

Backgrounder: Women, Human Rights and Peace

Last fall the world received a shocking wake-up call with the tragic events of September 11, 2001. The impact opened the eyes of the Western world to the suffering and inequity happening outside of our own borders. The plight of Afghan women came to the forefront as one example of the millions of women and girls around the world who live daily with the violation of their human rights.

The following document illustrates some of the common patterns of human rights abuse that endanger women's lives and compromise peace around the world. It also presents some of the actions undertaken to reinforce women's human rights and to replace the global culture of violence with a culture of peace.

Part 1: Women's Rights are Human Rights

"All human rights – civil, cultural, economic, political and social, including the right to development – are the birthright of all human beings. They are universal, indivisible, interdependent and interrelated. The human rights of women and girls are an inalienable, integral and indivisible part of universal human rights. The full and equal enjoyment of all human rights and fundamental freedoms by women and girls is essential for the advancement of women".

(Beijing Platform for Action adopted at the Fourth United Nations World Conference on Women on September 15, 1995, paragraphs 210 and 213)

Around the world, females are discriminated against from the earliest stage of their lives, through their childhood and into adulthood, just because of their gender. Many women and girls face additional barriers to the enjoyment of their human rights because of their race, language, ethnicity, culture, religion, sexual orientation, disability or socio-economic class.

Violations of human rights happen not only in the context of armed conflict but also in the context of "peace." It is important to note that "peace" is not just the "absence of war", but is also the absence of discrimination and abuse of fundamental human rights. An environment that maintains world peace and promotes as well as protects human rights, democracy and the peaceful settlement of disputes is an important factor for the advancement of women. Peace is inextricably linked with equality between women and men.

ECONOMIC AND SOCIAL RIGHTS

Economic and social rights are important to women's day-to-day lives and survival.

They include the right to work, the right to an adequate standard of living, the right to adequate food, clothing and housing, the right to the highest attainable standards of physical and mental health, and the right to education. In many cases, women and girls suffer discrimination in the allocation of economic and social resources. This directly violates their economic, social and cultural rights.

Lack of women's housing rights

While recognizing the multiplicity of issues confronting women and housing, the overriding issue is women's lack of secure tenure often resulting from gender-based law, customary laws, tradition and dominant social attitudes, domestic violence and financial barriers. In some parts of the world, women are prevented from owning, inheriting, leasing, renting or remaining in housing and on land. They can be forced to leave their homes and vacate their lands. The frequent exclusion of women from many vital aspects of the housing process has left women around the world particularly vulnerable. In some parts of the world, simply being a woman guarantees that insecure tenure.

Access to education

The right to education is clearly articulated in the *Universal Declaration of Human Rights* and further elaborated in the *International Covenant on Economic, Social and Cultural Rights*. The right to education encompasses free primary education, equal access to secondary and vocational education and training. Education is an essential tool for achieving equality, development and peace and non-discriminatory education benefits both girls and boys, ultimately contributing to more equal relationships between women and men. Although the number of educated children around the world has grown in the past 20 years, discrimination in girls' access to education persists in many areas.

The gender gap widens at the secondary level of schooling as a large number of girls leave school earlier than boys, especially in rural and impoverished areas. This can be attributed to such factors as customary attitudes, child labour, early marriages, lack of funds and lack of adequate schooling facilities, teenage pregnancies and gender inequalities in society at large as well as in the family. In many cases, girls undertake heavy domestic chores at a very early age and are expected to manage both educational and domestic responsibilities, often resulting in poor scholastic performance and an early drop-out from schooling.

Access to health care

Women have the right to enjoy the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and wellbeing and their ability to participate in all areas of public and private life. A major barrier for women in achieving the highest attainable standard of health is inequality, both between men and women and among women in different geographical regions, social classes and indigenous and ethnic groups. Women have different and unequal access to, and use of, basic health resources, including primary health services, for the protection, promotion and maintenance of their health. Health policies and programs often perpetuate gender stereotypes and fail to consider socio-economic disparities and other differences among women, and may not fully take into account the lack of autonomy of women regarding their health. Women's health is also affected by gender bias in the health system, and by the provision of inadequate and inappropriate medical services to women.

Sources:

COHRE (April 2001) *Women and housing rights* [on line] at <http://www.cohre.org/hframe.htm>.

United Nations (1995) *Beijing Platform for Action* adopted at the Fourth UN World Conference on Women on September 15, 1995.

WHNnet (Nov. 2001) *Economic, social and cultural rights* [on line] at <http://www.whnnet.org/textv/issues/02.htm>.

WHNnet (November 2001) *Education* [on line] at <http://www.whnnet.org/textv/issues/03.htm>.

POLITICAL AND CIVIL RIGHTS

Although several international conventions do recognize women's political rights and right to participation to public life, women are still excluded from political and public involvement in some countries, simply because they are women. They are not entitled to vote in elections, hold public office or perform public functions. In countries where they do have the right to vote and hold office, women continue to be seriously underrepresented as candidates for public office. A number of factors, including domestic obligations, local customs, poverty and a lack of formal education, prevent their full participation in political life. Women are often excluded from directly participating in designing the policies that have wide-ranging impacts on their lives. Without their active participation and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved. Women are also increasingly targeted by the State for their public activism. Women human rights advocates and activists are arbitrarily detained, arrested, tortured, murdered, made to disappear and ill-treated at the hands of State actors.

Source:

United Nations (1995) Beijing *Platform for Action* adopted at the Fourth UN World Conference on Women on September 15, 1995.

VIOLENCE AGAINST WOMEN

Violence against women and girls is a major human rights issue. The *Declaration on the Elimination of Violence against Women*, adopted by the United Nations General Assembly in 1993, testifies to the international recognition and understanding that violence against women is a violation of human rights and a form of discrimination against women. Violence against women both violates and impairs the enjoyment by women of their human rights and fundamental freedoms, and acts as an obstacle to the achievement of equality, development and peace.

The *Declaration on the Elimination of Violence against Women* defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

The *Declaration* states that violence against women encompasses physical, sexual and psychological violence occurring in the family and in the general community. It includes battering, sexual abuse of female children, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women. It also includes violence related to exploitation, sexual harassment and intimidation at work, in educational institutions and elsewhere as well as trafficking in women, forced prostitution and violence perpetrated or condoned by the State. Other acts of violence against women also include forced sterilization and abortion, coercive use of contraceptives, female infanticide and prenatal sex selection.

Here are some examples of some forms of abuse of women's human rights related to violence against women that may be less familiar:

Female genital mutilation (FGM)

According to the United Nations Population Fund (UNFPA), between 85 and 114 million women and girls, most of who live in Africa, the Middle East and Asia, have undergone female genital mutilation (FGM) to remove all or part of their clitoris and other genitalia. Infibulation, the extreme form of FGM, involves removing the clitoris and both labia, and sewing the vulva closed, leaving only a small opening to allow the passage of urine and menstrual flow. It often causes serious, long term effects. FGM is often practiced to reduce women's desire to engage in sexual activities before or outside of marriage.

Crimes against honour

Women or girls may be killed by their own family members as a result of what is known as "crimes against honour." In particular circumstances, such action is endorsed and exacerbated by the community in order to save the "family honour." In some countries, when an unmarried woman loses her virginity, even as a result of rape, she is considered to have brought shame upon her family. She is no longer eligible for marriage and may be exposed to a greater risk of persecution by members of the community, as well as her own family. Women who become pregnant before marriage may be beaten, ostracized and, in cases of rape, may be forced to marry their attacker.

Trafficking

Each year, thousands of women throughout the world are tricked, coerced, abducted or sold into slavery-like conditions, and forced to work as prostitutes, domestic workers, sweatshop labourers or wives. Women and girls who are victims of this international trade are at an increased risk of further violence, as well as unwanted pregnancy and sexually transmitted infection, including infection with HIV/AIDS.

Custodial abuse

Custodial violence against women is a particularly flagrant violation of a woman's human rights. The experiences of women in detention and women prisoners reveal that many women in custody are tortured and subjected to various forms of abuse and exploitation by those in whose charge they have been placed. The nature of this abuse ranges from physical or verbal harassment to sexual and physical torture. Various reports on women in custody have shown that women are stripped, shackled and their body cavities searched by male guards. Women from many countries report being raped while in detention centres. Using rape as a method of torture for women in custody is targeted not only directly against the rape victims, but also against male family members who may be forced to witness the rape of their wives, sisters, partners, daughters or mothers.

These women are also subjected to threat of rape, sexual harassment, forced pregnancy, virginity testing, forced abortion, forced prostitution and forced miscarriage. However, in many other cases, custodial violence against women is non sex-specific. Women, like men are subjected to enforced disappearances, torture, cruel or inhuman treatment, and arbitrary executions.

Sources:

United Nations (2000) *Fact Sheet # 4: Violence against Women* prepared for the UN General Assembly Special Session "Women 2000: Gender Equality, Development and Peace for the twenty-first Century" held in New York, June 5-9, 2000.

United Nations, Economic and Social Council (1997) *Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44, E/CN.4/1998/54.*

United Nations, Economic and Social Council (1997) *Report of the Special Rapporteur on violence against women, its causes and consequences, E/CN.4/1997/47.*

United Nations General Assembly (1993) *Declaration on the Elimination of Violence against Women, A/RES/48/104.*

ABUSE OF WOMEN'S RIGHTS IN SITUATIONS OF ARMED CONFLICT

While entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex. Women and children constitute nearly 80 % of the world's millions of refugees and other displaced persons. Civilian victims often outnumber casualties among combatants – close to 90 % of current war casualties are civilians, the majority of whom are women and children. Women often become caregivers for injured combatants and find themselves, as a result of conflict, unexpectedly cast as sole manager of the household, sole parent and caretaker of elderly relatives.

Evidence from around the world seems to suggest that armed conflict in a region leads to an increased tolerance of violence in society. The militarization process that occurs leading up to and during conflicts, as well as the process of demobilization of often frustrated and aggressive soldiers after a conflict, may result in increased

violence against women and girls. The tensions of conflict and the frustration, powerlessness and loss of traditional male roles associated with displacement may also be manifested in an increased incidence of domestic violence against women. Alcohol abuse may become more common and can exacerbate the situation.

Armed conflict brings its own distinct forms of violence against women. Rape has been used as a weapon of genocide or as a symbolic act to demonstrate victory over the men of the other group who have "failed to protect their women." Women have been maimed or sexually mutilated, and often later killed or left to die. They have been subjected to humiliating strip searches, forced to parade or dance naked in front of soldiers or in public, and to perform domestic chores while nude. They have also been abducted or held captive, forced to domestic work or forced to accompany a soldier from region to region when a soldier chooses a woman to act as his "wife."

Women and girls are also often trafficked across borders to camps of soldiers or rebels located in the territory of a neighbouring state, or from refugee camps and other places of shelter given for their protection. They may be abducted and forced into sexual slavery and/or forced prostitution. Some of these abductions result in women and girls being sold and trafficked to other regions or countries.

The violation of women's human rights in such situations is not specific to age or station, although some groups of women and girls are particularly vulnerable: unaccompanied women or children; children in foster care arrangements; and lone female heads of households. Elderly women and those with physical or mental disabilities are also vulnerable, as are those women who are held in detention and in detention-like situations, including concentration camps.

During periods of armed conflict, women may also suffer loss of home and property, loss or involuntary disappearance of close relatives, poverty and family separation and disintegration. This is compounded by the life-long social, economic and psychologically traumatic consequences of armed conflict, foreign occupation and alien domination. Women are denied access to a range of fundamental rights and freedoms including a lack of access to basic amenities and facilities in nutrition, housing, health care and education. Women may be forced to flee as a result of a well-founded fear of persecution for ethnic, cultural or religious reasons, as well as persecution through sexual violence or other gender-related persecution. They become especially vulnerable to sexual abuse and violence while in transit.

Girls may face many, if not all, of the risks experienced by women during armed conflict. They are often victims of rape and other sexual violence, and may be abducted and forced to serve a number of distinct and overlapping roles, such as porters, cooks, combatants and sexual slaves. Girls who are orphaned or separated from their families during armed conflict are also particularly vulnerable to sexual violence and exploitation, including trafficking into forced prostitution.

Sources:

United Nations (1995) *Beijing Platform for Action* adopted by the Fourth UN World Conference on Women on September 15, 1995.

United Nations Economic and Social Council (2001) *Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2000/4, 44E/CN.4/2001/73.*

United Nations Economic and Social Council (1997) *Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1997/44, E/CN.4/1998/54.*

WHRnet (Nov. 2001) *Refugees and the internally displaced* [on line] at <http://www.whrnet.org/textv/issues/15.htm>.

World Health Organization (July 1997) *Violence against women: a priority health issue* [on line] at http://www.who.int/violence_injury_prevention/vaw/infopack.htm.