RAPE REPORTING IN POST-CONFLICT CÔTE D’IVOIRE: ACCESSING JUSTICE AND ENDING IMPUNITY

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ABSTRACT

International organizations are increasingly paying attention to the problem of sexual violence. One outcome of this attention has been the adoption of instruments that call on states to punish perpetrators of rape and end impunity for this crime. The reporting of rape to law enforcement agencies is key to formally holding perpetrators accountable. This article examines the influence of police officers and gendarmes and of social forces on survivors’ decision to report rape in post-conflict Côte d’Ivoire. It also investigates the challenges that confront those who choose to seek redress from the state. It argues that the Ivorian conflict contributed to fostering a preference for redress from the state over informal justice mechanisms. On the other hand, the blaming and shaming of rape survivors was pervasive and discouraged them from reporting. Support from friends and relatives increased the likelihood that survivors would report rape but negative social reactions had adverse psychosocial effects on them. The article explores the implications of these findings for ending impunity and for post-conflict gender relations.

SEXUAL VIOLENCE IS A THREAT to girls’ and women’s security that occurs during war and peacetime and cuts across religious, ethnic, and class lines. This violence is a manifestation of unequal gender relations and is reproduced through political, economic, and social

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forces. It is often exacerbated by violent conflict and persists in its aftermath. Rape, which is a form of sexual violence, leaves psychological scars, exposes victims to HIV and other sexually transmitted diseases, results in injuries, and sometimes ends in death. Victims are sometimes blamed and shamed by their communities, exacerbating their psychological suffering and hindering their ability to socialize, go to school, and work. These negative social reactions discourage survivors from disclosing their victimization to relatives and friends and from seeking medical assistance. They also contribute to the decision not to seek redress from the state, and enable perpetrators to act with impunity.

Meanwhile, international instruments call on states to hold perpetrators of sexual violence accountable. While instruments such as the Maputo Protocol urge African states to enact and enforce laws to punish sexual and other forms of violence against women, others such as UN Security Council Resolution 1325 focus on ending impunity for sexual violence in conflict-affected states. These instruments emphasize the need to build the capacity of the police and courts to enforce laws and prosecute offenders. However, despite this emphasis on ending impunity, particularly in conflict-affected states, there is a dearth of scholarship on rape survivors who seek redress from the state. This knowledge gap undermines efforts to end impunity for sexual violence.

With post-conflict Côte d’Ivoire as a case study, this article draws on interviews and focus group discussions to examine survivors’ decisions to disclose, and not disclose, rape to law enforcement agencies. It also investigates the effects that social forces and law enforcement officers have on these decisions. The belief that rape had become more prevalent in Côte d’Ivoire since the war and that informal justice mechanisms were failing to deter this violence, coupled with awareness-raising campaigns, led to a preference for redress from the criminal justice system. However, this preference co-existed with a distrust of the system and the shaming and blaming of rape victims. Fear of these negative social reactions was the

3. The term ‘survivor’ is used throughout the text, except where the reference encompasses girls and women who died as a result of the attack.
primary reason why survivors decided not to report rape to the police and gendarmerie, but distrust of law enforcement agencies only played a small role in this decision. The majority of survivors reversed their decision and filed a report after receiving encouragement and support from relatives and friends. They were, however, subsequently subjected to negative social reactions, which had adverse psychosocial repercussions.

The next section discusses the barriers to reporting rape in Africa and reviews the literature on rape reporting. The article then explains how a commitment to a feminist research ethic shaped the design and execution of the study. The factors influencing the decision to report rape and the experiences of survivors who do so are then presented. This section is followed by a discussion of the tension between communities’ preference for the criminal justice system and negative social reactions, and its impact on gender relations, justice for survivors, and impunity.

The underreporting of rape in Africa

Most incidents of rapes are not disclosed to anyone, and survivors are more likely to disclose to informal support providers such as friends and relatives, than to formal providers such as the police. Although this reporting does not guarantee the arrest, prosecution, and incarceration of offenders, it is a necessary step to the state holding them accountable. This accountability is important for survivors’ emotional recovery. It is also needed to prevent their revictimization by the same offender, and the assault of other girls and women, at least for the duration of the offender’s incarceration. In states such as Côte d’Ivoire that are recovering from wars in which girls and women were targeted for sexual violence, the act of holding offenders accountable leads to the discontinuation of wartime impunity.

On the other hand, because sexual violence is underpinned by patriarchal gender norms that are reinforced by political, economic, and social structures, the prosecution of offenders is not sufficient to prevent its occurrence. Furthermore, the corruption and ineffectiveness that characterize the criminal justice system, coupled with the revictimization of complainants and violence perpetrated by law enforcement officers, render the state an unattractive option to many survivors. The retributive approach


to justice of the formal system also repels survivors and causes many to seek redress from family palavers, religious forums, and customary courts.8

Across Africa, the decisions handed down in these informal forums have included the imprisonment of the offender, marriage between the survivor and offender, and restitution in the forms of goods and cash.9 Marriage and restitution are judgments that seek to maintain harmony between families and within communities. Indeed, despite some exceptions, these forums have prioritized reconciliation and restorative justice over establishing guilt and punishment, which characterize retributive justice. The salience of restorative justice has been attributed to families’ and traditional leaders’ desire to preserve social harmony.10 In fact, this approach has been key to conflict prevention, order, and cooperation in many communities. On the other hand, it usually requires that the rights and well-being of the rape survivor are subordinated to the preferences of family heads and chiefs, who are often male and do not prioritize survivors’ physical and psychosocial well-being. Furthermore, gender bias and corruption in customary courts place women, particularly the poor and marginalized, at a disadvantage.11 Nonetheless, most survivors who seek redress turn to informal forums. However, a small proportion of them report their victimization to law enforcement agencies.

When do survivors report rape?

There is a large body of work conducted mainly in the USA that examines women’s reporting of rape to the police. Although findings are mixed, certain variables have repeatedly emerged as predictors. The fear of relatives and others finding out is one such factor that prevents women from reporting.12 Women are also less likely to report acquaintance rape and

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more likely to report stranger rape.\textsuperscript{13} Fear and lack of understanding of and trust in the criminal justice system also discourage reporting, as does fear of reprisal.\textsuperscript{14} Furthermore, characteristics such as race and education predict reporting, although the results of the relationship between the level of education and reporting have been mixed.\textsuperscript{15} On the other hand, women who sustain an injury during rape are more likely to report as are women who experience peri-traumatic fear and those who think that the rape is more ‘believable’.\textsuperscript{16} Women also report because they want the offender(s) punished, to prevent revictimization as well as the victimization of others, and because they want help after the incident.\textsuperscript{17} Reporting is also likely when they fear contracting HIV.\textsuperscript{18}

A few studies have also identified support from others as a key predictor of reporting and of continuing with the criminal justice process.\textsuperscript{19} Lisa Paul and colleagues in a study of rape reporting in the USA found that women who were encouraged to report were significantly more likely to do so.\textsuperscript{20} Furthermore, the presence of advocates caused law enforcement officers to treat survivors better, which could encourage them to remain involved in the criminal justice process.\textsuperscript{21}

While studies conducted in Africa have not found that support from others predicts reporting, they show that survivors’ support networks play an important role in their interactions with the police and health services.\textsuperscript{22} Consistent with research conducted in the USA, scholars have found that characteristics of the rape, the survivor, and the context matter for the decision to report. In a study of sexual assault reporting in Ghana, Francis Boateng found that women with post-secondary education were

\begin{itemize}
\item \textsuperscript{13} Wolitzky et al. ‘Is reporting of rape on the rise?’
\item \textsuperscript{14} Ibid.
\item \textsuperscript{15} Ibid.
\item \textsuperscript{16} Ahrens et al., ‘To tell or not to tell’; Fisher et al., ‘Reporting sexual victimization to the police’; Lisa A. Paul, Heidi M. Zinzow, Jenna L. McCauley, Dean G. Kilpatrick, and Heidi S. Resnick, ‘Does encouragement by others increase rape reporting? Findings from a national sample of women’, Psychology of Women Quarterly, 38, 2 (2014), pp. 1–11.
\item \textsuperscript{18} Bachman, ‘Predicting the reporting of rape victimizations’; Paul et al. ‘Does encouragement by others increase rape reporting?’
\item \textsuperscript{19} Debra Patterson and Rebecca Campbell, ‘Why rape survivors participate in the criminal justice system’, Journal of Community Psychology 38, 2 (2010), pp. 191–205.
\item \textsuperscript{20} Paul et al., ‘Does encouragement by others increase rape reporting?’
\item \textsuperscript{22} Projestine S. Muganyizi, Lennarth Nyström, Pia Axemo, and Maria Emmelin, ‘Managing in the contemporary world: Rape victims’ and supporters’ experiences of barriers within the police and the health care system in Tanzania’, Journal of Interpersonal Violence 26, 16 (2011), pp. 3187–3209, p. 3194.
\end{itemize}
less likely to report than women with less education, and older women were less likely to report than younger women. The most common reasons cited for not reporting were that the survivor knew the offender and the statement that the family would resolve the dispute. Meanwhile, women said they reported because they wanted the offender caught and punished. A study conducted in Tanzania also showed that women were less likely to report a rape when they were close to the perpetrator. Reasons that women gave for not disclosing rape to legal organs include: to avoid publicity/shame (49.3 percent), fear of parents/guardians (26.3 percent), want to settle outside the legal system (16.9 percent), and to avoid police bureaucracy (4 percent). On the other hand, individual characteristics such as marital status, religion, and level of education did not have a significant relationship with rape disclosure. Research conducted in Kenya, Liberia, Sierra Leone, and Uganda also show that the stigmatization of survivors is a major deterrent to reporting. Organizations working in Côte d’Ivoire have attributed the underreporting of rape to the fear of stigmatization, the high financial cost of securing a medical certificate, and a preference for out-of-court settlements in a bid to preserve social cohesion.

The literature shows that social forces as well as a desire to avoid the criminal justice system affect the decision to report rape. The shaming and blaming of survivors engender a fear of disclosing rape and serve to protect perpetrators from being held accountable. According to Gordon and Collins, “This silence and social invalidation serves to create a culture which supports and normalizes the violence perpetrated against women.” The silencing of survivors legitimizes male domination and violent masculinities, which dictate that women should be sexually available to men and should silently accept rape. Police officers’ refusal to record and investigate complaints, effect arrests, and their adoption of unethical and revictimizing

24. Ibid.
25. Ibid.
26. Muganyizi et al., ‘Rape against women’.
27. Ibid.
practices, serve not only to sow distrust but also to silence survivors and thus, reinforce gender inequality. Indeed, state institutions—through their policies, rules, and practices—play a key role in structuring and maintaining unequal gender relations. Survivors are, therefore, caught between communities’ and state institutions’ norms that silence them and shield the perpetrator. Consequently, the decision to report rape under these conditions is a puzzle that requires further investigation. This article, therefore, examines the decision to report rape to the police and gendarmes in Côte d’Ivoire and the experiences of survivors who file reports. Similar to many other African states, Côte d’Ivoire is party to several international agreements that urge states to end impunity for sexual violence. In fact, it is the first African state to have adopted a national action plan for the implementation of UN Security Council Resolution 1325. Côte d’Ivoire also shares with many other African states the social barriers to reporting rape and the weaknesses in the criminal justice system. Although this study’s findings cannot be generalized to all survivors and communities in Côte d’Ivoire, they provide key insights into the challenges that can confront survivors in settings where negative social reactions are strong and there are gaps within formal institutions.

**Investigating survivors’ decision-making processes**

This study adopted a feminist research ethic to investigate the decisions that rape survivors made. This ethic is a ‘methodological commitment to any set of research practices that reflect on the power of epistemology, boundaries, relationships, and the multiple dimensions of the researcher’s location throughout the entirety of the research process...’ \(^32\) It also seeks to transform the social order under study to promote gender justice. \(^33\) The study was, therefore, designed to foreground women’s voices and experiences and to mitigate any harm that could arise from their participation. Semi-structured interviewing allowed survivors to present information that they judged to be important and relevant. The involvement of counselors in the selection of interviewees and their presence during interviews mitigated the harms that could arise from survivors’ participation in the study and any influence that the researcher and her assistant—due to their relative social positions—could have on interviewees. Because survivors’ decisions were not made in a vacuum, this article also examines the dominant beliefs and practices within their communities and within state institutions. Information from interviews and focus group discussions


\(^{33}\) Ibid.
have, therefore, been used to paint a picture of survivors’ communities and of practices within police stations and gendarmeries.

In 2014 and 2015, I conducted over 150 interviews and five focus group discussions in Abidjan, the commercial capital, and Bouaké, the second largest city in Côte d’Ivoire. I worked with a female Ivorian research assistant. In both cities, interviewees included police officers and gendarmes, personnel in key government ministries, officials of UN agencies and other international organizations, staff members of NGOs, community leaders, and religious leaders. I interviewed this range of actors because they were all engaged in addressing violence against women. I also interviewed 63 survivors of violence, who included survivors of intimate partner violence, the parents of minors who had been raped, and 21 survivors of non-partner perpetrated rape. Out of this 21, 17 had filed a complaint as at the time of the interview while four had not. Five of the complaints had resulted in an arrest and conviction, with one conviction overturned. With the exception of one survivor, whom I met and interviewed at a police station when she was in the process of following up on a complaint, I recruited interviewees through counselors in three health service NGOs and interviewed them in a private office on the premises of the health centers, where counselors and medical professionals were present. The interviews were conducted in French and interviewees were survivors who had sought medical and psychosocial assistance from the NGOs between 2012 and 2015 and subsequently agreed to participate in the study.

The rape survivors interviewed ranged in age from 17 to 33 and were of eight ethnic groups. They identified as Christian (16), Muslim (3), Buddhist (1), and non-religious (1). Six were students and with the exception of one interviewee, none had attained post-secondary education. With one exception, they held low-paying jobs in the informal sector and worked as traders, hairdressers, shop attendants, and seamstresses. In the interviews, I examined the features of the attack (location, type of violence, relationship with the attacker, etc.), the survivor’s physical and emotional state after the attack, the decisions she made and how and why she arrived at them, the responses of people in her network and in the wider community, her experiences with the health center and the criminal

34. The interviewee at the police station spoke with me mainly to voice her dissatisfaction with the police handling of her complaint.
35. The counselors sat in on some of the interviews, including those with the two survivors who were 17 years old. Each survivor received a minimum of 2,500 CFA ($4.28) to cover the cost of transportation to the health center and lunch, with an adjustment for distance traveled.
36. They each gave verbal consent to be interviewed and recorded. I informed them that they were not obliged to participate in the study and that they could end the interview at any time without any repercussions. Some interviewees chose not to reveal their names and one person asked not to be recorded.
justice system and her assessment of these institutions, and her level of satisfaction with the decisions she made. The recorded interviews averaged 26 minutes.

The study also employed focus group discussions to investigate attitudes toward rape as well as views on who should adjudicate this offense and the judgment that should be handed down. It also investigated communities’ responses to rape and the treatment of survivors. Two of the focus groups were in Abidjan and three were in Bouaké and the average number of participants per group was 10. Three were all-female groups and two were all-male. Discussions were recorded using a voice recorder and averaged 97 minutes. Participants were recruited through NGOs based in the communities. In Abidjan, all community leaders and the majority of survivors and focus group participants were residents of low-income quartiers in Yopougon. Survivors and focus group participants in Bouaké also resided in low-income communities.

Violence against women during the Ivorian conflict (2002–2011)

Political instability and conflict in Côte d’Ivoire have affected girls’ and women’s vulnerability to violence. Félix Houphouët-Boigny governed Côte d’Ivoire from 1960 until his death in 1993. He expertly managed discontent caused by the influx of migrant labor, predominantly Burkinabé and Muslim, during his presidency. An economic boom in the 1960s and 1970s, realized partly because of Côte d’Ivoire’s role as the world’s largest exporter of cocoa and a leading exporter of other cash crops, enabled Houphouët-Boigny to temper this discontent. However, falling commodity prices and the subsequent economic downturn in the 1980s, coupled with his death in 1993, fueled ethno-political tensions. Henri Konan Bédié, president of the national assembly, assumed power after Houphouët-Boigny’s death. Northern grievances coupled with Bédié’s promotion of the policy of Ivorité, which distinguished indigenous Ivoirians from those of immigrant ancestry, provoked mobilization along ethno-political and religious lines and paved the way for the first (2002–2004) and second (2010–2011) civil wars and the intermittent violence. 37

In 1999, mutinying soldiers overthrew Bédié and installed General Robert Gueï as president. In a bid to stifle political competition, Gueï

backed a new constitution which required that both parents of a presidential candidate should be Ivoirians by birth. This requirement prevented Alassane Ouattara, prime minister under Houphouët-Boigny and presidential candidate of the Rassemblement de Républicains (RDR), and 13 other candidates from contesting the election in October 2000. When the election was held, Guei declared himself winner even though early results showed that Laurent Gbagbo was ahead in the polls. Guei, however, fled the country when the security forces deserted him, and Gbagbo declared himself president. The RDR rejected the results and demanded new elections. They organized protests which degenerated into bloody ethno-religious clashes with the security forces and civilians loyal to Gbagbo.

In 2002, a mutiny by soldiers evolved into a rebellion. Rebel forces seized control of the north of the country while the south remained under the control of then-president, Gbagbo. A UN peacekeeping force, deployed in 2004, backed by French troops of the Force Licorne, controlled a buffer zone that separated the factions. A presidential election, contested by Gbagbo and Ouattara, was held in 2010. In events reminiscent of the 2000 polls, Gbagbo declared himself winner, despite results to the contrary. This would lead to an outbreak of violence which lasted until May 2011 and result in about 3,000 deaths.

Throughout the conflict, pro-government and rebel forces preyed on and committed atrocities against the civilian population, and both women and men were targeted. Pro-government and rebel forces subjected women to sexual violence. Women in Man, Abidjan, and Yamoussoukro reported an increase in violence during the 2010–2011 conflict, with internally displaced people being twice as likely to report sexual violence by armed groups. In Yopougon, a commune of Abidjan and a Gbagbo stronghold, pro-Gbagbo forces raped his perceived opponents, who were usually migrants or of northern ethnic groups. When the rebels seized control of the commune in 2011, they retaliated by perpetrating rapes and other atrocities within the commune. Côte d’Ivoire’s most recent demographic and health survey (2011–2012) showed that 5.8 percent of women had

38. Bah, ‘Democracy and civil war’.
39. Ibid.
40. Human Rights Watch, “‘They killed them like it was nothing’; The need for justice for Côte d’Ivoire’s post-election crimes’ (Human Rights Watch, 2011); Scott Strauss, “It’s sheer terror here”: Patterns of violence during the first four months of Côte d’Ivoire’s post-electoral crisis’, African Affairs 110, 440 (2011), pp. 481–489.
41. Ibid.
43. Human Rights Watch, ‘They killed them’.
44. Ibid, p. 91.
experienced sexual violence in the year preceding the study. The figure was higher in the west of the country (8 percent), a region controlled at different times by pro-Gbagbo forces and rebels. International and Ivorian courts are prosecuting a handful of individuals, including Gbagbo, for atrocities committed during the post-electoral conflict but justice has been administered selectively. Rebel forces, who supported current president, Alassane Ouattara, have largely escaped accountability.

**Sexual violence and justice in post-conflict Côte d’Ivoire**

Girls and women’s security in post-conflict Côte d’Ivoire has been threatened by both physical and sexual violence. In Bouaké, ex-combatants, some of whom remained armed, were targeting girls and women for rape and robbery in 2015, four years after the conflict had ended. State agents, including 51 soldiers, three policemen, and one gendarme, were the perpetrators in 5 percent of rape cases documented nationally by the Human Rights Division of the United Nations Mission in Côte d’Ivoire (UNOCI) in 2015. Thirty percent of the documented incidents were perpetrated by neighbors and other acquaintances, 10 percent by relatives, 2 percent by teachers, and 60 percent by individuals who were not known to the victim. In 66 percent of the documented cases, the victims were between the ages of 2 and 17, including 12 boys (1 percent). The figures show that girls and women were vulnerable within and outside the home.

Certain characteristics of the post-conflict context increased women’s vulnerability to sexual violence. The high level of poverty and unemployment forced women into precarious activities including sex work that rendered them vulnerable to victimization. Unemployment affected gender relations as many men struggled to fulfill the role of breadwinner, threatening their sense of masculinity. This led to frustration that was sometimes drowned in alcohol and expressed in physical and sexual violence against partners. Poverty, high unemployment, and drug abuse also fueled

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47. ONUCI, ‘Rapport sur les viols’.
crime, including rape, which was facilitated by the relatively weak rule of law in some areas of the country and the ease of access to weapons. Rape was largely perceived as an act that tarnishes and destroys its victims. Some survivors and focus group participants explained that survivors, particularly those who were Muslim, were viewed as unsuitable for marriage, because rape resulted in the loss of virginity. The fact that a rape can result in injuries that affect a survivor’s ability to conceive and bear a child and put her at risk of contracting HIV and other sexually transmitted diseases added to its perceived destructiveness. Their responses demonstrate that the society judged women’s social value by their sexual purity and capacity to conceive and bear children. Many people have responded to this perceived destructiveness of rape by shaming and stigmatizing victims and their families, thus exacerbating the emotional distress that usually occurs as a result of the act. Victim blaming was also common. Both male and female focus group participants argued that victims’ revealing attires and their frequenting of dangerous areas at night were causes of rape. Writing about South Africa, Pumla Gqola argues that obeying these warnings does not protect from violence and that the discourse communicates to girls and women that public spaces do not belong to them.

Ivoirians have relied overwhelmingly on the informal sector for the adjudication of rape cases. Survivors and their families have settled cases in discussion with the offender’s family or have turned to community leaders, chiefs, and Christian and Muslim leaders. Although there are many exceptions, the process in these forums usually culminated in the fining of the offender. Chiefs interviewed maintained that fining the offender, instead of handing him over to the state, was necessary to maintain peace and harmony between the affected families as well as within the community. Despite reports of rapists being beaten, chiefs said they did not order violence. Instead, the basic settlement was for the accused to cover the victim’s medical expenses. Additional fines might be levied based on factors such as ethnicity and the age of the victim. A community chief in Abidjan argued that the only crime that should go before the state is murder. My interviews with law enforcement officers and the parents of children who had been raped revealed that chiefs and religious leaders often collaborated with offenders’ relatives to discourage reporting and encourage case withdrawal.

The interviews and focus group discussions revealed dissatisfaction with informal forums. This dissatisfaction stemmed from the assessment

51. Gqola, ‘How the “cult of femininity”’.
52. I interviewed one village chief, five community chiefs, and two religious leaders.
that settlements failed to punish and deter offenders. Indeed, two community chiefs in Abidjan admitted to settling cases involving serial rapists. With young men taking up arms and the spread of gangs in some communities, chiefs’ influence over young men, and thus their ability to deter crime, had diminished.53 For survivors, having to continually encounter their rapists within the community and the pain it caused was another source of dissatisfaction with extrajudicial settlements. Furthermore, some interviewees accused community leaders in Abidjan of exploiting rape cases for financial gain.

This dissatisfaction occurred in an environment in which people were more conscious of rape, due to sexual violence during the war and post-conflict awareness-raising campaigns, and were of the opinion that the problem had become more prevalent. Both female and male focus group participants revealed that they had been exposed to information about rape from television and radio programs as well as posters. They explained that these materials had conveyed that rape was a criminal offense and that there were mechanisms in place to aid survivors and help them access justice. Indeed, a female participant intimated that Côte d’Ivoire was now serious about rape because it had passed a rape law. However, Côte d’Ivoire’s rape law predates the war; the change was the education on rape and on accompanying laws being provided by international organizations, NGOs, and the state. This awareness-raising campaign seems to have broken some of the silence surrounding rape, such that it was less of a taboo to speak about the act to relatives, friends, and service providers. This change, combined with the perception that informal forums failed to deter rape, and concern about the prevalence of the act and the harms it caused, led to strong agreement in the focus groups that rape should be reported to the police and gendarmes, although the majority thought that certain cases should be resolved informally. These included marital rape and cases where both the perpetrator and victim were minors. Interestingly, this call for the involvement of the state existed alongside a distrust of the criminal justice system.

There is thus something of a paradox that focus group participants were firm in their dissatisfaction with informal forums and wanted the state to intervene in rape cases, yet they distrusted law enforcement agencies, particularly in Bouaké. For example, female participants complained of police corruption and said that police officers also rape. They stated that the police would insist that the perpetrator in a stranger rape was the victim’s boyfriend and would not investigate complaints. They, therefore,

argued that the best course of action was for a survivor to bypass the police and report directly to the courts, where they believed there was a better chance of finding honest officials.

Although combating rape and other forms of violence against women was not a priority of the Ouattara government, it was collaborating with the UN peacekeeping mission, donors, and NGOs, to improve women’s access to justice. Government-operated social work offices provided psychosocial counseling and referred survivors to clinics and hospitals, some of which provided free medical care. The peacekeeping mission provided gender-based violence training for recruits into the police and gendarmerie and organized seminars in collaboration with local and international NGOs. The police and gendarmerie had assigned gender focal persons to some, but not all, police stations and brigades. Counselors revealed that the performance of these agencies had improved since 2011 and four of 17 survivors stated that they were satisfied with the handling of their cases. However, unethical practices and failure to investigate cases and effect arrests persisted. One survivor said that a police officer asked her to pay a fee before he recorded her complaint while five others said that their complaints were not investigated. Two survivors also reported that police officers tried to discourage them from filing complaints and appeared to be in collusion with the perpetrator. There are also reports of police officers and gendarmes perpetrating rape. Therefore, while the state was taking steps to address rape, there were weaknesses within the police and gendarmerie. The next section examines how these weaknesses, and negative social reactions, affected the decision to report rape and the experiences of survivors who filed complaints.

Deciding whether or not to report rape to the law enforcement agencies

For most survivors, the immediate aftermath of rape was characterized by physical and emotional pain, fear, anxiety, and shame. This affected their decision to disclose rape and how they arrived at this decision. Four (19 percent) of the survivors had not reported their rape to a law enforcement agency as at the time of their interview. They were, however, not the only individuals who had decided against reporting. Another 11 survivors (52 percent) had also decided not to report but had reversed this decision and filed a complaint. Table 1 presents the reasons cited by these two groups of survivors.

The primary reason for not reporting was survivors’ desire to prevent their community from hearing about the incident. At the root of this preference was the belief that they would not receive support from their

54. ONUCI, ‘Rapport sur les viols’.
community and would instead be mocked, gossiped about, stigmatized, and ostracized. A 33-year-old trader, who had decided against reporting but then reversed her decision, summarized this concern when she said:

…when people know you’ve been raped, especially in Africa, it becomes something else because they point fingers at you, they point you out and say ‘That one has been raped’ and it prevents you from having relationships and people keep their distance a bit from you.\(^{55}\)

Survivor 15, a 22-year-old hairdresser, explained why she initially decided against reporting and described her experiences after she did:

…I was overwhelmed, I didn’t want people to hear about it. I wanted it to stay like that… When I pass through [the quartier], it’s now that it’s gotten better, they say, ‘Look at the girl they did that thing to, look at the girl they raped’. Even when my friends pass through, ‘Look at the friends of that girl who was raped’. It’s because of all these things that I didn’t want people to hear about it.\(^{56}\)

Meanwhile, the behavior of relatives also caused survivors to decide against reporting. They anticipated that their relatives, usually parents, would blame them for putting themselves in danger and would not support them in seeking justice.

Concern about the effect of incarceration on the lives of rapists and their families also discouraged reporting. In line with the literature, the survivors who expressed this concern had been raped by boys and men they knew. This concern for the rapist and his family was fueled by the social pressure to forgive and avoid community strife.

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\(^{55}\) Survivor 9, Interview, Bouaké, 30 July 2015.

\(^{56}\) Survivor 15, Interview, Abidjan, 17 July 2015.
Survivors who blamed themselves for the rape were the only ones who said they did not report because they thought law enforcement officers would not believe them. Although this fear that they would not be believed by police and gendarmes did not emanate from previous interactions, it demonstrates that survivors expected officers to subscribe to rape myths and not to take seriously cases that did not have stereotypical rape characteristics. Otherwise, distrust of law enforcement officers and lack of faith in their ability to investigate complaints and arrest suspects were not major determinants of the decision not to report rape. Overall, the expected words and actions of community members most strongly discouraged survivors from reporting. Nonetheless, the interviews show that for a small proportion of survivors, the fear of negative reactions did not prevent reporting. And even when it did, the decision not to report was often reversed.

Out of 21 survivors interviewed, five (23 percent) decided to report the rape when it occurred and followed through with a report. Although these survivors shared some of the concerns held by those who decided against reporting, they did not choose nondisclosure as an option and led a report with the police or gendarmerie, without being persuaded by anyone. On the other hand, 11 of the 15 survivors who had initially decided against reporting also filed an official report with a law enforcement agency. Table 2 presents the eight reasons for reporting, cited by these 16 survivors.

For the group of five survivors who independently decided to report, the act of rape and its effect on them were the main reasons for reporting. They decided to report because they felt the rape was brutal and harmful, and they wanted the rapist to be caught and punished.

Table 2 Reasons for the Decision to Report Rape to a Law Enforcement Agency

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<th>Reasons for reporting</th>
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<tbody>
<tr>
<td>Someone encouraged me to report</td>
<td>11 (68%)</td>
</tr>
<tr>
<td>The rape was brutal/barbaric</td>
<td>4 (25%)</td>
</tr>
<tr>
<td>I wanted to compel the rapist to do something/stop doing something</td>
<td>3 (18%)</td>
</tr>
<tr>
<td>I felt bad</td>
<td>2 (12%)</td>
</tr>
<tr>
<td>The rapist robbed me</td>
<td>2 (12%)</td>
</tr>
<tr>
<td>I wanted the rapist to be caught</td>
<td>1 (6%)</td>
</tr>
<tr>
<td>I was afraid the rapist had infected me with HIV</td>
<td>1 (6%)</td>
</tr>
<tr>
<td>I wanted to prevent the rapist from raping others</td>
<td>1 (6%)</td>
</tr>
</tbody>
</table>

Source: Interviews with rape survivors in Abidjan and Bouaké.
Nonetheless, these sentiments were generally not sufficient to lead survivors to report. Indeed, several of the survivors who had not reported at all or had initially decided against reporting but later reversed their decision thought their rape was brutal, were upset, and wanted the rapist to be prosecuted, and in one instance, executed. Yet, shame, fear of stigmatization, and lack of family support caused them to elect not to report. This was the case of a 24-year-old seamstress who was raped by a friend whose house she was visiting. She described a brutal and humiliating experience in which the rapist beat her for an hour, bit a chunk of her flesh, urinated on her, and robbed her. Yet, she decided against reporting because she thought her community would mock her and her relatives would blame her for choosing to visit his house. She only reported to the police after being persuaded by a male friend. Survivor 21, and the other 10 survivors who changed their mind, only did so due to advice and encouragement received, primarily from relatives and friends, but also from health care workers and in one instance, a stranger. Survivor 21 described how her friend persuaded her to report the rape to the police:

...I dialed a friend’s number, he came to raise me up (physically). When we arrived at the house it was 1:00 am, almost 2:00 am, he said, ‘Are you going to leave it like this?’ I said, ‘What will I do? Because I am ashamed. If I speak of this in the quartier people will mock me. My parents will also say they told me not to go out and I went out so I don’t know what I can do again’. So it was him [her friend] who began to talk to me, little by little, and he said ‘If you leave it like this, don’t ever speak to me again’...So when he spoke I said I understood, let’s go, and we went to the police station.

These individuals, whom I term allies, were mostly relatives (five cases), but also friends (four cases), a social worker, and a stranger. Relatives consulted were parents, siblings, and aunts and uncles, and in four of the cases, the survivor confided in more than one relative. In seven of the cases, including all those in which friends were consulted, the ally was male. While some allies had post-secondary education and worked in the formal sector, others did not.

Allies listened to and believed survivors’ accounts and advised, encouraged, and persuaded them to report. The acts of listening to and believing survivors provided emotional support and relief. Allies’ presence, words, and actions appeared to give confidence to girls and women who had either decided against reporting or were still considering how to proceed. This was apparent in the case of Survivor 10, a 17-year-old student who was drugged and gang raped by two of her childhood friends. She explained that she had determined to report as the men were committing

57. Survivor 21, Interview, Abidjan, 13 July 2015.
58. Ibid.
59. I have incomplete information on the educational attainment and employment of all allies.
the act and told them as much. In response, one of the rapists told her that the police would not do anything because his family ‘had money’. She said his statement ‘took away her courage’ and, therefore, instead of informing her parents or the police, she told a male friend who then encouraged her to disclose the rape to her parents and the police and accompanied her to the police station. Indeed, some allies also accompanied survivors to the police and gendarmerie, stayed with them as they were interviewed, followed up on the case after the initial report, persuaded them not to drop their complaint, assisted in tracking down and arresting the rapist, and accompanied survivors to court.

The presence of allies mattered not only for justice but also for the health of survivors. Three survivors only went to a clinic or hospital after they were advised to do so by an ally. A delay in receiving medical assistance, or a failure to do so, could jeopardize a survivor’s health and the collection of trace evidence by law enforcement officers. The influence of allies does not mean that survivors lacked agency but rather that the trauma of rape; the shame, fear, and other social pressures that accompanied the crime; and most survivor’s lack of experience with and understanding of the criminal justice system were significant barriers that few people could independently surmount. The act of reporting is, however, only a first step on the sometimes-tortuous path to formal justice.

While the majority who reported sought the arrest and prosecution of the rapist, three of them sought to use the act of reporting as a bargaining chip. In such cases, reporting (and thus the threat of prosecution) was used as leverage to compel a rapist to do something or to cease doing something. In two of the three cases, survivors reported in order to compel restitution by the rapist and in the third, the act of reporting was to deter harassment by the rapist’s family. Furthermore, social pressure led to the withdrawal of cases. One reported case was withdrawn from the police but the attempt by another survivor to withdraw her complaint failed when the police refused to release the rapist from custody. Although the pressure to withdraw usually came from a rapist’s family, law enforcement officers could also exert this pressure in collusion with the family. Survivor 21 experienced this at the police station:

I went to the police station and they [the rapist’s relatives] were doing all kinds of things. Saying they would give me money if I dropped the case. That it was because of money that I came for the medical certificate...I had the complaint in my hand but I didn’t want them to send him to prison because I was afraid; his parents had already threatened me that if I sent him to prison they would free him. That if they crossed me, they would harm

60. Survivor 10, Interview, Abidjan, 9 July 2015.
61. DNA evidence was often not analyzed by law enforcement agencies.
me… I was sitting there from 4 am to 6 pm just for them to give me the paper to sign and they weren’t giving it to me. They [the police] told me to go and talk with them [the parents]. They [the parents] told me to drop the case… I was there. I was waiting. I became afraid because I didn’t have anyone behind me and because they were giving me the run-around I called the aunty who is here [the counselor]. I told her ‘Aunty, I am alone at the police station but the way the police and the boy’s parents are behaving is making me afraid. Shouldn’t I drop the case?’ She said ‘You are not alone, I’m coming. If you’ve decided not to drop the case, I will stand by you’. She came to the police station and they [the rapist’s parents] called her to apologize, to say that the boy would marry me after. And I said, ‘I cannot marry my rapist, not someone who has maltreated me this way. I cannot!’

Her account shows that law enforcement officers are also a barrier to reporting and participate in the secondary victimization of survivors.

He [a police officer] came out and asked me, ‘Do you know what you are saying about this young man is serious? Do you know they are going to send him to prison? Why do you really want to do this? Did he really sleep with you? How did he sleep with you? Did he sleep with you in the street? Are you sure he slept with you in the street?’ So, you are saying I can stand up and come before all these people to say I’ve been raped? First they are going to look at me, talk about me, point fingers at me and say ‘They’ve raped this person’. Are you sure I would do this? He said, ‘In what position did he sleep with you? Did he lift up your legs or was he standing?’ In any case that part made me feel bad; from there I didn’t want to pursue the matter.

In cases where perpetrators had the support of their relatives, community leaders, and law enforcement officers, survivors faced immense pressure to drop the case. In these instances, allies were particularly important. Nonetheless, their involvement was often insufficient to prevent or protect against negative social reactions from community members. Survivors who could afford the financial cost of relocation moved to quartiers where people did not know about their victimization. Most, however, lacked the resources and thus stayed in their communities. Therefore, many girls and women continued to fight a social and economic battle after they had sought redress from the state and in some instances, after they had attained formal justice.

**Conclusion**

Activism by women’s organizations has led international and regional organizations to urge states to prosecute perpetrators of sexual violence. This article examines how survivors come to pursue the prosecution of their attackers and the repercussions of this decision. The findings reveal

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that the Ivorian conflict and post-conflict awareness-raising have reduced the silence surrounding rape and fostered an environment that is more open to the adjudication of rape cases by the state in some communities.\textsuperscript{65} Scholars have argued that conflicts can disrupt the gender status quo by pushing women into new roles.\textsuperscript{66} This study shows that conflict and its aftermath can transform attitudes toward punishment for rape and justice for victims. This transformation is a recognition of the victimization of girls and women. It also delegitimizes some forms of rape. Demanding harsher punishment for rape signals that it is a major offense and that the act, which is a manifestation of men’s control of and power over women, is not acceptable. However, the blaming and shaming of rape victims show that many people still subscribed to rape myths, such as those that blame victims for the act. This demonstrates that the shift in attitudes toward punishment was not accompanied by a corresponding shift in understanding of who is responsible for rape. Furthermore, the assertion by most focus group participants, that marital rape and battery should remain private, suggests that this transformation is mostly in relation to non-partner-perpetrated rape. This is likely because the stated willingness, by focus group participants, to involve law enforcement agencies was linked more to concerns about post-conflict criminality than to a recognition of women’s rights. Thus, this transformation did not extend to acts that were not perceived as crimes or as connected to post-conflict criminality. This ensured that the gender status quo, though shaken by communities’ willingness to punish rape, remained strong.

The pervasiveness of negative social reactions countered the call for formal justice. Although the number of survivors interviewed prevents generalization to a larger population, this study identifies key explanations for survivors’ choices. Negative social reactions hindered the erasure of the silence surrounding rape and ensured that even though survivors wanted the state to intervene, they were reluctant to report rape. Consistent with the literature, allies helped survivors to report despite their fear of negative social reactions.\textsuperscript{67} Indeed, these reactions and the gaps in the criminal justice system rendered allies particularly essential in this context. Nonetheless, these conditions led to stigmatizing and ostracizing, loss of financial support from some relatives, and revictimization by law enforcement officers. Allies were, therefore, not a panacea to the problems that survivors faced. Furthermore, survivors, particularly those who lacked

\textsuperscript{65} The silence refers to disclosing rape to relatives, friends, the police, and other service providers.


\textsuperscript{67} Paul et al., ‘Does encouragement by others increase rape reporting?’
allies, were likely to remain silent or rely on informal forums in the face of these responses.

In promoting the state as the site of redress, it is important to consider the challenges that survivors face in bringing their claims before the state and how they are treated afterward. In the absence of this, there is a risk of exacerbating the suffering they have experienced and placing them at risk of further victimization. These findings show that reforming law enforcement agencies to improve their responses to sexual and other forms of violence against women is only one step on the path to ending impunity. The positive and negative effects of individuals outside the state suggest that a holistic approach that seeks to change attitudes within communities while providing comprehensive assistance in the form of medical and psychosocial care, legal assistance and protection, and financial support is needed. Elements of this are present in programs in Côte d’Ivoire and in other African states, but they are implemented in a piecemeal fashion, are underfunded, and are overstretched. This undermines efforts to end impunity and places survivors who seek justice from the state at a serious disadvantage.