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POLICY MEMORANDUM

Improving Accountability for Conflict-Related Sexual Violence

by Rachel Vogelstein



Executive Summary

Conflict-related sexual violence (CRSV) remains among the gravest violations of international law, but accountability continues to lag far behind the scale and severity of documented abuses. Although the international community has made substantial progress in defining and criminalizing CRSV—including through landmark precedents in international tribunals recognizing this scourge may constitute acts of genocide, war crimes, and crimes against humanity—governments have done far less to build national systems that can successfully investigate and prosecute these crimes and deliver remedies to survivors.[1] Today, even as the United Nations (UN) confirms that verified reports of CRSV more than doubled over the past year, criminal prosecutions remain rare, protracted, and largely inaccessible—leaving survivors without meaningful recognition, redress, or support.[2]

Governments should move beyond treating criminal prosecutions as the primary measure of accountability. They should instead adopt a broader approach built on three mutually reinforcing pillars: (1) legal and institutional reforms that strengthen accountability at the national and international levels, including through universal jurisdiction and international cooperation; (2) specialized mechanisms that improve investigations and access to justice; and (3) reparations systems that provide timely recognition, redress, and support for survivors even while legal proceedings are underway. Together, these reforms can shift accountability from a largely reactive legal process to a more comprehensive approach that promotes prevention, deterrence, and lasting stability.

The Challenge: Closing the Accountability Gap

International law has established clear legal standards for addressing CRSV. Rape, sexual slavery, forced pregnancy, and other forms of sexual violence are recognized as international crimes.[3] Notwithstanding this legal recognition, implementation remains inconsistent: Domestic courts often lack the specialized expertise, political independence, or legal frameworks needed to prosecute these crimes effectively, while international tribunals have the capacity to prosecute only a small fraction of perpetrators.

As a result, survivors face substantial barriers to justice. Criminal proceedings often take years, and trauma, insecurity, and fear of retaliation can discourage survivors from pursuing claims. Even where prosecutions do succeed, they frequently fail to address the broader consequences of CRSV, including long-term physical and psychological harm, economic insecurity, social stigma, and community exclusion.[4]

A new model of accountability for CRSV is needed—one that draws on recent approaches in Ukraine, Bosnia and Herzegovina, Germany, and other jurisdictions that illustrate the importance of complementing prosecution with broader institutional reform and measures, such as reparations. Rather than creating entirely new international institutions, policymakers seeking to improve accountability for CRSV should pair efforts to strengthen existing legal frameworks with investment in practical mechanisms that expand access to justice, provide meaningful redress, and support survivors' recovery.

Policy Recommendations: Toward a Model of Comprehensive Accountability

1. Strengthen National and International Legal Frameworks

Policymakers should first strengthen national legal frameworks that enable states to investigate and prosecute CRSV in a timely and effective manner. Although international law criminalizes commission of CRSV, many domestic legal systems fail to incorporate international standards. Aligning domestic legislation with the Rome Statute and relevant international law would close gaps in criminal liability, improve consistency across jurisdictions, and facilitate international cooperation.[5]

Furthermore, states should strengthen their capacity to prosecute international crimes under universal jurisdiction.[6] For example, Germany's 2024 reform expanded national jurisdiction over sexual and gender-based violence committed internationally and strengthened victims' rights to participate in criminal proceedings.[7] Denmark adopted legislation in 2024, effective in 2025, that incorporated additional international crimes into its criminal code.[8] These reforms demonstrate that national legislation can expand

jurisdiction over international crimes committed abroad, which is especially important when territorial jurisdictions are unable or unwilling to act. Broader adoption of universal jurisdiction measures, supported by international judicial cooperation, could help reduce safe havens for perpetrators and reinforce norms against impunity.

Governments should also support multilateral initiatives designed to address substantive and procedural accountability gaps under existing international law. The forthcoming negotiations toward a UN Convention on the Prevention and Punishment of Crimes Against Humanity present an opportunity to establish clearer treaty obligations for states to prevent, investigate, and prosecute these crimes, while further codifying CRSV-related crimes, such as forced marriage.[9] Similarly, ratification of the Ljubljana-The Hague Convention would strengthen international cooperation on evidence-sharing, extradition, and mutual legal assistance, thereby promoting timely access to justice.[10]

2. Build Institutional Capacity for Effective Criminal Processes

Legal reforms are insufficient without institutions capable of enforcing them. Investigating CRSV requires specialized expertise, trauma-informed procedures, and coordination across legal, medical, and psychosocial systems. Therefore, governments should invest in dedicated investigative and prosecutorial units to address CRSV and other international crimes, rather than relying on conventional criminal justice structures.

Specialized CRSV units should bring together prosecutors, investigators, forensic experts, and professionals trained in victim protection. Ukraine's dedicated CRSV unit within the Office of the Prosecutor General, which is supported by international technical assistance and strengthens investigations and prosecutions, is one example of this approach.[11] Similarly, Germany created a specialized war crimes unit that demonstrates the value of deploying specialized expertise in pursuing crimes committed abroad. Other countries, including France and the Netherlands, have also established specialized investigative and prosecutorial units.[12] These models can improve investigations, reduce procedural delays, and strengthen the ability of domestic institutions to pursue international crimes like CRSV.

Governments should also conduct structural investigations that document broader patterns of abuse rather than focusing exclusively on individual incidents. Such investigations can help preserve evidence, identify links among perpetrators and institutions, and establish the elements needed to prosecute senior military and political officials, including through command responsibility where applicable. Germany's recent experience investigating international crimes committed in Syria illustrates the importance of building a comprehensive evidence base before individual suspects are apprehended.[13]

Additionally, policymakers should invest in training for judges, prosecutors, investigators, and forensic specialists to build expertise in trauma-informed interviewing, digital evidence collection, and other best practices. Capacity-building efforts have proven to be effective in countries from Colombia to the Central African Republic (CAR) to Ukraine.[14] International cooperation can help make this expertise more widely available: For example, in 2026, the UN Team of Experts on Rule of Law and Sexual Violence in Conflict launched a Global Network and Community of Practice for practitioners pursuing accountability for CRSV, creating a platform with which prosecutors can share knowledge and best practices.[15] Governments should expand this initiative through funding, practitioner exchanges, and shared investigative tools.

Furthermore, judicial systems should reduce the burdens placed on survivors seeking justice. Governments should establish accessible victim support services that offer legal assistance and case management throughout criminal proceedings.[16] Trauma-informed interviewing, confidentiality safeguards, timely communication, and witness protection measures can help ensure that survivors have support during the judicial process. For example, in October 2026, Ukraine adopted binding guidelines for investigating CRSV, incorporating principles from the Murad Code—an internationally recognized set of best practices for collecting evidence from survivors—and mandated a new interviewing model to minimize re-traumatization and safeguard survivors' rights.[17]

3. Establish Reparations Systems Focused on Recovery

Accountability must go beyond criminal convictions. For many survivors, acknowledgment of harm, access to health care, economic security, and social reintegration are essential components of justice. Yet reparations made to support these aims are too often delayed until years after the violations occurred, if provided at all. To address this gap, governments should establish reparations systems that operate alongside criminal proceedings rather than depend on their completion.

Interim reparations programs could provide immediate assistance—such as financial compensation, medical and psychological care, education, livelihood assistance, housing support, and community reintegration initiatives—while investigations and prosecutions are underway. These services, as well as measures to combat the stigma and community exclusion often faced by survivors, can be administered with appropriate procedures and need not depend on the conclusion of a lengthy criminal trial.

Emerging models demonstrate the feasibility of this approach. Ukraine adopted legislation in 2024 establishing a framework for interim reparations for CRSV survivors, which includes medical care, psychological services, and cash payments.[18] In the CAR, the Mukwege Foundation and the Global Survivors Fund (GSF) partnered with local organizations and survivor networks between 2022 and 2026 to provide interim reparative measures to survivors, including immediate medical, psychosocial, and financial

support.[19] In Guinea, GSF and local civil society organizations worked with survivors to design and implement an interim reparations program, enabling them to shape decisions on eligibility, compensation, health care, and collective reparative measures; survivors subsequently engaged directly with government officials in developing a national reparations framework.[20]

Governments should also establish administrative mechanisms to deliver reparations, supported by dedicated funding, transparent eligibility criteria, and oversight. Too often, legal recognition of survivors has failed to translate into meaningful assistance, and institutions lack the resources or architecture capable of providing comprehensive support. National systems should provide accessible application procedures, protect confidentiality, and ensure that survivors can access reparative services without unnecessary administrative burdens.[21]

Policymakers should also address harms that extend beyond individual survivors, such as the intergenerational consequences of CRSV.[22] In Bosnia and Herzegovina as well as in Ukraine, legislation has recognized children born of wartime rape as a distinct category of civilian victims of war, thereby granting them access to health care, psychosocial support, and educational and employment benefits.[23] Although implementation gaps remain, this reform illustrates how legal recognition and policy reform can help address the full scope of harm wrought by CRSV, including long-term stigma and community exclusion.

It is important for survivors to play a meaningful role in designing, implementing, and evaluating reparations programs. Governments should work with survivor networks and civil society organizations that possess local knowledge, established community relationships, and experience delivering services in conflict-affected areas. These partnerships can improve both responsiveness and accessibility, particularly for survivors who face displacement or barriers to formal institutions. However, these partnerships should complement rather than replace state responsibility to provide effective remedies and reparations.

Conclusion

Today, the central challenge in addressing CRSV is no longer the absence of legal protections, but instead the failure to translate these provisions into accountability. Criminal prosecutions remain indispensable, but they cannot address the lasting consequences of CRSV on their own.

Governments should pursue an integrated accountability strategy anchored in creating stronger national and international legal frameworks, specialized law enforcement and judicial capacity, and accessible interim reparations for survivors. By adopting a comprehensive accountability strategy that invests in these three areas, governments can

simultaneously strengthen the rule of law, expand access to justice, and help those harmed by CRSV obtain meaningful restitution.

Implementing these reforms will require sustained political commitment, sufficient funding, and independent oversight. Governments should establish national accountability plans that assign responsibility for investigations, prosecutions, survivor services, and reparations, with dedicated budgets and publicly reported outcomes. Progress should be measured not only by the number of prosecutions and convictions, but also by the timeliness of these proceedings, as well as survivors' access to reparations and support services for themselves and their families. Pursuing this comprehensive approach will help ensure genuine redress for survivors of CRSV and promote lasting stability.

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Endnotes

[1] See Rome Statute of the International Criminal Court, arts. 7(1)(g), 8(2)(b)(xxii), 8(2)(e)(vi) (1998) (expressly recognizing rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and other forms of sexual violence as crimes against humanity and war crimes). Subsequent jurisprudence has further developed and broadened the recognition of CRSV under international law. See, e.g., *Prosecutor v. Akayesu*, ICTR-96-4, Judgment (September 2, 1998) (recognizing that rape and sexual violence may constitute acts of genocide); *Prosecutor v. Kunarac, Kovač and Vuković*, IT-96-23-T & IT-96-23/1-T, Judgment (Int'l Crim. Trib. for the Former Yugoslavia, February 22, 2001) (recognizing that enslavement as a crime against humanity encompasses sexual enslavement); *Prosecutor v. Ongwen*, ICC-02/04-01/15, Trial Judgment (February 4, 2021) (recognizing forced marriage as a distinct form of "other inhumane acts" constituting a crime against humanity).

[2] According to the UN Secretary-General's latest report on CRSV, 9,788 cases were verified in 2025, more than double the number from the previous year. These figures reflect only UN-verified cases and are likely to significantly understate the actual scale of CRSV due to underreporting and challenges in documenting incidents in conflict-affected areas. See United Nations Security Council, "Conflict-Related Sexual Violence: Report of the Secretary-General," UN Doc. S/2026/321 (April 21, 2026), para. 8, https://docs.un.org/en/S/2026/321, UN Web TV, "Pramila Patten (Special Representative) on Sexual Violence in Conflict — Press Conference," May 29, 2026, https://webtv.un.org/en/asset/k12/k12l853soz.

[3] Supra note 1.

[4] Stigma and social exclusion are well-documented consequences of CRSV across conflict-affected settings. For example, in the Democratic Republic of the Congo (DRC), a study of 310 female survivors seeking psychosocial support found that 44 percent reported experiencing rejection following sexual violence, and 55 percent perceived a decline in their standing within their communities. See Albutt, Katherine et al., "Stigmatisation and Rejection of Survivors of Sexual Violence in Eastern Democratic Republic of the Congo," *Disasters* 41, no. 2 (2017), https://pubmed.ncbi.nlm.nih.gov/27238379/.

[5] Supra note 1. See Rome Statute of the International Criminal Court, pmbl. paras. 4, 6, arts. 1, 5-8, 17, 86-88 (1998) (defining core international crimes, establishing the principle of complementarity, and setting out States Parties' obligations to cooperate with the Court).

[6] As of 2025, universal jurisdiction proceedings involving CRSV were concentrated primarily in Europe. Among them are cases in France, where the court convicted former Congolese rebel leader Roger Lumbala of crimes against humanity–including rape and sexual slavery committed in the DRC–and proceedings concerning a former Syrian intelligence official, which involved allegations of rape and sexual violence in detention. In Germany, a separate criminal complaint filed in March 2025 against senior Ethiopian and Eritrean officials alleged rape and other forms of sexual violence committed during the conflict in Tigray. In the Netherlands, proceedings against a former member of Syria's National Defence Forces involved allegations of sexual violence and torture as crimes against humanity. Outside of Europe, Argentina was the only jurisdiction identified in this review pursuing cases explicitly involving sexual violence, notably the investigations into alleged atrocities against the Rohingya in Myanmar. See UpRights, "Universal Jurisdiction Annual Review" (2026), 18, 33, 47-48, 75, https://www.ecchr.eu/fileadmin/Publikationen/UJAR_2026_digital.pdf, Legal Action Worldwide, "Victims of the Tigray Conflict File the First-ever Criminal Complaint in Germany Against Senior Ethiopian and Eritrean Government and Military Officials" (March 20, 2025),

https://legalactionworldwide.org/press-release-victims-of-the-tigray-conflict-file-the-first-ever-criminal-complaint-in-germany-against-senior-ethiopian-and-eritrean-government-and-military-officials/.

[7] Drawing on lessons from earlier prosecutions of international crimes, Germany introduced reforms in 2024 that explicitly expanded its legal scope by recognizing additional forms of sexual and gender-based violence and strengthening victims' procedural rights. See Act on the Further Development of International Criminal Law (July 30, 2024), BGBl. No. 255, Arts. 1, 3 (Ger.) (amending §§ 7(1)(6), 7(1)(10), and 8(1)(4) of the Code of Crimes against International Law (Ger.) https://www.gesetze-im-internet.de/englisch_vstgb/englisch_vstgb.html and §§ 395(1)(2a), 395(1)(4a), 397a(1)(6), 397b, and 406g(3)
of the Code of Criminal Procedure (Ger.)
https://www.gesetze-im-internet.de/englisch_stpo/englisch_stpo.html

[8] See Law No. 1674 of December 30, 2024, § 1 (Den.),
https://www.retsinformation.dk/eli/lta/2024/1674 (introducing §§ 118d(7)-(9) into the Danish Criminal Code).

[9] See UN General Assembly, Resolution 79/122, United Nations Conference of Plenipotentiaries on Prevention and Punishment of Crimes Against Humanity, A/RES/79/122 (December 4, 2024), https://docs.un.org/en/A/RES/79/122; International Law Commission, *Draft Articles on Prevention and Punishment of Crimes Against Humanity*, 71st Session, 2019, Articles 6, 7, 9, 10, 13, and 14, https://legal.un.org/ilc/texts/instruments/english/draft_articles/7_7_2019.pdf; "Advancing Gender Justice in the Crimes Against Humanity Convention: A Declaration." Human Rights Watch (April 20, 2026),
https://www.hrw.org/news/2026/04/20/advancing-gender-justice-in-the-crimes-against-humanity-convention-a-declaration.

[10] See Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes Against Humanity, War Crimes and Other International Crimes, adopted May 26, 2023,
https://www.gov.si/assets/ministrstva/MZEZ/projekti/MLA-pobuda/The-Ljubljana-The-Hague-MLA-Convention.pdf. The convention strengthens international cooperation in investigating and prosecuting international crimes. To date, 40 states have signed it, but only two have ratified, leaving it not yet in force. https://verdragenbank.overheid.nl/en/Treaty/Details/013717_p.

[11] Ukrainian Legal Advisory Group, "Operation and Capacity of Prosecutor's Offices to Prosecute International Crimes" (April 29, 2026),
https://www.justice-needs-ukraine.report/en/chapter/operation-and-capacity-of-prosecutors-offices-to-prosecute-international-crimes. Committee on the Elimination of Discrimination against Women, "Information Received from Ukraine on Follow-Up to the Concluding Observations on Its Ninth Periodic Report," UN Doc. CEDAW/C/UKR/FCO/9 (July 11, 2025), para. 10,
https://digitallibrary.un.org/record/4086223/files/CEDAW_C_UKR_FCO_9-EN.pdf.

[12] Eurojust, "Key Factors for Successful Investigations and Prosecutions of Core International Crimes" (May 23, 2022),
https://www.eurojust.europa.eu/sites/default/files/assets/investigations-and-prosecutions-of-core-international-crimes.pdf. See also Universal Jurisdiction Annual Review 2026, pp. 11-12,
https://www.fidh.org/IMG/pdf/ujar_2026_digital.pdf.

[13] See Nicolas Kneba, "Prosecuting War Crimes Symposium — German Domestic Prosecutorial Experience," Lieber Institute West Point, February 10, 2023,
https://lieber.westpoint.edu/german-domestic-prosecutorial-experience/, Human Rights Watch,

"Germany: Conviction for State Torture in Syria" (January 13, 2022), https://www.hrw.org/news/2022/01/13/germany-conviction-state-torture-syria.

[14] In Colombia, technical assistance contributed to the recognition of 487 victims and 33 public hearings; in the CAR, support to national institutions facilitated 504 preliminary investigations and 26 trials; and in Ukraine, specialized training and mentoring strengthened investigative and prosecutorial capacity. See United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict, *Annual Report 2025* (United Nations, 2026), 6-7, 32-41, 54-57, https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2026/10/AR2026TOE.pdf.

[15] CRSV Prosecution Network, "Conflict-Related Sexual Violence Prosecution Network" (2026), https://crsv-prosecutionnetwork.org/.

[16] See Organization for Security and Co-operation in Europe (OSCE) Mission to Bosnia and Herzegovina, *Towards Justice for Survivors of Conflict-Related Sexual Violence in Bosnia and Herzegovina: Progress before Courts in BiH 2014–2016* (Bosnia and Herzegovina: OSCE, June 2017), 74-76, https://cdn.osce.org/sites/default/files/f/documents/2/4/324131.pdf.

[17] Ukraine adopted a binding national instruction establishing standardized, survivor-centered, and trauma-informed procedures for the pre-trial investigation of CRSV, safeguarding survivors' rights, dignity, safety, and participation throughout the criminal justice process. "Ukraine Adopts New Instruction for the Pre-Trial Investigation of Conflict-Related Sexual Violence," Global Rights Compliance (October 14, 2026), https://globalrightscompliance.org/ukraine-adopts-new-instruction-for-the-pre-trial-investigation-of-conflict-related-sexual-violence/.

[18] See Law of Ukraine on Legal and Social Protection of the Rights of Survivors of Sexual Violence Related to the Aggression of the Russian Federation Against Ukraine and Provision of Urgent Interim Reparations to Them, Law of Ukraine No. 4067-IX (November 20, 2024) (Ukr.); see also Global Survivors Fund, "Ukraine Adopts Law to Recognise and Provide Reparations to Survivors of Conflict-Related Sexual Violence" (November 21, 2024), https://www.globalsurvivorsfund.org/latest/articles/ukraine-adopts-law-to-recognise-and-provide-reparations-to-survivors-of-conflict-related-sexual-violence/.

[19] Mukwege Foundation, "Central African Republic; Interim Reparative Measures for Survivors of Conflict-Related Sexual Violence," (April 1, 2026), https://www.mukwegefoundation.org/car-interim-reparative-measures-for-crsv-survivors/.

[20] Global Survivors Fund, "Interim Reparative Measures Project with Survivors of Conflict-Related Sexual Violence, Guinea Impact Report" (January 2026), https://www.globalsurvivorsfund.org/wp-content/uploads/2026/03/IMP_RPO_imp-web_GIN_EN_2026.pdf, 8-9, 17-18.

[21] Ibid. In Guinea, for example, survivors helped shape a draft reparations law that incorporated lessons from the survivor-led program, including simplified identification procedures, accessible health care, and safeguards against stigma. As of 2026, the draft law had not yet entered into force.

[22] The scale of children born as a result of wartime rape remains significantly under-documented. According to the UN Secretary-General's 2022 report, an estimated 20,000 children were born of rape during Sierra Leone's civil war, approximately 8,000 in the context of the Lord's Resistance Army conflict in northern Uganda, and between 2,000 and 5,000 pregnancies resulted from sexual violence during the 1994 genocide in Rwanda. See United Nations Security Council, Report of the Secretary-General, "Women and Girls Who Become Pregnant as a Result of Sexual Violence in Conflict and Children Born of Sexual Violence in Conflict," UN Doc, S/2022/77 (January 31, 2022), https://docs.un.org/en/S/2022/77. In Bosnia alone, it is estimated that between 2,000 and 4,000 children were born as a result of wartime rape. See Rose, Sofie, "Locating the Stigmatisation of

Children Born of Wartime Rape on a Continuum of Violence" (2025), *The International Journal of Human Rights* 29, no. 3, 470-494, https://www.tandfonline.com/doi/pdf/10.1080/13642987.2024.2418468.

[23] See Law on the Protection of Civilian Victims of War in the Federation of Bosnia and Herzegovina (2023), arts. 10(1)(b), 11(1)(f)-(g), 11(1)(i)-(j), 11(1)(m), 11(3), and 29 (Bosn. & Herz.), https://fbihvlada.gov.ba/hr/9-zakon-o-zastiti-civilnih-zrtava-rata-u-federaciji-bosne-i-hercegovine (recognizing children born of wartime rape as a special category of civilian victims of war and providing for healthcare, psychosocial support, educational benefits, and employment-related assistance). See also Ukraine's Law No. 4067-IX (2024), which expressly includes children born as a result of CRSV within its definition of survivors eligible for interim reparations. United Nations High Commissioner for Refugees (UNHCR), Ukraine Legislative Update: November-December 2024 (2025), 2, https://www.unhcr.org/ua/sites/ua/files/2025-03/LU_Nov-Dec_2024ENG.pdf.