

Women Are at the Center of Ukraine's Path to Justice and Recovery

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Sexual violence has captured [press headlines](#) and [accountability narratives](#) since Russia began its full-scale invasion of Ukraine in February 2022. But the Ukrainian response to such violence – which seeks to provide both criminal accountability and wider support to survivors – has received far less attention.

Civil society, especially women's organizations and survivor groups, is leading the charge amid limited State capacity and the devastation of the ongoing all-out war. Yet the scale of the sexual and other gender-based violence (SGBV) will require a comprehensive victim-centred approach as a non-negotiable part of any eventual peace and Ukraine's post-conflict recovery.

Planning for this form of holistic response requires breaking from old patterns. After all, as other [conflict negotiations](#) have shown, the focus on ending public violence between male combatants dominated by ceasefire discussions, amnesty, prisoner exchanges, weapons disarmament and security guarantees has framed conflict, ending sequences in ways that consistently ignore the needs of society as a whole, but women in particular.

Ukraine is proving a different and better way is possible by integrating the needs of victims and survivors directly into the process of [peace settlement](#) and ensuring that victims (particularly women) are not side-lined by the dominance of male counterparts and [masculine priorities](#) at the negotiation tables to come.

Gender Ideologies and Armed Conflict

As [feminist scholars](#) have long argued, understanding the brutality of war in general, and gender-based violence in particular, requires paying close attention to both

gender ideologies in society and to the gender and [social hierarchies](#) that cross over from peacetime to wartime. Perpetrators' views of gender, their commanders, and the stance of wider society is crucial for understanding conduct in warfare (see this discussion with lawyer Patricia Sellers at [16:30](#)). These dynamics are evident everyday as Ukraine fights for its survival. What many have identified as [rigid gender roles](#) between men and women, media, and political [trivialization](#) of violence against women, [crackdowns](#) on LGBTQI+ rights, and what appears to be a [toxic masculine mindset](#) of many in the Russian leadership have informed an [acutely gendered](#) onslaught against Ukrainians, including by means of SGBV.

Russia's Initial Invasion: 2014-2021

There is emerging and credible evidence that Russia has weaponized SGBV in this armed conflict since its occupation of Crimea and parts of Eastern Ukraine. During the conflict's initial phase from 2014-2021, [conflict-related sexual violence](#) (CRSV) – which [includes](#) rape, sexual slavery, forced nudity, and other acts of sexual nature of comparable gravity – received uneven attention both within Ukraine and from [international stakeholders](#). This is not unusual given what we know of other conflicts and the [information lag](#) that emerges about SGBV in armed conflict and occupation. In a few CRSV analyses before the full-scale invasion (see [here](#), [here](#), and [here](#)), human rights NGOs reported significant CRSV incidents in the occupied territories and in detention facilities, with particular harms inflicted on [detained women](#).

Widespread and credible allegations of rapes, gang rapes, electrocutions and beatings of genitalia, forced nudity, threats of rape to detainees or their family members and unwanted touching have been found and evidence prevalent use of CRSV against Ukrainian women and men, civilians, and prisoners of war. The United Nations issued [one report](#) specifically focusing on CRSV in the Russia-Ukraine armed conflict period from 2014-2017. While sexual violence was [sometimes](#) noted, the focus on and the awareness of it, both within and outside Ukraine, was meager. Illustratively, Ukraine was not mentioned at all in the U.N. Secretary General 2014-2022 CRSV [reports](#), which rely heavily on demonstrated and verified evidence of CRSV before public allegations are confirmed.

The limitations on CRSV reporting in the Russia-Ukraine conflict correspond to the limitations seen in other conflict zones, particularly the early triggering of conflict. A combination of factors – such as the [de facto freezing](#) of the armed conflict in Donbas,

which kept much of eastern Ukraine under Russia's occupation, and impeded access to survivors in occupied Crimea – played a role in this reporting lag. Stigmas around CRSV and lack of awareness about its non-penetrative forms of violence such as forced nudity or threats of rape have also impacted the reporting and, hence, the visibility of and capacity to document CRSV during the first phase of the armed conflict (see paragraph 92 of this International Criminal Court (ICC) [report](#)). After 2018, [domestic awareness](#) about the need to prosecute intricate CRSV began to [slowly build up](#). In the period before the full-scale invasion, Ukraine's prosecutors largely focused their efforts on other crimes such as deportations, torture, and persecution, and preparing the [first communication](#) on CRSV to the ICC.

The Full-Scale Invasion

CRSV in Ukraine is [no longer](#) a hidden crime. Visibility on survivors and the need for accountability has skyrocketed following Russia's undisguised all-out invasion in February 2022. Gender-based violence (GBV) and particularly sexual violence experienced by women is now at the forefront of [conflict reporting](#) and [accountability narratives](#). The Independent International Commission of Inquiry on Ukraine, which the U.N. Human Rights Council established in 2022 to investigate violations of human rights and international humanitarian law committed in the context of Russia's aggression, has [reported](#) war crimes including sexualized violence.

According to the Commission, Russian servicemen commit CRSV “at gunpoint, with extreme brutality and with acts of torture” against Ukrainian women, men, children, and elderly persons, from 4 to over 80 years old, in occupation, in detention, and during filtration (see paragraphs [567](#), [574](#), and [580](#)). Sexual violence appears to be both a tactic of military operations and an [unchecked](#) by-product of aggression by Russian forces, demonstrating many of the same patterns seen during the first phase of Russia's aggression and in multiple conflicts with [variations](#) in the forms and patterns of CRSV.

Despite similarities with other conflicts, single-headed female households [constitute 93 percent](#) of all such households in Ukraine. This statistic, exacerbated by [male conscription](#), underscores the unique challenges for women managing families, homes, employment, and volunteering in a situation of extremity and harm. Displacement, military activity, and the lack of access to certain territories held by Russia to assess the scope of atrocities mean the [vulnerability of women and girls](#) may

be under-counted. Russia's targeted [attacks on Ukraine's healthcare institutions](#) and [endangered access](#) to hospitals further [disproportionately affect](#) women, in particular pregnant and nursing women, and women struggling to survive in the period after childbirth. Non-existent or impeded prenatal care, complicated deliveries, emergency C-sections, anxiety, and miscarriages (including specific cases caused by occupiers' rape, see paragraphs [591](#), [80](#)) are some of the [acute consequences](#) faced by Ukrainian women daily (see paragraphs [508](#), [591](#), [789-790](#)).

While recognizing that women and girls are disproportionately affected by SGBV, it is critically important to recognize its use against [Ukrainian men](#) and boys. While statistics for such violence remain limited, domestic [prosecutors](#), [civil society](#) organizations, and [international](#) reports confirm that genital violence, sexual humiliation, and penetrative sexual violence has been identified for men primarily occurring during detention. From the [Rohingya crisis](#) to the [Syrian armed conflict](#), the stigma for men to report sexual violence in armed conflict is exceedingly high, and the resources to support men targeted by SGBV is limited.

Strategies for Survivors and Holistic Justice

Despite the [growing awareness](#) about CRSV in Ukraine, the possibility of prosecuting every perpetrator of more than [131,000 conflict-related crimes](#) remains elusive. There are [ongoing challenges](#) to ensuring survivor-based treatment that is adequate to the physical and emotional costs borne from particularly traumatizing experiences such as CRSV, which the war has only exacerbated. Results from other conflicts (from [Bosnia](#) to [Rwanda](#)) are reminders that criminal accountability for sexual violence is generally limited and that an over-emphasis on carceral responses may mean that insufficient attention is given to [reparations](#) including medical, social, and psychological support, which can be life-long for survivors.

Realizing these challenges, Ukraine has been acting on [both fronts](#) – pursuing criminal accountability and providing wider support to survivors.

In 2022, Ukraine's War Crime Unit established a specialized CRSV Department. Led by a [female prosecutor](#), Anna Sosonska, the Department sees CRSV as more than a [women's issue](#). The team [prosecutes](#) sexual violence committed against Ukrainian women, men, and children and [prioritizes](#) the well-being and protection of vulnerable victims and witnesses by providing psychological and other support and explaining

the intricacies and timeline of the justice process. This support allows survivors to make an informed choice about whether to participate in criminal proceedings. Even though the [first rape trial](#) since the full-scale invasion began was held *in absentia*, it demonstrates the visibility of CRSV and efforts to hold perpetrators to account.

Alongside efforts to promote criminal accountability, Ukraine has been developing [transitional justice](#) approaches and, in particular, advancing [reparations](#) since [2019](#). [Civil society](#), especially [women's organizations and survivor groups](#), have been [instrumental](#) in pushing the government to launch [urgent interim reparations](#). The recently announced [pilot program](#) will provide one-time €3000 compensation to 500 CRSV survivors and, based on its progress, plans to expand to other victims. The [Register of Damage](#) for Ukraine – which became [operative](#) in early April 2024 documents evidence and claims of damage, loss, or injury to individuals and the country – accepts [claims](#) of harm caused since the all-out invasion.

It remains to be seen how tailored these urgent and wider reparations programs are to various intersecting harms of female, male, child, LGBTQI+, and other CRSV survivors – and when and how these programs become available to other victims of other core international crimes. The coordination of all emerging reparation frameworks is another challenge particularly relevant to ensure holistic and integrated reparation across intersectional categories. Finally, it is [paramount](#) that reparations be available for victims harmed since the beginning of Russia's aggression in 2014 – not just since the full-scale invasion.

Ukrainian women and female survivors are not just persons affected by the war and seeking redress – they are agents of change, on all fronts. One fifth of the Ukrainian Armed Forces is now female. According to the Ukrainian Ministry of Defense as of January 2024, [45,587 women](#) are serving in the Ukrainian army, of whom 4,000 are in combat roles, including as [commanders](#). While [gender stereotyping](#) and other [challenges](#) remain, it is clear that women are [crucial](#) to maintaining Ukraine's military resistance – and [they are here to stay](#). So too are the [LGBTQI+ servicemembers](#), who have catalyzed an overdue [shift](#) in societal and policy thinking about the need to ensure equal rights, including marriage equality. Domestically and internationally, Ukrainian women are running varied volunteering projects, from supplying [tactical medicine](#) to [facilitating prosthetics](#) for wounded fighters and [supporting veterans](#).

A Female-Led Recovery

It is evident that much of the practical work to support survivors and their families is being led by civil society and by the infrastructure of [women's organizations](#), including [lawyers and other professionals](#) with previous experience in addressing domestic and intimate partner violence.

The scale of the work and the limits of State capacity amid the devastation of the all-out war have required civil society to step up, but this is clearly unsustainable and inadequate in the long run. A durable peace and Ukraine's recovery need the State's comprehensive victim-centred approach to SGBV and other international law violations during the armed conflict. Planning for this form of holistic response requires ensuring an equitable outcome for women and depends on women being part of the negotiations at all stages as well as being fully represented in the decision-making processes that will decide the framework for the war's end and the rebuilding of Ukraine.

Beyond representing survivor voices or being, as the late U.S. Supreme Court Justice Ruth Bader Ginsburg put it, a "[one at a time curiosity](#)," [women should be guiding](#) every step of Ukraine's [Peace Formula](#) and [recovery](#). Ukraine's [peace vision](#) is rooted in [international](#) cooperation, especially with [Global South](#) nations, and seeks restoration of its internationally recognized borders, energy and food security, environmental safety, accountability for atrocity crimes, including the triggering crime of aggression, reparations and prevention.

Decisive female leadership is [foundational](#) to the implementation of the Peace Formula and nation's meaningful [in-and post-conflict transformation](#), which will help "[hope and history rhyme](#)" for women and the wider society in a sustained way. Ukraine offers a chance to redeem the [Women, Peace and Security Agenda](#) so that it realizes the fundamental right of women to participate in the management and negotiation of conflict – and its prevention. We have had too many global disappointments to accept that the sacrifices made by Ukrainian women would be compounded by their exclusion and marginalization from the decision-making processes that are central for the future lives of women and girls. Ukrainian women and girls demand no less – and they will accept no less.

IMAGE: People clean the memorial to fallen defenders of Ukraine at the Maidan Nezalezhnosti on May 14, 2024 in Kyiv, Ukraine. (Photo by Oleksii Samsonov /Global Images Ukraine via Getty Images)

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