words of IC. Mochmann (2008), “the challenge lies in finding a procedure which secures the rights of these children without simultaneously increasing their stigmatization, making them even more vulnerable or even putting their lives at risk” (p. 60).
- These gaps rendered children more vulnerable in settings of conflict, displacement and humanitarian crisis, and urgent policy responses are needed.
- These gaps further raise questions regarding broader post-conflict reconstruction, justice and social repair.
- A transformative approach to justice that focuses on grounded, survivor-centred experiences and senses of justice is one that acknowledges,

understands and considers the complex experiences of children born of war and matches any form of accountability to such understanding.

- No comprehensive data exists on the exact number of children born of war in historic or contemporary conflicts. This data gap is reinforced by ethical concerns around not breaking ‘protective silences’ about children’s birth origins and generating stigma by singling them out as a group in need for policy attention. As presented throughout this brief, however, they are not so invisible to the families and communities in which they live. Engaging in research and practice in a way that does not further stigmatize the child is a priority in this regard.
- Considering that the status of children born of war is intrinsically tied to how war is waged and how societies recover, any grounded approach should 1) navigate the challenges in defining who these children are, their victim status and the structural causes of their marginalization, and 2) move beyond the limitations of gendered categories of victim and perpetrator to consider the possibility of sharing caring responsibilities among parents and allow children born of war to integrate into the social fabric of their communities.

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Of related interest

CSiW. “Masculinities and the Women, Peace and Security Agenda” by Divija Madhani (Policy Brief 1.2, May 2020) as part of *Forward-Looking Strategies in the Women, Peace and Security Agenda: A Policy Brief Series*.

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CSiW. “Mapping the Development of the Women, Peace and Security Agenda” by Alessia Rodríguez (October 2019).

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