



## *Gender Equality News*

### **VIOLENCE AGAINST WOMEN AND GIRLS**

*Violence against women places limits on a fundamental human right: security of the person. It threatens freedom of movement, expression and assembly; it undermines self-esteem and confidence and erodes human dignity. It limits women's choices and prevents them from participating equally in the development of their societies. If violence, or the threat of violence, prevents women from attending meetings, earning a livelihood and retaining their income, or participating fully in development projects, the individual suffers, her family suffers -- and the community suffers.*

#### **Violence against women and girls: from personal pain to public priority**

The defining moment in the international struggle against gender-based violence occurred at the 1993 World Conference on Human Rights in Vienna. Riveting personal testimony from rape victims of the war in former Yugoslavia at the Global Tribunal on Violations of Women's Human Rights captured the international media. *The Vienna Tribunal*, a film of those accounts produced by the National Film Board of Canada, continues to raise awareness today in countries around the world.

Broad-based advocacy and lobbying on the part of women's organizations worldwide, and strategic interventions by delegates at the conference, generated a critical mass of support among decision-makers to address this issue. After Vienna, violence against women was no longer seen as personal, private or protected by custom and culture. It was accepted as a

violation of human rights and a manifestation of the historically unequal power relations between women and men. Its role as a method of control and subjugation was acknowledged. All forms were seen as unacceptable, regardless of custom, tradition or religion, and that applied to violence in the home, community or state.

#### **Evolving international commitments**

The Convention to Eliminate All Forms of Discrimination Against Women framed the issue of gender-based violence as a violation of human rights nearly 15 years before. By the end of 1993, the UN passed a Declaration on the Elimination of Violence Against Women, providing a definition: "...any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."



### **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

Often called the women's "bill of rights", this convention, adopted in 1979 by the UN General Assembly, defines what constitutes discrimination against women: **"any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."**

It also obliges countries to take proactive measures to end discrimination, including reform of all laws, establishment of institutions which protect women against discrimination and eliminating all acts of discrimination by individuals, organizations or enterprises.

Although a number of reservations have been made to some sections, this Convention has been ratified by 165 countries, which are obliged to report annually on their compliance. Some of the areas of action include: reproductive rights, political participation, girls' rights, education, economic participation, family life, cultural traditions, violence and legal reform.

In 1994, a Special Rapporteur on Violence Against Women, Radikha Coomaraswamy, was named, and in the following year, the Beijing Platform for Action identified violence as a critical area of concern. In the years that followed, new UN resolutions and recommendations on a variety of aspects of violence, including female genital mutilation, women migrant workers and trafficking, have been passed, inspiring regional and national legislation. New legal instruments, such as the Optional Protocol to CEDAW, adopted in October 1999, allows women to seek redress for violation of their human rights, including gender-based violence.

Regional initiatives have been taken as well. For example, the InterAmerican Convention on the Prevention, Punishment and Eradication of Violence Against Women has been ratified by 29 member states, and 16 have already passed enabling national legislation; and at least nine African countries have passed or are considering legislation against female genital mutilation. Individual countries are continuing to pass legislation prohibiting the practice, often based on CEDAW, which have appropriate administrative frameworks and sanctions. Public awareness and training for professionals often accompany these legal changes.

Following the review and appraisal of the implementation of the Beijing Platform for Action, the UN urged more concrete progress against gender-based violence, focusing on actions and initiatives in passing national legislation, more effective enforcement of existing legislation, prosecution of criminals and increased research and knowledge sharing.



For further information on the international policy framework on gender-based violence, please consult

<http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/SRwomen+En?OpenDocument>

### **The Legacy of the Vienna Tribunal: Gender and the International Criminal Court**

The Rome Statute setting up the International Criminal Court in July 1998 is the first international treaty to adequately codify sexual and gender crimes by placing them on a par with other serious international crimes. Article 7, which details crimes against humanity, includes "... Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity...", while Article 8, which details war crimes, further criminalizes these acts in the context of war. This statute establishes a permanent international criminal tribunal with the power to prosecute individuals who commit genocide, war crimes or crimes against humanity.

### **Violence Against Women: A Partial Portrait**

By its very nature, its association with shame, personal blame, fear of retaliation and distrust of authority, violence against women goes under-reported in every country of the world. Although

experts view it as generally endemic, collecting comprehensive and reliable data on a global scale has proven elusive. Nevertheless, some recent studies have served as indicators of the nature and extent of the phenomenon.

According to the World Health Organization, worldwide:

- at least one woman in five has been physically or sexually abused by a man or men;
- violence against women is as serious a cause of death among women of reproductive age as cancer, and a greater cause of ill health than traffic accidents and malaria combined;
- between 36% and 62% of all sexual assault victims are less than 15 years old;
- somewhere between 16% and 52% of women have been assaulted by an intimate partner, and between 10%-15% of women have been raped by their partner.

According to the World Bank:

- Rape and domestic abuse account for the loss of between 5% and 16% healthy years of life in women of reproductive age;
- Between 50% and 60% of women abused by their partners are raped by them as well;
- Of the world's 22.5 million refugees, 75% are women and girls, who are particularly vulnerable to sexual blackmail in return for safe passage, documentation and rations.



### Attitudes: domestic violence treated as a private affair

In twelve Latin American countries, a rapist can be exonerated if he offers to marry the woman he attacked. In some Muslim countries, women who have been raped are forced to marry their attackers. In others, a woman cannot bring a charge of rape against a man unless three other men swear that the crime occurred. Many anecdotal cases exist of rape victims being killed by the male members of their families to preserve family honour.

A telling estimate from Nobel prize-winning economist Amartya Sen indicates the toll of violence in Asia: some 60 million women and girls are not alive because of gender discrimination, much of which is violence-related.

### Causes:

Although there is no single factor accounting for such violence, precipitating factors include economic stresses like unemployment, extreme poverty or financial instability; social stresses like a change in the status of women; war and civil unrest; alcohol or drug abuse; or psychological problems. The triggers may vary, but the common enabling factors include patriarchal power structures and the low status of women.

### Impacts:

- **For women:**

There is a correlation between gender-based violence and teen pregnancy, sexually

transmitted diseases including HIV and AIDS, miscarriages, low birth weights and neonatal and maternal mortality. Survivors also suffer from depression, anxiety, psychosomatic disorders, obsessive-compulsive behaviour, low self-esteem, sexual dysfunction, post-traumatic stress, self-injurious actions, including suicide, and all kinds of risk-taking behaviours.

- **For society:**

- **Reproducton:** Violent behaviour tends to repeat from generation to generation, and children in violent homes are more likely to suffer from illness, social dysfunction and poor performance at school.
- **Productivity:** Health costs rise and women's productivity drops. For example, according to the InterAmerican Development Bank, the cost of domestic violence to the economy is estimated at 1.6% of GNP in Nicaragua and 2% of GNP in Chile. The Bank also estimates that the effects of domestic violence on women's earning capacity ranges from 75% to 156%, due to such factors as high rates of absenteeism, lower productivity, lower on-the-job earnings and lower motivation.
- **Community Participation:** Society is robbed of women's contributions - the potential of individuals is lost, and their inability to participate in development projects reduces both efficiency and effectiveness and can threaten project success.



### CIDA and Violence Against Women

Violence against women impacts directly on the second objective of CIDA's Gender Equality Policy: it prevents women and girls from realizing their human rights. As such, it creates obstacles to women's ability to participate equally with men as decision-makers and to their ability to have access to and control over the resources and benefits of development. Because gender equality is a critical ingredient in the success of development projects, especially those related to poverty reduction, gender-based violence is often a significant barrier to development.

CIDA supports a wide range of projects addressing five major areas of violence against women:

- Domestic violence, which affects roughly one in four women worldwide.



CIDA Photo: Patricio Baeza

*Women from the community discuss violence against women with a police officer on Trinidad Radio, Trinidad, Paraguay. With support from CIDA's Gender Equity Fund, the Violence Against Women Awareness Project in Trinidad organizes meetings and community discussions in order to sensitize police officers to this issue.*

### Working with men

Men are playing an increasing role in promoting an end to gender-based violence. A Canadian non-governmental organization, the White Ribbon Campaign, aims to end violence by men against women and children. It is an education and advocacy organization which has helped to foster similar efforts in other countries, including Namibia and the European Union.

CIDA-funded organizations, such as *Help and Shelter* in Guyana, work with local men's organizations to mobilize high-profile men who can act as role models and advocates in their campaigns to end violence against women and girls.

- Workplace sexual harassment, which occurs everywhere but is most predominant in domestic service, factories and overseas work.
- FGM, which affects about 130 million women, mostly in Africa.
- Trafficking of an estimated additional 1 million women and 1 million children yearly.
- Conflict, which affects 22.5 million refugees, mostly women and children; tens of thousands of rape victims yearly; and civilian populations, who bear 90% of all casualties.

Assistance covers a wide range of activities, from awareness raising and education of partners and policy dialogue at all levels; help in modification of legislative and policy frameworks; public awareness/education, including working with



men's organizations and individual decision-makers and opinion-leaders; training for professionals such as police, medical personnel, judges, social workers, teachers, etc. dealing with the problem; empowerment of individual women to increase their range of choices and their status in society; capacity building for women's and community-based organizations - including men's organizations - working on behalf of women; improving services that deal with survivors; and increased research and analysis of the phenomenon.

### Creating the enabling environment

International agreements, legislative changes, policy statements and even the existence of specially dedicated institutions are not enough

#### The UNIFEM Trust Fund

CIDA has supported the UNIFEM Trust Fund in Support of Actions to Eliminate Violence Against Women, which supports projects around the world and disseminates lessons learned and best practices. Some of the projects funded to date include an awareness campaign on violence against women in dating relationships in South African schools; an educational campaign on community radio in Peru; a video on workplace violence in the Philippines; training for rape crisis support services in remote areas of Trinidad and Tobago; training for journalists in Central Asia; and research on violence against women in Jordan.

to end violence against women. Education and awareness create the willingness to change, and training in law and procedure help implement the changes. CIDA's Gender Funds provide a convenient and rapid mechanism for responsive programming in this area. Gender funds in Asia, Africa and Latin America and the Caribbean support a wide variety of training and public awareness/sensitization activities, such as these programs in Guyana:

- **Winning Hearts and Minds**

Reducing the incidence of violence against women, identified as a priority by regional women's groups during preparations for the 4th World Conference on Women in Beijing, is one of the main priorities of CIDA's CARICOM Gender Equity Fund; roughly 30% of projects funded deal directly with the issue. Helping government and civil society organizations implement the 1996 Domestic Violence Act is a focus for CIDA support.

With assistance from the Gender Fund, a local Guyanese organization, Help and Shelter, has produced a wide variety of public information materials - pamphlets and posters have been distributed to urban, rural and hinterland communities. Their radio and television messages have also been widely seen and heard, resulting in a jump in referrals and requests for assistance at their crisis centre. In November 1999, they facilitated a Magistrates' Colloquium which focused on the application of domestic violence legislation. Lessons were drawn from the experience of Belize in setting up a family court, on Trinidad cases and on the battered woman syndrome. This colloquium was a follow-up to



Help and Shelter's strategic planning session to review and take action in implementing the recently passed Domestic Violence Act.

The Red Thread Women's Development Organization produced a booklet "*A Household Guide to the Domestic Violence Act*", which was prepared through a series of community-based workshops in order to ensure that the text was "community friendly". The booklet has been widely distributed and the Police Force alone has requested 5,000 copies for its own education programs, which also receive Gender Fund support.

- **Mobilizing men**

On November 25, 1998, the "Life Free of Violence Campaign" held a march and rally to coincide with the International Day Against Violence Against Women. A Men's March involving male leaders from the public, private and voluntary sectors, including the Prime Minister who led the March, was the highlight of the day. A separate initiative spearheaded by the Guyana Human Rights Association was the successful signature campaign in which several prominent men, including popular sports figures, have signed pledges against violence against women. A special committee called Men Against Violence Against Women also acts as a lobby and has strong networking links with Help and Shelter. The most recent initiative was taken by the Minister responsible for Women, who officially launched the National Program for the Prevention and Reduction of Family Violence on March 8, 2000.

Attitudes are changing. "A strengthened network of civil society organizations and government agencies that can play an effective role in reducing violence is one of the major outcomes of the Gender Fund approach and support," says Vanda Radzic, Coordinator of the Gender Fund. "There is still a long way to go, but these are crucial steps along the way to creating a more gender-just society for all."

### Local solutions to local problems: addressing FGM

Closer to the ground, the choice of local partners makes or breaks a project, especially in the sensitive area of female genital mutilation (FGM). This phenomenon, which affects over 130 million women worldwide and adds another 2 million 8-12-year-olds a year to those affected, is deeply embedded in cultures and traditions. CIDA supports the InterAfrican Committee, which works through local affiliates and NGOs to raise awareness and press for change. CIDA also supports initiatives by Canadian partners, such as this program funded by Save the Children Canada:

- **Circumcision with Words**

In many communities in Kenya, all of the women have undergone FGM. But things are changing in Theraka, where the rate of FGM has gone from 95% to 70% in the villages where Ntano Na Mugambo, or Circumcision with Words, is becoming the norm. Save the Children Canada's partners are the Program for Appropriate Technology in Health and the Maendeleo ya Wanawake Organization, a community-based women's organization.



This project provides girls and their families with an alternative rite of passage, involving a week-long program of counselling and community celebration. The girls receive training and information on basic health, reproductive health, gender relations, marriage and motherhood and how to run a home. On the last day, there is a ceremony, where the girls drum and dance to songs they have composed about their new status and what they have learned.

Mathenge Munene, the project director, describes the approach that Save the Children Canada took. "As we started working with groups in 1993, promoting the UN Convention on the Rights of the Child, but making it a reality in the community perspective, we could then talk about various forms of violations of children's rights... That's when FGM was identified as one of their priorities."

Through a series of workshops focusing on community leaders, local churches, women's organizations and even professional excisors, they began a dialogue that allowed local families to address this sensitive topic. Only local partners could have broached this topic in complete trust and understanding, and only they had the cultural background to help the community devise an alternative acceptable to all parties.

### **When women know their rights, legislation is more effective**

Women's organizations - and individual women - are the key players in asserting and defending women's rights. CIDA funds the Centre d'études

et de coopération internationale (CECI), which has been working with a network of women's organizations in Senegal, providing training, help in producing public information materials, and assistance in policy dialogue and lobbying with decision-makers, and providing funding for various development activities run by the networks' member organizations. The results have proven their ability to take charge of their own future:

- **"We have made a good beginning..."**

In January, 1999, the government of Senegal passed new legislation on excision, rape, domestic violence, and sexual harassment. Siggil Jigeen, a network of women's organizations, played a key role in getting this historic law passed. They lobbied the deputies, mobilized women's organizations and worked at the grassroots to foster a groundswell of public opinion. "They voted for it because of our efforts," says Safiéto Diop, Siggil Jigeen's Vice-President. "But in voting, the deputies laid down a condition: that the women's organizations would do the rest - the public awareness and education."

Siggil Jigeen is more than equal to the challenge. A network of 16 organizations with a history of cooperation with CECI and CIDA, this group has mounted a major drive to reach all elements of Senegalese society. In the period following the passage of the legislation, the organizations who are part of this network built on the public discussions they had fostered in their own regions to continue the dialogue and train decision-makers, members of the legal and medical profession, local imams, community activists and women on the provisions of the legislation.



In the area of St-Louis, Kolda and Tambacounda alone, over 5,000 women have increased their awareness of their rights, and more than 100 cases of violence have been reported. Forty-five women have taken steps to acquire legal documents, like marriage licenses and divorce papers, to protect themselves, and several women have brought legal action against their abusers. The village women who performed excisions have stopped performing the procedure, and anecdotal evidence indicates that excision rates have dropped in a number of areas reached by Siggil Jigeen.

Marianne Ndiaye, a midwife and public health technician, knows the terrible toll that violence has on women's health and lives. For her, it was important that the legislation was passed, but the work is just beginning. "Don't cry victory too soon!" She says. "There are still many roadblocks ahead, but we've made a good beginning."

### Expanding choices for women and girls

All women are vulnerable to violence, but the most vulnerable are the poor, minority ethnic groups, unaccompanied refugees, the young and the elderly, the disabled and those in detention. Some may turn to prostitution to survive because they have no other options. Some become victims of violence because they have no resources with which to resist their aggressors. Education, a reliable income, support networks and self-esteem help increase women's security and reduce their vulnerability to violence.

In the Philippines, CIDA supported a UNIFEM project which produced a film on migrant workers and violence in the workplace to educate women about risks and remedies, and CIDA's Gender Equity Fund supported a conference on the reintegration of overseas workers who are survivors of violence. This conference resulted in a series of recommendations to strengthen current government programs and services.

For a young girl growing up in rural Bangladesh, illiteracy, poverty and early marriages are the facts of life. For many, divorce, multiple marriages, sexual abuse and exploitation are a daily reality. For girls who have been abused, or who have been forced to turn to prostitution to support themselves, the future is particularly bleak.

The Adolescent Girls Development Program, implemented by USC-Canada, is giving girls the tools to make their own choices. This program is an 18-month-long course involving basic literacy



CIDA Photo: Fahmida Bhabha

*The Palestinian Working Women Society (PWWS) offers a training session for telephone hotline counsellors for abused women.*



and numeracy training and much more. It increases the girls' productivity and independence through skills training; it increases their awareness of their rights by informing them about marriage registration, divorce, family planning and reproductive health care; and it provides them with basic information on environmental issues, organic agriculture and cooking. Boys have also been integrated into the program, and they receive their education in separate classes.

Graduates typically delay marriage by a year or more, and when they do marry, they return with their new spouses to attend the couples' course on reproductive health. This course not only covers family planning, but also money management and communication. Mr. A Zaman, USC's country director for Bangladesh, calls it "...a human and social immunization project. If an adolescent girl can complete this course, she can easily resist and immunize herself from social exploitation."

### Trafficking of human beings

The commercial sex trade nets criminals, mostly organized international syndicates, an estimated \$8 billion a year, according to the International Organization for Migration. Trafficking, as defined by CEDAW, includes prostitution, sexual slavery, deception of migrating women, mail order brides and false marriages. It is a multifaceted phenomenon, with roots in poverty, powerlessness and gender discrimination. Addressing this issue requires a multi-pronged perspective of prevention, protection, prosecution and rehabilitation.

Prevention and protection involve educating girls and boys, and their families, about how trafficking works and the dangers of sexual exploitation. In addition, alternatives are provided, both through basic education and skills training, and through opportunities to earn an income, either in the home village or elsewhere. In Nepal, for example, CIDA's Women in Development Initiatives Fund works to eliminate prostitution and exploitation through legal literacy, basic education and income-generating activities for communities at risk. CIDA has also funded a MATCH project that used street theatre to focus on girls' education, girl trafficking and violence against women.

In terms of prosecution and rehabilitation, a number of international treaties and agreements exist to stop trafficking. However, many countries lack the resources to police these activities, while others lack the coordination with their neighbours to enforce the laws, and special considerations, like victim assistance and witness protection, are rare.

The Southeast Asia Fund for Institutional and Legal Development (SEAFILD) supported a regional conference on developing and implementing border laws and procedures on trafficking which resulted in a preliminary set of protocols and a program for victim assistance. A national workshop in Cambodia resulted in a memorandum of understanding with Thailand on procedures and training for welfare workers, police, immigration officials and non-governmental organizations. It also prepared recommendations for regional governments on law enforcement, legal protection for women and children, immigration and cross-border



movement controls, repatriation of victims, extradition of traffickers and offenders, and information exchange.

### Resources

#### Print

- **Researching and Documenting Gender-based Human Rights Violations**

Amnesty International and the International Centre for Human Rights and Democratic Development have produced two new resource books for practitioners:

- **A Methodology for Gender-Sensitive Research** - this booklet acknowledges the existence of gender bias in international human rights law and provides researchers with guidelines to help in the monitoring of adherence to such instruments as CEDAW, the Declaration on the Elimination of Violence against Women, and the provisions of the Beijing Platform for Action. It covers such matters as identifying appropriate sources of information, setting up research missions, what kind of information to gather, interview guidelines, cultural and other contextual awareness, trust building and so on.
- **Documenting Human Rights Violations: Sexual Violence** - this booklet provides specific guidelines for monitoring and documenting cases of sexual violence. It details the legal structure, includes

definitions of terms like torture, provides overviews of medical and social context issues, and includes tips and checklists on recording and assessing evidence.

- **Les voix des femmes et "les droits de l'homme"** - this publication is a compilation of the experiences, testimonials, strategies and debates that have animated the global campaign for women's human rights from 1992 to 1995. Beginning with an overview of the international women's movement, it places women's rights within the context of human rights and documents the strategic use of UN instruments to mobilize on an international level and expand the human rights framework based on women's experiences and aspirations. Violence against women is a prominent issue in this book, which also includes accounts of personal experiences and analyses by a range of gender and human rights experts.
- **Domestic Violence Against Women and Girls, Innocenti Digest No. 6, May 2000, UNICEF** This study brings together existing knowledge and analysis on the phenomenon, outlining causes, consequences and strategies to overcome the problem. Recent studies outline incidence of domestic violence on a country-by-country basis. The obligations of the state and current legal frameworks are discussed, as are recommendations for further action. (available on the web at <http://www.unicef.org>)
- **Violence Against Girls and Women: A Public Health Priority, UNFPA, 1998** This publication is based on a UNFPA study on the reproductive health impacts of gender-based



violence, citing different forms of violence and their health consequences. This is viewed in the light of the impact on delivery of reproductive health and family planning services, and policy reform recommendations are included. (available on the website at <http://www.unfpa.org>)

- **The World's Women 2000: Trends and Statistics**, United Nations, 2000. In its chapter on human rights, this publication outlines the issue of gender-based violence. It provides a quick overview of the scope of the problem and introduces the World Health Organization's new multi-country study of women's health and domestic violence that will soon provide a comprehensive data base for researchers, activists and policymakers.
- **Web:**
  - **Women's Health**  
World Health Organization (WHO)  
<http://www.who.int/frh-whd/>  
  
International Women's Health Coalition  
<http://www.iwhc.org/>
  - **Women's Human Rights**  
UNIFEM  
<http://www.unifem.undp.org/hrights.htm>
  - **Women's Human Rights:**  
<http://www.whrnet.org>;  
<http://www.law-lib.utoronto.ca/diana>
  - **Hague Agenda for Peace and Justice:**  
<http://www.haguepeace.org>
- **For more information on violence against women, please consult:**  
<http://www.who.int/frh-whd>,  
<http://www.iwhc.org>, and  
<http://www.unifem.undp.org/hrights.htm>