

Around the world, women are using CEDAW principles and tools such as UN Security Council Resolution 1325 to define and develop authentic human security.

Formal initiatives — in the absence of US ratification — for using CEDAW locally in Massachusetts, New York City, and San Francisco have been discussed in previous editions of *Minerva* (see #s 26 & 27 in particular).

Calls for ratification of CEDAW passed the California State Legislature years ago. Recently CEDAW implementation legislation passed the California Assembly (27 August 2004) and Senate (24 August), but was vetoed by the Governor on 30 September.

## RELATED EFFORTS

After the Berkeley (CA) City Council unanimously adopted a second CEDAW ratification resolution, the City Manager reportedly was instructed to prepare a resolution for the Council to adopt the operative articles of CEDAW into the Berkeley Municipal Code.

Los Angeles CEDAW activists have suffered a setback, however, reports Billie Heller of the National Committee on the UN CEDAW (October 2004): “They achieved a unanimous vote by the LA City Council for a local CEDAW implementation ordinance (as in San Francisco), which included a budget allotment and approved the LA City Commission on the Status of Women as the oversight body. However, months later, the Mayor proposed a “consolidation” of the Women’s Commission and four other commissions into a new entity with greatly reduced budgets for all. Of course there was strong community reaction. Because of this, the Commission retained its independence, but was penalized by severe staff cuts. The CEDAW program suffered [most], with a two-thirds staff reduction in their newly-voted funding for CEDAW implementation. Unfortunately, this is a national trend, so be prepared to protect your state, county or city SOW commissions’ existence.”

# California’s CEDAW Bill (vetoed)

Assembly Bill No. 358 - An act to add Chapter 3.15 (commencing with Section 8250.1) to Division 1 of Title 2 of the Government Code, relating to discrimination.

## LEGISLATIVE COUNSEL’S DIGEST

AB 358, Jackson. Gender discrimination.

Existing law prohibits discrimination and harassment based on sex and gender in housing and employment.

Existing federal law provides that no person on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.

This bill would require the state to implement the principles underlying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) by addressing discrimination against women and girls, as specified, and would require, beginning January 1, 2006, the Department of Corrections, the State Department of Education, and the State Department of Health Services to conduct, in consultation with the State Commission on the Status of Women, an evaluation of their own departments to ensure that the state does not discriminate against women through the allocation of funding and the delivery of services. The bill would require these departments to report their findings and recommendations to the Legislature no later than January 1, 2007.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international “Bill of Rights” for women. It is the first and only international instrument that comprehensively addresses women’s rights within political, cultural, economic, social, and family life.

(b) On December 18, 1979, the United Nations adopted the CEDAW.

(c) The United States was active in drafting CEDAW and former President Jimmy Carter signed the treaty on July 17, 1980. As of August 2004, 177 countries have ratified CEDAW.

(d) In 1998, the City of San Francisco unanimously passed an ordinance to implement the principles underlying the CEDAW.

(e) In 2003, the City of Los Angeles unanimously adopted a policy to implement the principles underlying CEDAW.

(f) CEDAW does not supersede federal, state, or local laws. Instead, it provides a framework for governments to examine the existing rights of women and girls in areas that include employment opportunities, education, health care, and equal protection under the law.

SECTION 2. Chapter 3.15 (commencing with Section 8250.1) is added to Division 1 of Title 2 of the Government Code, to read:

### CHAPTER 3.15. GENDER DISCRIMINATION 8250.1.

(a) The state shall implement the principles underlying the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) by addressing discrimination against women and girls in areas including, but not limited to, economic development, education, employment practices, violence against women and girls, and health care.

(b) Beginning January 1, 2006, the Department of Corrections, the State Department of Education, and the State Department of Health Services shall, in consultation with the State Commission on the Status of Women, conduct an evaluation of their own departments to ensure that the state does not discriminate against women through the implementation of state policies and programs, including the allocation of funding and delivery of services. These departments shall report their findings to the Legislature no later than January 1, 2007, with recommendations for what practices and policies, if any, should change to implement the principles of CEDAW.

(c) Actions taken pursuant to subdivision (a) shall not be admissible to prove discrimination by the state.

## New Massachusetts Bill (draft)

### **BILL TO ESTABLISH A SPECIAL COMMISSION TO INVESTIGATE THE INTEGRATION OF INTERNATIONAL HUMAN RIGHTS STANDARDS INTO MASSACHUSETTS STATE LAW AND POLICIES**

WHEREAS, the Commonwealth of Massachusetts has an interest in ensuring the protection, safety, prosperity and happiness of all its residents; and

RECOGNIZING that respect for the inherent dignity of all people is the foundation of freedom, justice and peace in the world, and

ACKNOWLEDGING that the United Nations Universal Declaration of Human Rights, approved in 1948 without dissent by the UN General Assembly, including the United States, establishes a baseline standard for human rights both domestically and internationally, and

REMEMBERING the leadership role that Eleanor Roosevelt and other prominent Americans have played in articulating global human rights standards and in establishing United States' commitment to honor and protect human rights in this country, and

RECOGNIZING the progeny of the Universal Declaration of Human Rights, including, but not limited to: the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child; the Convention on Economic, Social, and Cultural Rights; the Convention on Civil and Political Rights; and the Convention Against Torture, and

INVOKING the spirit of our times which recognizes the increasingly global nature of our society and calls upon the peoples of the world to rededicate themselves to the task of promoting and protecting human rights and providing opportunities for freedom, liberty and opportunity in all corners of the world,

BE IT RESOLVED by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, to take steps to review international human rights standards and evaluate integration of such standards into the policies and laws of the Commonwealth of Massachusetts by

ESTABLISHING a special commission for the purpose of making an investigation and study relative to the integration of international human rights standards in the commonwealth's laws and policies. This commission shall be composed of nine members, two of whom shall be appointed by the Speaker of the Senate, one of whom shall be appointed by the Minority Leader of the Senate; two of whom shall be appointed by the Speaker of the House, one of whom shall be the chairperson, and one of whom shall

## RELATED EFFORTS (continued)

Since last report, both houses of the Illinois state Legislature have passed CEDAW ratification resolutions; Cook County has reaffirmed its support.

In Washington DC, a coalition has formed to take a CEDAW ratification resolution — that might include some local implementation clauses — to the City Council.

A new human rights bill has been introduced in Massachusetts. (See *Minerva* # 27 for previous efforts there.)

MassCEDAW heads Connie Chow and Laura Roskos brought news of all such initiatives to an exploratory meeting of representatives of various Maine organizations (including the state chapter of Citizens for Global Solutions) and institutions in July 2004. A CEDAW-Maine strategy group is forming.

Laura Roskos also participated in two panels — one focused on interpreting and using CEDAW and the other on strategies of integrating CEDAW into local law — at the National Women's Studies Association 25th Annual Conference, in Milwaukee, Wisconsin last summer. Barbara Schulman of Amnesty International, coordinator of the New York City Human Rights Initiative to incorporate standards from both CEDAW and CERD (the Convention on the Elimination of Racial Discrimination) into NYC law, also shared her experiences and materials there (FMI: cedawcerdny@yahoo.com).

be appointed by the Minority Leader of the House. In addition, the chairperson of the Massachusetts Commission Against Discrimination, the head of the Civil Rights Division of the Attorney General's office and the executive director of the Massachusetts Commission on the Status of Women shall serve on this commission; and be it further

RESOLVED, that the special commission shall hold hearings and take testimony at such places as it deems necessary in this Commonwealth; and be it further

RESOLVED, that said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the House of Representatives on or before the 30th of September, 2006.

MassCEDAW's Laura Roskos is working with law students at Suffolk University to develop "a methodology and template for doing the legal analysis required" by such a bill that we hope will be available to *Minerva* readers in the next issue (summer 2005).

Meanwhile, see also *Minerva* # 27 (January 2004) for Laura Roskos' essay, "Rejoining the World: Using CEDAW and UNSCR 1325 Locally".

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## Planet Renovation

### BEIJING+10

**These notes regularly sample ways that international institutions, instruments, and movements affect women and are influenced by them: the urgencies and achievements of women as world citizens, working every day for peace & true security where common good might flourish.**

Because *Minerva* has not appeared for over a year during the organizational transition period forming Citizens for Global Solutions, this section — despite diligent culling and condensing — is longer than usual.

*Minerva* is not for people of faint heart or stunted attention span.

The forty-ninth session of the UN Commission on the Status of Women (CSW), from 28 February to 11 March 2005 at UN Headquarters in New York, will be an expanded session, encompassing (1) review of the implementation of the Beijing Platform for Action (BPFA/1995) and the outcome documents of the special session of the General Assembly (also known as Beijing+5), "Women 2000: gender equality, development and peace for the twenty-first century"; and (2) current challenges and forward-looking strategies for the advancement of women and girls. Women worldwide also will be appraising the 30 years since the first UN world conference on women and its parallel NGO conference in Mexico City — "landmark meetings [that] inaugurated both a UN Decade for Women (1975-1985) and a series of conferences and NGO Forums that brought women and development issues to the centre of the global development agenda" (IWTC Women's GlobalNet #254).

### GLOBAL WEEK OF ACTION FOR WOMEN'S RIGHTS - 1-8 March 2005

At the time of the next session of the UN Commission on the Status of Women, as it formally reviews the Beijing Platform in order to link local actions to global processes, a Global Week of Action for Women's Rights will be co-sponsored by several organizations, including Amnesty International, the Centre for Women's Global Leadership (CWGL), Development Alternatives with Women for a New Era (DAWN), and Women's Environment & Development Organization (WEDO). Women across the globe will organize a broad range of local, national, regional, and international activities, demand action on commitments to women's rights and gender equality, and celebrate the gains of recent decades. The two main objectives of the Global Week of Action are to demand accountability for women's rights and demonstrate the solidarity of the global women's movement.

### CONFLICT RESOLUTION

At its forty-eighth session (March 2004), the CSW reviewed the thematic issue of "women's equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building". The UN Division for the Advancement of Women organized, in collaboration with the Office of the Special Adviser of the Secretary-General on Gender Issues & Advancement of Women and the Department of Political Affairs, an Expert Group Meeting (EGM) on "Peace agreements as a means for promoting gender equality and ensuring participation of women — A framework of model provisions" in Ottawa, Canada, in November 2003. Based on Security Council

Resolution 1325: *Women, Peace and Security*, the report's detailed recommendations to the mediator, conflict parties, funding entities, and regional & international organizations may be found at <[www.iwtc.org](http://www.iwtc.org)>; a summary is available from *Minerva*'s editor.

## ANNIVERSARY OF UN SC RESOLUTION 1325 ON WOMEN, PEACE & SECURITY

On 28 October, in connection with the Security Council's consideration of the "Women and peace and security" item, the Council President made a statement on its behalf — entirely focussed on implementation, including a call for a system-wide UN action plan to be presented to the Security Council in a year, as well as a call for member states to implement national action plans. This positive development was the result of considerable NGO effort.

The statement also welcomes the Secretary-General's intention to develop a comprehensive strategy and action plan for mainstreaming gender perspective into all peacekeeping activities and operations, to incorporate gender perspectives in each thematic and country report to the Security Council, and to develop a comprehensive system-wide strategy and action plan for increasing attention to gender perspectives in conflict prevention.

Furthermore, the statement recognizes the contribution of the gender adviser within the Department of Peacekeeping Operations to advancing the implementation of Resolution 1325, and requests the Secretary-General to consider an equivalent arrangement within the Department of Political Affairs.

Although there is no mention in the statement that the Security Council would establish a focal point and an expert-level working group to integrate Resolution 1325 into its own work, many states called for this in one form or another, and lobbying on this point will continue.

## WOMEN WAGING PEACE

A new report by Women Waging Peace examines women's contributions to transitional justice, a critical component of post-conflict peace-building, and asserts that women have played an important role in the International Criminal Tribunal for the Former Yugoslavia (ICTY) by collecting and offering testimony, counseling and preparing witnesses, and providing leadership among judges and survivors.

## WOMEN & WAR

On 8 December Amnesty International launched a report, *Lives Blown Apart - Crimes against women in times of conflict* <<http://web.amnesty.org/library/Index/ENGACT770752004>>, and an accompanying website <<http://web.amnesty.org/actforwomen/>> detailing the plight of women & girls in wartime — both as direct targets and as unrecognized 'collateral damage' — and in post-conflict situations. "Patterns of violence against women in conflict do not arise 'naturally'," said AI Secretary General Irene Khan, "but are ordered, condoned or tolerated. They persist because those who commit them know they can get away with impunity."

The report sets out the global picture of a systematic pattern of abuse repeating itself in Colombia, Iraq, Sudan, Chechnya, Nepal, Afghanistan, and in 30 other ongoing armed conflicts. Despite promises, treaties and legal mechanisms, governments have failed to

Without women's active involvement in any peace process there can be no security, no justice and no peace."

- Irene Khan,  
Amnesty International  
Secretary General

Women's lives and their bodies have been the unacknowledged casualties of war for too long. Tools to tackle the violence exist, but justice for women victims of war will only be delivered if world leaders are ready to do more than just make pious statements condemning rape and sexual violence. They must adopt an agenda for action, centred on the ICC and complemented by universal jurisdiction through national systems."

- Irene Khan,  
*International Herald  
Tribune*, 18 December 2004

“We have to mobilize global outrage — to challenge the violence, support those women who suffer and put pressure on those who can bring about change. It is the power of individual women and men that drives change.”

- Irene Khan

protect women and girls from violence. “Women and girls are not just killed, they are raped, sexually attacked, mutilated and humiliated. Custom, culture and religion have built an image of women as bearing the ‘honor’ of their communities. Disparaging a woman’s sexuality and destroying her physical integrity have become a means by which to terrorize, demean and ‘defeat’ entire communities, as well as to punish, intimidate and humiliate women,” said Irene Khan. Rape survivors suffer not only from trauma, other health damages, and the risk of HIV/Aids, but also from the fear that they will be ostracized by their families and communities if they are identified publicly. Furthermore, women and children are forced to flee their homes. Women must care for the sick & injured and it is women who have to collect food & water — tasks and situations that put them at further risk of abuse.

The report affirms that “justice is key to stopping the violence and when the International Criminal Court begins its first prosecutions, it will open a new avenue for women . . . Justice is not just a technical tool but has a concrete impact.” It confirms that rape

and sexual violence are crimes, restores dignity and feelings of self worth to some extent, and delivers redress. “Justice is also a vital step to prevent the crimes from happening again; it sends a signal to those who would commit violence that it will not be tolerated.” Political support for this process obviously is required, notes the report. “The success of an ICC prosecution also will depend on the cooperation it receives from governments on practical issues, including the assistance it receives during investigations, the sharing of evidence and the protection of witnesses who may be at risk.”

The AI report offers an agenda for action at all levels of government. It emphasizes how the struggle for women’s security & human rights is “jeopardized by increasing militarization and the introduction of new security agendas to fight global terrorism. US-led security doctrines have stretched the concept of ‘war’ into areas formerly considered as law enforcement promoting the notion that human rights can be curtailed in the name of security.”

## GIRLS & WAR

A Canadian study claiming to “elaborate and challenge the conventionally held view of girls in war” was released on 4 March in Montreal by Rights & Democracy <[www.ichrdd.ca](http://www.ichrdd.ca)> and the United Nations. Its authors, Susan McKay and Dyan Mazurana, suggest that “girls are not just victims of violence and abuse but also perpetrators. Their research gives insight into why young women and girls may actively

“Contrary to the biological theories of war, it is not easy to get men to fight. . . . What is it, then, that has made war such an inescapable part of the human experience? Each war, of course, appears to the participants to have an immediate purpose . . . . But those who study war dispassionately, as a recurrent event with no moral content, have observed a certain mathematical pattern: that of ‘epidemicity’, or the tendency of war to spread in the manner of an infectious disease” —geographically and over time, so ‘the idea of a war to end [or prevent] war is one of its oldest, and cruelest, tricks’. . . . In other words, as the Dutch social scientist Henk Houweling puts it, ‘one of the causes of war is war itself. Wars produce war-like societies, which, in turn, make the world more dangerous for other societies, which are thus recruited into being war-prone themselves. Just as there is no gene for war, neither is there a single type or feature of society — patriarchy or hierarchy — that generates it. War begets war and shapes human societies as it does so.’ Its requirements often have been most compatible with patriarchal cultures. But not always: Different ways of fighting seem to lead to different forms of social and political organization. . . .

‘Addiction’ provides only a pallid and imprecise analogy for the human relationship to war; parasitism — or even predation — is more to the point. However and whenever war began, it has persisted and propagated itself with . . . terrifying tenacity . . . . If this is what we are up against, it won’t do much good to try to uproot whatever war-like inclinations may dwell within our minds. Abjuring violent speech and imagery, critiquing masculinist culture, and promoting respect for human diversity—all of these are worthy projects, but they will make little contribution to the abolition of war. It would be far better to think of war as something external to ourselves, something which has to be uprooted, everywhere, down to the last weapon and bellicose pageant. . . .”

- **Barbara Ehrenreich**, “The Roots of War”, *The Progressive*, April 2003; she is the author of *Blood Rites: Origins and History of the Passions of War* (Henry Holt, 1997)

choose to participate in conflict and carry out acts of violence, as well as how they can be coerced into taking up military roles through propaganda, abduction, intimidation and forcible recruitment (IRIN, Nairobi).

Based on over three years' research, with special focus on the use of girls in conflicts in Mozambique, Uganda and Sierra Leone, the report details the various ways girls are involved in conflicts and reveals "how governments obfuscate the use of girls in their own militaries, while at the same time drawing attention to their presence in opposition forces." The concealment and denial of information concerning girls and their involvement in armed conflict means that they frequently are not fully assisted and engaged during peace-building and post-conflict reconstruction.

The report, funded by the Canadian International Development Agency, discusses the difficult reintegration of these girls and recommends a better understanding of the actual roles performed by girl soldiers. Asked by IRIN to comment, the Coalition to Stop the Use of Child Soldiers <[www.child-soldiers.org](http://www.child-soldiers.org)> reportedly said that, "irrespective of whether those roles were active or passive", the idea of voluntary recruitment of girls is "dubious" because it is neutralized by their status as minors.

Nevertheless, experts on child soldiers reportedly have praised the Rights & Democracy report as usefully guiding policy-makers and program-implementers toward a more thorough understanding of the issues involved and of the scope for intervention. It reinforces what the Coalition said in *Child Soldier Use in 2003* (January 2004), that "children were usually used to perform multiple roles, and girls in particular often acted as combatants, as well as being sexually exploited". The Coalition also noted then that "... girls continue to be overlooked and excluded from [demobilization] programmes". A representative of the Coalition told IRIN that the new study is a "huge contribution to the debate on girl child soldiers, with important sections on girl mothers, who become mothers as a result of rape and abuse and suffer massive stigmatisation on return to their communities".

IRIN (Integrated Regional Information Network) notes that the Coalition and Rights & Democracy both are part of the worldwide movement shaping progress in developing a legal and policy framework for protecting children involved in armed conflict, including the Optional Protocol to the Convention on the Rights of the Child, certain provisions of the Rome Statute of the International Criminal Court, and the African Charter on the Rights and Welfare of the Child. Actual progress is lagging behind dismally, however; some violators even have increased their recruitment of children.

## CHILD SOLDIERS

### United States of America

By the end of last year, several NGOs — including the Africa Faith and Justice Network, Amnesty International USA, East Timor Action Network, and School of the Americas Watch — had banded together to try to secure Congressional sponsors for legislation to reform US training for foreign security forces that utilize child soldiers or that work closely with paramilitary forces or armed groups that use them. The proposed bill, intended as a starting point, would call on the US to (a) discontinue military training to countries with militaries that use child soldiers; (b) mainstream effective human rights and humanitarian law education into all foreign security force training; and (c) establish a joint Departments of Defense and State database of US-trained foreign security force personnel. It also would provide improved access to information about whom the US is training so that policy-makers and NGOs can better monitor human rights practices after training is completed.

See also:

"Girl Soldiers - Challenging the Assumptions", by Rachel Brett, *Minerva* #25 (March 2003, p40);

"Indigenous Children in Armed Conflict", by Anna Pinto, *Minerva* #26 (September 2003, p26)

After 10 years with UNICEF," writes its departing director, **Carol Bellamy** ("The world's broken promise to our children," *Boston Globe*, 18 December 2004), "it is clear to me that the world's sporadic outrage over the most grotesque violations of children — targeting them in war, chasing them down to become slaves or soldiers — reflects a broader acquiescence to a status quo that essentially says that, while awful, the daily and routine suffering of children is intrinsic to the human condition. I don't believe that. The business of human and economic development goes on every day, with tens of billions of dollars at stake. These dollars can be invested in ways that help preserve and protect children's lives and well-being, or not. The power to ensure that childhood is the central priority of our investment is well within our command."

## Africa

“The first-ever war-crimes prosecution for using child soldiers was launched in June by the international tribunal in Sierra Leone, reported the *Christian Science Monitor* (18 November 2004). “Prosecutors for the International Criminal Court in The Hague are also investigating the use of child soldiers in Uganda and Congo, but charges have yet to be laid.”

Prosecution by the ICC is highly unlikely because its jurisdiction is limited by its charter to criminal acts ‘committed as part of a plan or policy or as part of a large-scale commission of such crimes’. That would probably not apply in sex-abuse crimes by peacekeepers”

- **Thaddeus Hoffmeister**, “Policing those who police the peace”, *International Herald Tribune*, 30 December 2004

## PEACEKEEPER SEX

### DRC Exploitation

The UN Mission in the Democratic Republic of the Congo (MONUC) has had to launch “a comprehensive investigation” into reported instances of sexual exploitation and sexual abuse of civilians, including minors, by its personnel in the Ituri District. A UN spokesman said in June that MONUC was determined to enforce Secretary-General Kofi Annan’s policy of zero tolerance of any sexual misconduct and is “committed to completing a full and thorough investigation as a matter of urgency, and to applying all available sanctions against any of its personnel found responsible”.

### Elsewhere

An account by Michael J. Jordan in the *Christian Science Monitor* (“Sex Abuse: Dark Side of Peacekeeping; UN Operations Bring Exploitation - Zero-Tolerance Policy Doesn’t Cover Troops”, 16 November 2004) cites some of the other examples that have been reported, including a prostitution ring in Bosnia that involved peacekeepers, Jordanian peacekeepers in East Timor accused of rape, and Italian troops in Somalia and Bulgarian troops in Cambodia accused of sexual abuses. UN Secretary-General Kofi Annan has defended the vast majority of UN personnel as decent and well-meaning, notes Mr Jordan, adding, “Indeed, those accused represent just a fraction of the 62,000-plus military personnel and civilian police currently serving in 16 UN peacekeeping missions around the globe.” And in October the Secretary-General “issued new rules that ban staff from paying for sex; having sex with children younger than 18, regardless of local law; and having sex with UN aid recipients. Those rules, however, apply to UN employees only, not to peacekeepers, who are under the jurisdiction of their own government and military commanders.” The complaint process reportedly has been made easier in some countries, and so-called “personnel conduct officers” have been sent to the missions in Congo, Burundi, Ivory Coast, and Haiti, according to Jordan. The UN Department of Peacekeeping Operations also deploys “gender advisers” and provides training materials. But the UN doesn’t even have the right to conduct background checks on personnel contributed by various countries to missions, and violence against women generally is not prosecuted in peacekeepers’ homelands anyway, points out Gita Sahgal of Amnesty International. Furthermore, foreign troops often enjoy immunity agreements. Michael Jordan says that Jane Holl Lute, assistant secretary-general for peacekeeping operations (see interview, Minerva #26), has “warned that the UN may ‘generate new policies’ to crack down on sex abuse. But right now, with its ability to punish so limited, the UN must focus on prevention. ‘It’s obvious the measures that we have had in place have not been adequate to deal with the changing circumstances,’ Lute said.”

### Women & Girls Trafficked in Kosovo

Since the July 1999 deployment of a NATO-led international peacekeeping force (KFOR) and the establishment of a United Nations civilian administration (UNMIK), there has

been an alarming increase in women trafficked into Kosovo who are being raped, beaten, and abducted (see “So does that mean we have rights?” at <www.amnesty.org>). The International Organization for Migration (IOM) publicly identified KFOR and UNMIK in early 2000 as factors in the increase of trafficking for prostitution. The trafficking of women and girls for forced prostitution is an abuse of human rights, most notably the right to physical and mental integrity. It violates the rights of women and girls to liberty and security of the person, and may even violate their right to life. It exposes women and girls to a series of human rights abuses at the hands of traffickers and of those who buy their services. It also renders them vulnerable to human rights violations by governments, who fail to protect the human rights of trafficked women.

Most women are trafficked into Kosovo from Moldova, Bulgaria and Ukraine, usually by way of Serbia. At the same time, increasing numbers of local women & girls are being trafficked internally, as well as trafficked out of Kosovo. Although some women are abducted or coerced, many start their journeys from their home countries voluntarily, believing that work they have been offered — usually in western Europe — will enable them to break out of poverty or escape violence or abuse. Often, as soon as their journey begins, so does systematic abuse of their rights in a strategy that reduces them to dependency, first on their trafficker and later on their “owner”, and the realization grows that promises were false. They have no legal status in Kosovo. Even if they manage to escape their captors or are “rescued” by the police, some women continue to suffer human rights violations at the hands of officials, arrested and imprisoned for prostitution or immigration offenses, without being afforded the basic rights of detainees. Those recognized as victims of trafficking are denied rights to reparation and redress, and few receive appropriate protection, support, or services. Throughout the process, women face discrimination on the basis of their gender and ethnic origin.

Authorities in Kosovo — as well as in the trafficked women’s countries of origin and other countries where they may be resettled — must ensure respect for the full range of women’s human rights.

## MORE VIOLENCE AGAINST WOMEN

### Assessment

Feeding into the current Beijing appraisal, UNIFEM moderated in November & December a worldwide online discussion among women’s human rights advocates & practitioners of their experiences & concerns about ending violence against women & girls.

### Tenth Anniversary of the Convention of Belém do Pará

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, also known as the Convention of Belém do Pará, is the only international treaty to focus specifically on violence against women. Signed on 9 June 1994, it has been ratified by more countries in the Western Hemisphere than any other human rights treaty. All of them need specific measures to eliminate violence against women immediately in order for the promise of this treaty to be realized.

### Honor Killings

According to the UN, more than 5000 women & girls are murdered each year, usually in especially gruesome ways by their male relatives, in “honor”-related violence — often justified by distorting the teachings of Islam and Christianity — but the number

“The issue with the UN is that peacekeeping operations unfortunately seem to be doing the same thing that other militaries do,” says **Gita Sahgal**, head of Amnesty International’s gender unit. “Even the guardians have to be guarded” (Christian Science Monitor, 26 November 2004).

“Violence against women is perhaps the most shameful human rights violation. And it is perhaps the most pervasive. It knows no boundaries of geography, culture, or wealth. As long as it continues, we cannot claim to be making real progress towards equality, development, and peace.”

- **UN Secretary-General  
Kofi Annan**

probably is much higher, said experts at an international conference in Stockholm in December.

### Domestic Violence

Violence in the home is a global epidemic. Amnesty International's *Broken Bodies, Shattered Minds* reports that at least 20% of women worldwide have been physically or sexually assaulted. Official reports in the United States indicate that a woman is battered every 15 seconds (and it is estimated that only one in seven domestic assaults comes to the attention of the police); in India, more than 40% of married women report being kicked, slapped or sexually abused; in Egypt, 35% of women report being beaten by their husbands; and in at least one-third and up to one-half of all women are estimated to be victims of physical violence within their families, and many Turkish women are beaten, raped, and in some cases killed or forced to commit suicide. This violence against women appears to be condoned by Turkish authorities and society; perpetrators rarely are brought to justice (see *Turkey: Women Confronting Family Violence* at <[www.amnestyusa.org](http://www.amnestyusa.org)>).

“Domestic violence is a pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat or use of violence, when one person believes they are entitled to control another. Domestic violence is not isolated within any particular group. Such violence occurs across lines of class, race, sexual identity and national origin. In all cultures, domestic violence is most commonly carried out by men against women. . . . [I]t takes many forms. From acid burning, dowry-related violence and ‘honor’ killings, to rape, battery, and psychological abuse, women are all too often subjected to the basest forms of abuse and humiliation by the people closest to them. Such torture of women is rooted in a global culture which denies women equal rights with men, and which legitimizes the violent appropriation of women’s bodies for individual gratification or political ends. Domestic violence is a grave human rights abuse and violates a woman’s right to physical integrity, liberty, and even life.”

Long regarded as a private matter, domestic violence is becoming recognized as a human rights violation that states have an obligation to prevent, investigate and punish.

### Violence & HIV/AIDS

The annual worldwide “16 Days of Activism Against Gender Violence” rally begins on the International Day for the Elimination of Violence Against Women (25 November) and continues through International Human Rights Day (10 December). The 2004 theme, “For the Health of Women, For the Health of the World: No More Violence”, focused on highlighting the connections between violence against women and HIV/AIDS.

Because women (50% of those suffering from HIV worldwide) often are denied access to their most basic human rights, which include the rights to education, physical integrity, healthcare, and economic security, discrimination renders them more vulnerable to HIV transmission and less able to access effective treatment. In many regions, their infection rates are climbing much faster than men’s (source: Kaiser Family Foundation, July 14, 2004).

The UN Special Rapporteur on Violence Against Women has found that Israeli occupation is a primary source of violence against women in the Palestinian territories. In a report released after her tour of the territories, Yakin Erturk noted that the occupation has “generated an atmosphere of legitimized violence... which disproportionately singles out women in both the public and private spheres.”

“To make HIV prevention work, stopping violence against women and girls must be a priority,” says **Dr Thoraya Abaid**, of the United Nations Population Fund. “Reducing inequalities is essential to making prevention work.”

Sexual violence makes women more vulnerable to HIV infection. Women who are trafficked into forced sexual labor, who are married as children, or who are raped cannot negotiate the conditions under which to engage in sexual relations. In such instances, they may be subjected to HIV infection in addition to the trauma of sexual violence. Furthermore, rape survivors may be burdened by shame and the fear of social ostracism and therefore not seek assistance. Amnesty International observes that “the persistent myth that sexual relations with a virgin will cure an individual of AIDS has led to increased sexual violence in all parts of the world, particularly against young girls. The demand for young girls as sex workers has had devastating effects, increasing girls’ susceptibility to disease and trapping them in a cycle of violence.”

The International Covenant on Economic, Social, and Cultural Rights guarantees the “right of everyone to the enjoyment of the highest attainable standard of physical and mental health”; however, because of fear of stigma or lack of information or resources, many women do not seek post-exposure prophylaxis. And because of costs, some governments are unwilling to provide treatment to poor women. “Such policies serve to further stigmatize and subordinate already marginalized women and are in direct violation of international human rights standards,” comments Amnesty International. Also, “cultural and gender norms that restrict women’s sexuality often prevent them from accessing information about sexual and reproductive health. Some cultural norms further promote the transmission of HIV because men are often allowed, and even encouraged, to seek multiple sex partners. When men become infected with HIV through extra-marital sexual relations, they risk transmitting the infection to their wives, who are often unable to negotiate protected sex due to unequal power relations.”

Pregnant women find themselves especially vulnerable when they have HIV/AIDS. Pregnant women who are HIV positive may be subjected to forced sterilization or abortion. HIV test results often are not given to the pregnant woman, but instead are provided to the husband, as it is assumed that he will decide whether or not to continue the pregnancy. Fear of discrimination may discourage women from disclosing their status or seeking testing or treatment, thereby exacerbating the impact of the disease. 2.5 million women who become pregnant each year are HIV-positive. Of the 14,000 new HIV infections each year, more than 1600 occur during pregnancy, childbirth and the post-natal period.

“HIV/AIDS is a critical women’s human rights issue and is intimately linked to violence against women. Gender inequality and the disempowerment of women and girls have resulted in pervasive violence against women and have contributed significantly to the rampant spread of HIV. Around the world, women’s status, and thereby their capacity to protect themselves from infection, is largely determined by their access to education, employment, and political representation. Only by viewing HIV/AIDS infection as inextricable from women’s rights issues can the disease truly be combated” (AIUSA Women’s Human rights Bulletin, November 2004).

Most of the 2.2 million children worldwide who have HIV/AIDS face certain death because no anti-retroviral medications designed for children are available, says Stephen Lewis, Secretary-General Kofi Annan’s Special Envoy for HIV/AIDS in Africa. Treatment of HIV/AIDS-inflicted children in Africa is rare, and when it does occur, it is hampered by the lack of special dosages for children (UN News Service, 1 January).

“Grandmothers are emerging as the heroes of the African continent. No one gives them their due; few acknowledge that society and its children could not exist without them; no special provision is made for their food, or clothing or shelter, or health care or emotional needs.”

- **Stephen Lewis**, special UN envoy for HIV/AIDS in Africa

### SEXUAL RIGHTS

Human rights groups believe that an important victory was won when the UN Commission on Human Rights reaffirmed at its 60th session Geneva a resolution protecting the sexual rights of women worldwide. According to the resolution, “... women have the right to have control over and decide freely and responsibly on matters related to their

sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.” The resolution faced no challenges on the final vote, but did provoke disagreement among countries such as the USA, Egypt, Pakistan and Saudi Arabia, who suggested that the UN Special Rapporteur on the right to health, Paul Hunt, was overstepping by including sexuality and sexual health as an element of human rights.

## UNFPA

In October, on the eve of a UN General Assembly session to review the action plan of the 1994 International Conference on Population & Development, more than 250 global leaders called for a reordering of international priorities to bring full funding to that astonishing consensus reached by 179 nations in Cairo, Egypt. The ICPD Programme of Action paved the way for the Millennium Development Goals, they affirmed, by setting clear, achievable, time-bound targets related to sexual and reproductive health and rights for all — including universal access to family planning, safe motherhood, treatment and prevention of sexually-transmitted diseases, environmental protection, basic education, and human rights of women. Current global spending toward these goals is far short of the agreed ICPD 2005 goal of \$18.5 billion, however. Signers of the World Leaders Statement included former US Presidents Bill Clinton and Jimmy Carter. “We call on leaders in every walk of life to join us in reaffirming the ICPD’s vision for human development, social justice, economic progress and environmental preservation,” the statement said. “We call on the international community, along with national governments and private philanthropy, to prioritize and fully fund the ICPD Programme of Action” (the full text is available at <<http://www.icpdleadersstatement.net>>). The UN Foundation placed full-page announcements of the statement in many newspapers. “I want to express my sincere gratitude to everyone involved in mobilizing this incredible roster of supporters from across sectors and regions of the world,” said Thoraya Ahmed Obaid, executive director of the UN Population Fund (UNFPA).

The grievous damage done by the US administration’s blocking of funds for UNFPA is expanding. The administration “has stepped up its effort to isolate the Population Fund by quietly threatening the financing of other leading groups, including UNICEF and the World Health Organization, if they continue to work with the Fund,” the *New York Times* worried in a 5 July editorial (“Expendable Women”). It noted that, a month earlier, three federal agencies, the US Agency for International Development, the Department of Health and Human Services, and the Centers for Disease Control and Prevention, pulled their support from the Global Health Council’s annual international conference, owing to inclusion of speakers from the Population Fund — a snub noticed around the world. “That the US government could consider cutting funds to the WHO and UNICEF because of fundamentalist obsessions . . . would be bizarre if not so serious,” editorialized *The Guardian* (5 July). The three organisations . . . do much important work in the developing world. For the US to let that work be crimped by zealots verges on the immoral. Sadly, abusing multilateral institutions for its own shabby ends is a familiar pattern . . .”

In reaction, during the US president’s visit to Ottawa in November, Canadian International Cooperation Minister Aileen Carroll announced a major funding increase for UNFPA. Canada never has supported the US boycott.

## UNIFEM FUNDING

The Foreign Operations bill that the president signed on 8 December, does provide funding for the United Nations Development Fund for Women (UNIFEM). The US Congress allotted \$2 million for UNIFEM (founded in 1976) — double the previous annual contribution — and \$1 million as the first-ever US contribution to the UNIFEM

How jarring it was at the September International Forum on Population and Development in China to see two young women from the State Department sitting mutely near the back of the hall as delegates from around the world rose to speak from the rostrum” — after many years when the US “played a powerful leadership role in mobilizing international public opinion and resources to reduce global population growth and bring vitally needed family planning and other reproductive health services to women and men around the world. . . . As an American, . . . I feel it is a pity that, at a moment when the world faces an ever-worsening AIDS pandemic and the coming into reproductive age of the largest generation in history, the United States has opted out.”

- **Dr Steven Sinding**, director-general of the International Planned Parenthood Federation, writing in *The Interdependent* (Winter 2005) of the UNA-USA

Trust Fund to Support Actions to Eliminate Violence Against Women (created by the UN General Assembly in 1996 following the Beijing Conference on Women): both proven tools for dealing with some of the most urgent problems facing women in more than 100 countries around the world. Among other promotional activities, Amnesty International, Women's Edge, and the Family Violence Prevention Fund had shepherded an NGO letter with over fifty sign-ons to members of the Appropriations Committee.

## POVERTY

### Housing

Women and girls across the globe are more likely to experience inadequate housing, poverty, and violence than men, according to a report on women and housing for the UN Commission on Human Rights. Research conducted by the UN Special Rapporteur on adequate housing found that violence is more prevalent for women whose right to proper housing is jeopardized. According to the report, "marginalized women [single women, widows, women from indigenous, minority or descent-based communities, domestic workers, girl children, etc] who have less secure rights to adequate housing are particularly vulnerable to violence." Lack of legislation on behalf of women's housing rights adds to the increasing disparity between men and women.

### Millennium Challenge Account

Early last year, the Women's Edge Coalition announced that the Millennium Challenge Account (MCA), signed by the president in January 2004, had been funded for \$1 billion for 2004 (later delayed), and that, thanks in part to the efforts of the Coalition and its partners, congressional legislation called on the new agency administering the fund, the Millennium Challenge Corporation (MCC), "to incorporate women from the beginning: the first time in US foreign assistance history". MCC staff are expected to consult with local civil society; local women's groups also are

supposed be an important source of monitoring information once the funded projects are underway, but Women's Edge says that the MCC guidelines on this "have paltry references to women despite clear direction in the legislation for sex-disaggregated lists of intended beneficiaries". The MCC selected 16 countries as eligible to apply for funds in fiscal year 2005, the program's second year. For poor countries to qualify for the MCA funding, they must meet targets for ruling justly, encouraging economic freedom, and investing in people.

### One Million Women Challenge

In midsummer 2004, the Women's Edge Coalition issued a nationwide One Million Women Challenge, a nationwide effort to mobilize citizens across the United States to tell their elected officials and candidates that they care about international "women's issues" — especially poverty — in relation to national security. Calling for investment in poor women around the world, the campaign reached nearly 3 million US women over a four-month period and was deemed a rousing success. A global issues guide, *A Safer, Better World Begins with Women*, highlighted 12 of the most pressing international issues, ranging from education and health to rebuilding Iraq and Afghanistan, and to nuclear weapons and non-military alternatives. Based on the guide, individuals wrote letters to newspaper editors and met with Members of Congress and candidates; they distributed the guide at conferences, workshops, and houses of worship. Participating Coalition members included United Methodist Women, Church Women United, WAND, Save the Children, Global Fund for Women, AWID, Amnesty International, Women for Women, Academy for Educational Development, CARE, Chicago Foundation for Women, and InterAction. Other participants included NOW, UNA, the Aspen Institute, National Council of Women's Organizations, and WIN.

### Agriculture and Gender Analysis

At a "gender luncheon" that was part of Heifer International's 60th anniversary celebration (22 October), Women's Edge Ex-

ecutive Director Ritu Sharma told the assembled development practitioners that continuing failure to analyze women's roles in agricultural production — even though women farmers produce more than half of the food in developing countries — is jeopardizing progress. "Doing gender analysis saves us from doing dumb things," she said.

### Business Norms & Global Compact

Citizens, especially as consumers and shareholders, can press corporations to operate within the framework of the "Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights" adopted by the UN Sub-Commission on the Promotion & Protection of Human Rights in August 2003.

The controversial UN Global Compact's 10 Principles of Global Corporate Citizenship provide possible leverage as well. The voluntary Compact — worldwide, though scarcely involving the US yet — is evolving from an exhortation by Secretary General Kofi Annan in 2000 into "a mutual peer-pressure association", says economist Hazel Henderson (InterPress Service, June 2004). Some companies are undertaking serious efforts to comply with its principles; others are accused of subverting them. Some NGOs call it "blue-washing"; others (including UNA-USA) are engaged with it in order to improve monitoring. At the Global Compact's summit in June, the UN Millennium Development Goals were added to its ongoing agenda. But a joint civil society "counter-summit" statement (at <[www.earthrights.org](http://www.earthrights.org)>) called for rule-based, full corporate accountability in an effective intergovernmental legal framework, claiming that the Compact is a distraction from UN members' "real task" of working toward that end. Ms Henderson recommends that the Global Compact "spin off" from the UN into "a fully self-funded, independent organization. . . . This would test the commitment of its corporate signatories and the governments and UN agencies, labor unions and NGOs who are participants, protect[ing] the UN's global reputation, while giving impetus to

better corporate performance and self-police.” She also recommends close public scrutiny of the UN’s own personnel & procurement practices in relation to the principles of the Compact and “a continuous, widely disseminated reporting system to keep the global public informed”.

On another level, in order to boost the impact of microfinance programs in Africa and around the world, the UN has declared 2005 to be the International Year of Microcredit, promoting extension of financial services into impoverished communities. The Year was launched officially on 18 November at UN Headquarters and at national & regional events. It is designed “to unite member states, UN agencies, and microfinance partners to build sustainable and inclusive financial systems”. In the International Year of Microcredit, “together, we can and must build inclusive financial sectors that help people improve their lives,” says Secretary-General Kofi Annan.

### World Bank

“The World Bank has a human rights problem: it doesn’t respect them enough,” wrote Nobel Peace Prize laureate Shirin Ebadi (a law professor at the University of Tehran) and Amir Attaran (a professor of law & population health at the University of Ottawa) in the *New York Times* on 16 June. “The bank also has a political problem: concern about global poverty, according to its president, James D. Wolfensohn, is ‘near a low point’. Yet the bank, concerned about the second problem, seems to lack awareness of the first — to the detriment of its mission to help the world’s poor.” They argued that “the bank’s ‘pragmatic’ justification to lend money to oppressive governments is absurd”, handicapping “both the citizens and leaders who together shoulder the hard work of sustaining democracies. Instead, the bank should devise a kind of human rights scorecard. At a minimum, it should include the civil freedoms (of expression, of the press, of women) and the social and economic freedoms (access to health, education and property). The bank should monitor these freedoms and refuse to aid any country that violates them. By using a scorecard like

this, the bank would show that governments that exclude civic participation in politics are not legitimate borrowers in their people’s interest.”

### CEDAW

On 13 October 2004, the UN marked the 25th anniversary of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In a statement to mark the anniversary, the Convention’s monitoring committee (also known as CEDAW), which in August had elected eleven new members, stated that, despite adoption of the groundbreaking global treaty, no country in the world has achieved total equality between the sexes both in law and in practice. Furthermore, discriminatory laws remain in many of the 178 states that are party to the treaty. In other countries, the laws may promote *de jure* equality, but *de facto* discrimination persists.

Several countries that have ratified or acceded to CEDAW have made declarations or reservations that preclude or diminish its domestic applicability. Among the countries covered by Amnesty International’s recent report, *Reservations to CEDAW-Weakening the Protection of Women in the Middle East and North Africa*, most of the reservations have been based on Shari’a law or incompatibility with existing national legislation, but are contrary to international law. Amnesty is concerned that many of the reservations undermine the spirit and purpose of the Convention.

Meanwhile, the US State Department has awarded an avowedly anti-CEDAW group, Independent Women’s Forum, part of a \$10 million grant to train Iraqi women in political participation and democracy as part of the administration’s “Iraqi Women’s Democracy Initiative” (OneWorld.net, 5 October 2004).

### AFRICAN UNION PROTOCOL ON RIGHTS OF WOMEN

In July 2004, Amnesty International called on the African Union (AU) Assembly to encourage more African states to ratify the

Protocol on the Rights of Women in Africa, promptly and without reservations, to implement it without delay “in good faith”, and to ensure support, rehabilitation and compensation for women whose rights have been violated under it. By that time, only Comoros, Libya and Rwanda had ratified the Protocol and 27 other countries had signed it (15 ratifications are required for the Protocol to enter into force).

This Protocol to the African Charter on Human and Peoples’ Rights was adopted by the AU Assembly on 11 July 2003, in Maputo Mozambique, and guarantees a wide range of women’s civil & political rights as well as economic, social & cultural rights, “thus reaffirming the universality, indivisibility and interdependency of all internationally recognized human rights of women”, comments Amnesty. “These rights include the right to life, integrity and security of person; protection from harmful traditional practices; prohibition of discrimination and the protection of women in armed conflict. Moreover, the Protocol guarantees the right to health and reproductive rights of women; access to justice; equal protection before the law and prohibits exploitation or degradation of women. In sum, the Protocol obligates states parties to integrate a gender perspective in their policy decisions, legislation, development plans and to ensure the overall well-being of women. The Protocol is an important tool relevant to everyday lives of women and would enable women to bring their concerns to the attention of regional human rights bodies such as the African Court on Human and Peoples’ Rights.”

The African Commission will monitor implementation of the Protocol through states’ submission of periodic reports under the African Charter, but the African Court on Human and Peoples’ Rights “shall be seized with matters of interpretation arising from the application or implementation of this Protocol”. The African Commission shall have the mandate to interpret the Protocol pending full establishment of the African Court.

Amnesty International welcomed recent decisions by the AU Assembly to place

women at the heart of the AU agenda through the proposed “African Trust Fund for Women” and adoption of the “Addis Ababa declaration on gender in Africa”, in addition to the Protocol. AI also urged AU states that have not yet done so “to ratify all other regional and international human rights instruments essential for the effective promotion and protection of women’s human rights in Africa and examine any limiting reservations, with a view to withdrawing them. This is particularly important in the case of the Convention on the Elimination of All Forms of Discrimination against Women, where the commitment of many governments is seriously undermined by the extent of their reservations.”

Amnesty International’s document, “The Protocol on the Rights of Women in Africa: Strengthening the promotion and protection of women’s human rights in Africa” (available at <[www.amnesty.org](http://www.amnesty.org)>), summarizes the main provisions of the instrument and its implementation mechanism.

## ON THE GROUND (a selection)

### Afghan Women

Since the United States entered Afghanistan, the status of women in society “has yet to improve,” Amnesty International said in March. “Women are still subject to patriarchal rules in the home, discriminatory laws, and an inefficient criminal justice system. . . . [A]uthorities rarely respond to reports of domestic abuse. Female members of society are far from equal to their male counterparts and have yet to experience the ‘freedom’ of life that the United States promised to them.” AI’s report, *Afghanistan: “No one listens to us and no one treats us as human beings”: Justice Denied to Women*, focused on “issues such as violence against women, unequal treatment of women in the public and private spheres, and the inability of the United States, the international community and the Afghan administration adequately to implement strategies to protect Afghan women”. The report detailed the various abuses that Afghan women face on a daily basis, including physical & mental violence by male relatives in the home, underage and forced marriages, and denial of access to proper education about reproductive health. It revealed that perpetrators of violence against women in Afghanistan often are granted impunity by authorities and as a result view their actions as acceptable. “This violent and patriarchal mindset must be brought to a halt” in accordance with internationally accepted human rights principles, Amnesty said. During AI’s mission to Afghanistan in August and September, the particularly grim effect on women of the pervasive lack of security was still obvious, says researcher Nazia Hussein.

The new Constitution guarantees fundamental equality for women and men, but implementing legislation is not yet in place and there is a lack of understanding of those rights that are protected by law, Nazia Hussein observes. Women rarely report abuse in the face of punitive social attitudes, police corruption, ineffective investigation mechanisms, no effective safeguards for women in custody, and almost complete failure of the state to provide justice to victims. Frequently, women complaining of rape or other assault are prosecuted themselves for “zina crimes”, such as running away from home, adultery, or consensual sex outside marriage. Amnesty has found that “a majority of imprisoned women have been charged or are imprisoned for transgressing social norms and mores”, while prosecutions for violence against women are rare. Also, “with the exception of the heads of the juvenile and family courts in Kabul, women continue to be excluded from key positions in the judiciary. Where women do serve as judges [seldom outside Kabul], they do not perform the same functions as their male counterparts, [but] tend to act [as] judicial clerks and are rarely involved in the adjudication of cases.” Judges and prosecutors from the Ministry of Justice are being trained now by the Inter-

“Undoubtedly, the removal of the Taliban did improve the lot of many Afghan women, and I say that even though I opposed the war at the time. . . . But the Americans and the British did not go into Afghanistan to defend women’s rights, however eagerly our politicians sell that picture back to us. When I visited Afghanistan a couple of years ago, I was struck by the depth of anger against the old mujahideen commanders, and how passionately people, especially women, longed for them to face justice. Instead, their power has been entrenched. . . . That horrifies not only western observers with access to Amnesty International reports, but also ordinary women who experienced, and still experience, their crimes. Sahar Saba, a spokeswoman for the Revolutionary Association of the Women of Afghanistan, a secular organisation still unable to work openly, told me last week: ‘People who should be on trial for their crimes are still in key positions in the government, so in such a situation speaking about democracy and women’s rights is futile.’ . . . One of the most depressing of many depressing tales in the [new Human Rights Watch] report [*Between Hope and Fear*] is the story of a women’s organisation that was forced to close a project in the Panjshir region because a group of mullahs objected to it. The staff tried to go on despite threats by armed men, but in the end they gave up. ‘Nothing worked. We felt we had lost.’ . . . Many of the women who spoke to Human Rights Watch are those who tried to participate in public life, but who have now dropped out in fear and despair. . . . Those female voices that do get heard are still calling for more funding for development and disarmament initiatives in Afghanistan, and the expansion of the UN-backed peacekeeping force in order to create a less threatening situation on the ground.

But although our politicians like to use the tale of the women of Afghanistan as a selling point, their real energy and interest has moved on. . . . It is bizarre that the example of the needs of Afghan girls should be used not as a spur for redoubled humanitarian efforts in that country, but as a spur for the occupation of another country. Politicians in the west are keen to use the rhetoric of women's rights as a justification for their policies, and they are refusing to listen to women who say those policies are failing them."

- **Natasha Walter**, "The winners are warlords, not women", *The Guardian*, 12 October 2004

national Development Law Organisation (IDLO), whose primary donor is the Italian government. In addition to coordinating an inter-organizational working group on gender-based violence in Afghanistan, UNIFEM is guiding and funding the Ministry of Women's Affairs, which is looking into legal research, education, and advocacy for women.

Meanwhile, development in Afghanistan is hindered because cultural traditions (in some areas not allowing women even to leave the house) and lack of education are keeping tens of thousands of Afghan women out of the labor market, so the Ministry of Women's Affairs (MOWA) is seeking employment opportunities for them as part of a new UN-backed system of employment service & training centers in nine provinces (IRIN, 20 December 2004). In some provinces, MOWA itself reportedly has not been able to find qualified women to work in the women's affairs departments.

Afghanistan has one of the poorest records in the world for women and children's health, according to UNICEF; and despite promises made to post-war Afghanistan, there is no sign of improvement any time soon (*The Independent*, 18 January 2005).

In October, although some women voted in the elections, many apparently were prevented from doing so even if they had managed to register — by being kept at home, or because men were staffing the polling places, or by outright threats. UN voter registration teams did have female staff members, but security of staff and attacks by anti-government groups meant that registering women in remote areas was difficult. Women were targeted in reports of threats by the Taliban and warlords to deter women from registering and in selective killings of Afghans holding voter registration cards. In an attack on a registration bus in June 2004 in Jalalabad, three female staff members were killed.

In 405 documented cases of honor killings in Afghanistan [in 2004] only 20 arrests were made," said **Asma Jahan-gir**, UN Special Rapporteur on religious freedom, at a Stockholm conference in December.

### Pakistan "Honor Killings" Criminalized

Although it is too late for more than a thousand Pakistani women killed last year in the name of "family honor", President Pervez Musharraf signed a measure this month making honor killing an explicit criminal act, severely punishable. The acquittal rate has been more than 80% in recent cases, while many other instances of such killings are hidden in the countryside. Rights activists say that the new official stance is an important though small step forward, while much more needs to be done to change tribal and feudal attitudes that treat women like property (Owais Tohid, *Christian Science Monitor*, 20 January 2005). "It is a landmark decision as the law protects the rights of women and eliminates such archaic rituals," says Wasi Zafar, the federal minister for law and parliamentary affairs. "But the problem is securing the rights of women, and it will be solved gradually and slowly by collective efforts of the society. Such inhumane crimes occur due to the tribal system, illiteracy, and poverty and we have to solve these issues."

Islam as a reason for the honor killings is rubbish," **Nilofar Bakhtiar**, adviser to Pakistan's prime minister on Women's Development, told Reuters in December 2004.

### Violence Against Women in Iraq

For several decades, many Iraqi women have been subjected to rape, kidnapping, "honor killings," and forced prostitution. These crimes have increased since the 2003 US-led invasion and occupation of Iraq. Instead of increasing security measures for Iraqi citizens, law enforcement officials are turning a blind eye to blatant acts of violence against women and treating perpetrators of domestic violence with impunity. Many women and girls live under constant fear of being harassed, beaten, abducted, raped or murdered. Furthermore, citizenship rights of women are at stake. While the new government is under construction, extremists are trying to tighten certain religious strictures on all women and restrict the role of women in government affairs.

## India

“Fed up with delays in the judicial process, police inaction, fear of being victimized again by alleged rapists who procure easy bail, the women of Nagpur [a city in central India] have decided to take the law into their own hands” with violent mob reprisals, writes Siddharth Srivastava, a New Delhi journalist (*San Francisco Chronicle*, 2 January 2005). Many women’s rights activists have defended the women because they are being terrorized with no other recourse; and more than 100 Nagpur-based lawyers also have issued a statement opposing their punishment because, while it was wrong for the women to “take the law into their own hands, the courts should look into the spirit of their action and the circumstances that forced these women” to take drastic measures. “The incidents in Nagpur have led to a public debate on issues related to vigilantism, and ‘people’s justice’, versus upholding the law of the land and obtaining real justice.”

Meanwhile, Ranjit Devraj reports for IPS (18 December) that “India, where extreme patriarchal attitudes prevail, is about to make a giant step towards gender equality by introducing a bill that would give women an equal share in [ancestral] family property.” Commenting on the Hindu Succession (Amendment) Bill, Saroj Pachauri, South & South-East Asia director of the Population Council, told IPS that some of the worst manifestations of gender discrimination in India (particularly in northern India) — such as female foeticide and dowry strife — can be traced to biased inheritance laws, adding to the vulnerability of women. “Discrimination follows women through life from the womb to the tomb and ultimately affects the development process in the country itself,” Pachauri stated. “Studies clearly show that when women have access to resources it improves their power to make decisions.” Pachauri pointed approvingly to the matrilineal succession tradition of Kerala in the south — the only major province in India with a positive gender ratio — where literacy is close to a hundred percent,

## Algeria

In a briefing to the UN Committee on the Elimination of Discrimination Against Women (January 2005), Amnesty International is critical of the Algerian government’s failure to protect women from rape, beatings and widespread legal & economic discrimination. It also describes the consequences for women of failure to investigate and bring to justice those responsible for “disappearances” in the 1990s. Thousands of women have been denied their right to a normal life and are left with the agony of not knowing the fate of their husbands, sons, brothers and fathers. Amnesty shows that women have little prospect of obtaining justice and redress for abuses they have suffered and that current laws and practice continue to discriminate against women and facilitate violence against them.

In Amnesty’s view, Algeria’s reservations to CEDAW are a serious impediment towards guaranteeing the fundamental rights of women and should be lifted.

[Yanar] Mohammed [founder of the organization named Organization of Women’s Freedom] is not the only woman who receives threats because of being a women rights activist. Another woman I met [in Iraq recently] was from the Women for Women organization, which was started by an Iraqi woman who was exiled in the United States. She said the organisation was founded to help women and recently opened other centres in the country. She added that they also received threats and could not go out of their homes for many days because of the poor security and half of their office staff had to leave the country for Amman. Iman Ahmed, who is the director at Occupation Watch Center in Baghdad, also comments on the situation and says ‘it is very difficult to move around. The situation for women is worse than before the war.’”

- **Nevin Sungur**,  
NTV- Istanbul, Turkey

### Two Indian Women win Goldman Environmental Prize

For their struggle with governments and with Dow Chemical on behalf of the thousands of victims of the Bhopal toxic gas disaster twenty years ago, Ms Rashida Bee and Ms Champa Devi Shukla were awarded the 2004 Goldman Environmental Prize. They said they would use the money to set up their own award in India for fighting corporate crime (BBC News, May 04).

### Gruber Human Rights Prize for Afghan Woman

Women’s Learning Partnership for Rights, Development, and Peace (WLP) Partner and President of the Afghan Institute of Learning (AIL), **Sakena Yacoobi**, was awarded the 2004 Women’s Rights Prize of the Peter Gruber Foundation for her courageous efforts to advance women’s rights and opportunities for girls in Afghanistan and in refugee camps in Pakistan. Under the Taliban regime, AIL ran underground schools and hospitals for women and girls. Today, AIL provides training to thousands of women and girls in literacy, ICTs, health, and human rights, and runs many mobile health clinics throughout the region.

This remarkable woman [**Shirin Ebadi** of Iran] has a story to tell. It's the story of an everyday working mother who studied her law briefs in a locked bathroom. It's the story of a brave and harassed human rights advocate in a theocracy. But this is a story that cannot be told in Iran and cannot be sold in America."

- **Ellen Goodman**,  
"Will Her Voice Ever Be Heard?", *The Washington Post*, 11 December 2004

There is a need for additional Islamic studies to address misconceptions about what is contradictory to the Islamic Shari'a. This issue must be urgently addressed because it may lead to more misunderstanding of the contents of the CEDAW."

- **Sheikh Sadeq Jibran**, consultant on Islamic and Legal Studies

## Iran & US Crackdowns

The year's end brought reports that the Iranian government has been cracking down again on women's rights organizations.

Iranian clerics call Shirin Ebadi, the first Muslim woman to win the Nobel Peace Prize (2003) and the ousted first women judge in Iran, a dangerous enemy (and "the mare of the apocalypse"!), so her work is banned. Meanwhile, because the US Treasury Department has decided to reject amendments — exempting publishing — to a 1917 law that allows the president to bar transactions during times of war or national emergency, Shirin Ebadi's memoirs cannot appear here either. How can it aid & abet an alleged enemy to publish work by a dissident of that country? That is a mockery of the Universal Declaration of Human Rights.

## Saudi Arabia Voting, Moving, and Doing Business

Women are being excluded from voting in this year's first nationwide municipal elections, contrary to Saudi Arabia's election law, which does not explicitly ban women from taking part (it uses the word "citizen"). Amnesty International has pointed out (17 November) that "this also undermines recent positive developments in the country, such as the much publicized 'National Dialogue', which included a focus on women's rights and ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The October 2000 ratification was done without reservation about Article 7 on political participation."

In Saudi Arabia, "not only are women being blocked from participating in politics, they are not permitted to move freely without the company of an immediate male relative (Mahram), even to seek urgent medical attention or simply walk down the street." The country's Labour Minister announced in May 2004, however, that women may carry out business activities without the need for a wakil (representative). Although the impact of this decision is unclear, all steps that seek to reduce restrictions against women's right to work and lessen discrimination against women are welcome.

The government of Saudi Arabia should amend all discriminatory laws against women and foreign workers in accordance with CEDAW; Saudi Arabia's ratification of the treaty should mean that it has accepted its responsibility to improve women's human rights situation in the country.

## Bahrain/Gulf Cooperation Council

A conference in Manama, Bahrain for 60 activists from GCC countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates), plus some participants from Yemen, concluded this month that their governments must wait no longer to deal with violence and discrimination against women by reforming existing laws that discriminate against women and by introducing and implementing laws that offer them safeguards. "All governments must send a strong message to those responsible for violence against women that such violence is a crime and will not be tolerated," said Abdel Salam Sidahmed, Director of the Middle East and North Africa Programme at Amnesty International. "Violence against women — whether perpetrated by state or non-state actors — must be criminalised." GCC governments must ensure that there is no impunity for those responsible for violence against women and bring them to justice, participants stressed. They also must provide adequate training for law enforcement officials and to anyone dealing with cases of violence against women, and should set up a regional research center. Human rights education should be enhanced to change the stereotypical image of women that makes them susceptible to violence. Participants em-

phasized the importance of raising awareness of society at large on responsibilities within the family in relation to women's rights. Women also must be allowed to play a more active role in the public and political spheres, they affirmed. The conference called on GCC countries to ratify CEDAW or to review their reservations to the treaty if they have ratified it already. The conference recommendations are being sent to the GCC and its member countries, and participants agreed to work at various levels toward their realization.

### **Turkey Penal Code Revised**

In 2004 the Turkish President signed a revised Penal Code into law, removing many gender-discriminatory articles as required by CEDAW.

### **Mongolia Domestic Violence Legislation**

Thanks in large part to NGO work, the Law Against Domestic Violence in Mongolia was passed unanimously by parliament in May 2004.

### **Rape Recognized As Grounds for Asylum in US**

A federal court in San Francisco ruled that Reina Izabel Garcia-Martinez — a Guatemalan woman who was gang-raped by soldiers who suspected her family of supporting anti-government guerrillas — could seek asylum in the US. The Ninth Circuit Court of Appeals found that Garcia-Martinez's initial application for asylum had been rejected improperly. The Court cited a UN commission's findings that rape had been used systematically by the Guatemalan military during the country's civil war as support for its ruling, which could have far-reaching implications for survivors of sexual assault during wartime (*San Francisco Chronicle*, 16 June 2004).

### **Rape Used as Weapon Against Lesbians in South Africa**

Researchers have reported that rape targeting lesbians is extremely prevalent in South Africa, because lesbians are seen as challenging traditional male authority. In various parts of the world, rape is used as a

method of "correcting" sexual identity or imposing gender role conformity. South Africa's constitution was the first in the world to recognize gay rights (Reuters, 25 June 2004).

### **Allegations of Illegal Sterilization of Romani Women in Slovakia**

Because Slovak investigations have not been conducted independently, thoroughly, and impartially as required by international law, Amnesty International has repeated its concerns to the authorities about allegations of illegal sterilization of Romani women. A report issued by the Commissioner for Human Rights of the Council of Europe confirmed AI's concerns and concluded that it could reasonably be assumed that Romani women in Slovakia were sterilized without their informed consent (February 2004).

### **Discrimination and Violence Against Indigenous Women in Canada & Mexico**

Canadian government statistics reveal that Indigenous women between the ages of 25 and 44 are five times more likely than all other women of the same age to die as the result of violence. Amnesty International is concerned that the Canadian government is not fulfilling its national and international obligations towards them (*Stolen Sisters*, 4 October 2004).

AI's recent report, *Mexico: Indigenous women and military injustice*, focuses on the reported rape of indigenous women by members of the Mexican Army. Despite efforts of the survivors and human rights organizations to secure redress for these grave crimes, the unyielding wall of military jurisdiction and impunity has put these cases beyond the reach of justice.

### **Women in Colombia Armed Conflict**

With their bodies viewed as territory to be fought over by warring factions, women are targeted for many reasons: to sow terror within communities, making it easier for military control to be imposed; to force people to flee their homes; to assist in the acquisition of territory; to wreak revenge on adversaries; to accumulate "trophies of

war"; and to exploit them as sexual slaves. Colombia has seen some of the most brutal violence against women during its forty-year conflict, including torture, murder, kidnappings, and disappearances. Rampant sexual violence has included rape, sexual abuse and sexual mutilation. Amnesty International's new report, *Colombia: Scarred Bodies, Hidden Crimes: Sexual Violence Against Women in the Armed Conflict*, documents the widespread and ongoing rape and sexual violence against women by guerrillas, paramilitaries and government forces.

The 2000 United Nations Development Program Human Development Report estimates that 60-70% of women in Colombia have been the victims of some form of violence: physical, psychological, and or sexual. However, less than half of these women seek help, and fewer than 9% lodge an official complaint. Women are targeted by armed actors for a variety of reasons: because they have not conformed to their narrowly proscribed gender role, because they have challenged restrictions imposed on them by the armed groups, or because they are perceived as a useful target through which to inflict humiliation on the enemy.

Women also suffer disproportionately from the trauma of displacement, which involves an estimated three million or more Colombians, unable to cross borders in search of safety. And in their own families and communities, survivors of sexual violence often face harsh blame for what has happened to them.

The array of abuses of women during armed conflict is "part of the spectrum of violence against women and is rooted in a global culture of discrimination that denies women equal status with men and legitimizes the violent appropriation of women's bodies for individual gratification or political ends. Social, political, and religious norms identify women as the property of men, conflate women's chastity with family honor and ethnic identity, and legitimize the appropriation of women's bodies. In armed conflicts, this bodily appropriation takes extreme forms such as trafficking and sexual slavery," observes AI.

States have an obligation under international law to exercise due diligence to prevent, punish and eradicate sexual and gender violence. Colombia has signed and ratified CEDAW and is therefore obligated to pursue without delay and by all appropriate means a policy of eliminating discrimination against women. However, women in Colombia who are victims of violence face serious obstacles in their search for justice. When a state fails in its responsibility to punish gender-based violence it appears to tolerate abuses and tacitly encourages commission of further offenses.

### **Chechnya Women**

Referring to specific international standards & obligations, Amnesty International, Human Rights Watch, Memorial, and the Medical Foundation for the Care of Victims of Torture have called on the government of the Russian Federation to take immediate steps to bring an end to human rights abuses in Chechnya and Ingushetia, particularly widespread sexual violence perpetrated against women.

### **Russia and CEDAW**

Reviewing the Russian Federation's periodic report on CEDAW compliance in 2002, the UN Committee on the Elimination of Discrimination against Women said: "The Committee is extremely disturbed by the high level of domestic violence against women. It is concerned at the prevalent tendency, including by law enforcement officials, to view such violence not as a crime, but as a private matter between the spouses. The Committee is concerned that the Government has not taken sufficiently urgent measures to combat domestic violence and that none of the numerous draft bills on domestic violence has been enacted into law" (CEDAW/C/2002/I/CRP.3/Add.3, para. 36 - Concluding Observations/Comments, 5th report: Russian Federation, 01/28/2002). The problem persists.

### **Refoulement of Montagnards**

Amnesty International is gravely concerned about Cambodia's forced return (refoulement) of Vietnamese asylum-seekers — fleeing the Central Highlands region of

Vietnam in the face of well-documented persecution — despite repeated objections from the international community, including the United Nations High Commissioner for Refugees (UNHCR). "It is particularly shocking to learn of allegations of rape of several female asylum-seekers in this group and robbery of others allegedly perpetrated by members of the Cambodian police prior to their forced return. The Cambodian authorities should conduct an investigation into these allegations and bring any guilty persons to justice," Amnesty said in May.

### **Fiji Women**

In August the Fiji Women's Crisis Centre "celebrated their 20th anniversary, a clear reminder of the contributions that women's NGOs have made in supporting the implementation of many official commitments, especially in reaching the grassroots and turning policy into action, often with very limited resources, and often under very dire circumstances, including recent political upheavals in Fiji and the Solomon Islands" (Sharon Bhagwan Rolls, IWTC Women's GlobalNet #258).

### **Violence in the Solomon Islands**

Women in the Solomon Islands are victims of violence and widespread discrimination. Gender-based violence against women and girls was a well-established feature of the armed conflict in the Solomon Islands between 1998 and 2003. Those responsible — police personnel, members of armed groups, or private individuals — rarely were brought to justice. Even after the formal end of armed conflict, women remain at risk of violence in the Solomon Islands (AIUSA Women's Human Rights Bulletin, December 2004).

### **Swaziland Risk**

The government of Swaziland reportedly has failed to protect women and girls from forced marriage, rape, and other forms of sexual violence, and has not fulfilled its obligations under international law in this regard. In Swaziland women are lifelong legal minors and cannot own property (*New York Times*, 16 June 2004).

### **Lesotho Hopes of Equality**

Lesotho's government has suggested that it aims to give women full legal equality and property rights within a year, according to Reuters (9 December). Women there can work (they dominate the textile industry and do most of the farming), vote, and hold public office, but they are legally minors, subordinate to husbands or fathers or (when widowed) eldest sons. A widow has virtually no right to family property. And legal inferiority gives no leverage against domestic violence or unsafe sex. "We are trying to change all the laws so that women have equal rights," Assistant Minister of Gender, Youth, Sports and Recreation Hlonepho Nt'sekhe told Reuters by telephone. "I think we can say this will happen in a year or so."

### **Africa's Homeless Widows**

From a *New York Times* editorial (16 June 2004): "Women feed Africa. They grow 80 percent of the continent's food, yet the land they cultivate is not theirs. Women own only 1 percent of the land in sub-Saharan Africa. Tradition says that when a man dies, his property passes to his adult sons or brothers. The widow and her children are often evicted and left destitute.

These inheritance customs have long taken land away from those who cultivated it and helped to impoverish the most vulnerable women and children. But AIDS now magnifies the harm. Since men are dying younger, they often leave no sons old enough to inherit their property and thus save the family from homelessness — so more widows are evicted. . . . Helping widows requires more than rewriting legal codes. Educational programs are necessary to encourage men to question the commonly held belief that if women are allowed to inherit property, wives will be enticed to kill their husbands." Women's groups have had some success working with village leaders, training mediators, and founded support groups of village women, but they lack resources. "It should be a government's job not only to improve its laws, but also to ensure that they are upheld."

## Sudan Sexual Violence

The use of rape as a weapon of war in Darfur is widespread, but services for survivors of sexual violence are lacking. The Sudanese government has not taken decisive action to stop this egregious violation of women's human rights, bring the perpetrators to justice, and help the women who have been affected. Meanwhile, when arrested after having called for an end to the armed conflict there, Buthayna Mohamed Ahmed, a member of the Sudanese Women's Union, was not charged, allowed medical treatment, or given access to her family or a lawyer (AIUSA Women's Human Rights Bulletin, September 2004). Sudanese women in political opposition roles reportedly are divided over religious issues and Shari'a law (Reuters, 7 January 2005).

## Violence Against Women in the DRC

Since 1998, life has become nearly unbearable for millions of people in the eastern regions of the Democratic Republic of Congo (DRC), writes Kenneth Harrow, a Country Specialist for AIUSA. The death rate is appalling, and equally huge is the number of refugees — "individuals whose lives have been precarious and whose life expectancy can only be measured in terms of uncertainty and despair. Women, in particular, have suffered extremely brutal forms of violence." During a visit to the region, AI Secretary General Irene Khan visited an NGO-run medical center in Goma for women victims of sexual violence and heard horrific accounts of assault. "Rape, disembowelments, mutilations of sexual organs, and the intentional spreading of AIDS have marked the more horrendous actions taken by the various militias," says Mr Harrow. "Children have been forced to participate in these monstrous acts so as to separate them from their normal lives and turn them into that most desperate of weapons of war: 'child soldiers'. . . . Among the casualties of these conditions is the regime of law itself. The protections an established society should routinely ensure for women have evaporated." The International Criminal Court is investigating mass rapes and other war crimes committed in the DRC.

## Uganda

The ICC also is investigating a referral from Uganda. Recommendations to the Court and to the government of Uganda have been offered by Women's Initiatives for Gender Justice (WIGJ), following a field mission to Northern Uganda in November "to meet and consult with those most affected by the conflict, particularly women; to hear their views and experiences of the conflict and its impact on their lives and communities; to provide local communities with introductory information about the ICC and its functions; and to hear their views regarding the referral to the Court and on the priorities and form of 'justice'." In its role as a gender monitor of the ICC, WIGJ wants to "ensure that the perspectives and experiences of women in Northern Uganda are incorporated into the operations of the Court, in its investigations and its work with victims and witnesses; to raise awareness of the urgent need for rehabilitation services and humanitarian assistance for the people of Northern Uganda; and to . . . support the local women's peace initiatives and their desire for peace, and justice for victims of the conflict". The mission findings may be seen at <[www.iccwomen.org](http://www.iccwomen.org)>.

## Central African Republic Rape

Responding to reports of widespread rape in the Central African Republic committed by combatants from the CAR, Chad and the Democratic Republic of Congo, the UNDP offered to fund a project, that began in November 2002, focused on identifying survivors and providing them with emergency medical care, but long-term treatment for traumatization is needed still, as are educational, administrative, and judicial measures to deter violence against women. The government should institute a competent, independent, impartial and adequately resourced commission of inquiry to carry out a thorough countrywide investigation into the crime of rape committed by combatants (especially in late 2002 and early 2003), reiterates Amnesty International (10 November 2004). "It should seek human and material resources from the international community to support such an initiative."

## Liberia Rape

A similarly distressing report, *Liberia: No Impunity for Rape – a crime against humanity and a war crime*, became available from Amnesty International in December <[www.amnesty.org](http://www.amnesty.org)>.

## Burundi Rape

Amnesty's *Burundi: Rape - the Hidden Rights Abuse* outlines the systematic use of rape as a weapon of war in Burundi. The increasing number of Burundian soldiers who use sexual assault against women is adding to the HIV/AIDS epidemic and creating fear that a public health crisis is rapidly taking hold of the country. According to the AI report, military combatants raped hundreds of women in 2003, and doctors in Burundi suspect that the number of women seeking treatment for sexual assault injuries is far below the number of women who need it. As elsewhere, many Burundian women are too afraid to take action against perpetrators; fear, poverty, and lack of local health centers prevent women from seeking the proper medical treatment they need after being attacked. The Burundian government is obligated to take action to prevent violence against women, and to bring soldiers who use rape as a tool of war to justice.

## Rape Survivors with HIV/AIDS in Rwanda

More than ten years after the Rwandan genocide of April–June 1994, its survivors still suffer in many ways, and the response to those in need of medical care and justice has been inadequate. For women who were raped and tortured, or whose family members were killed, justice and redress remain elusive, said Amnesty International in May, even though "violence against women and girls constituted a well-documented and tragically widespread component of the genocide and war strategy in 1994. During the genocide women and girls, predominantly but not exclusively Tutsi, suffered extraordinary acts of violence. Many were raped at barriers erected by the *interahamwe* youth militia and/or held as sexual captives in exchange for temporary protection from *interahamwe*

militia and the military. Their bodies and spirits were mutilated and scarred.” The Rwandan Patriotic Army also was responsible for sexual and other violence during its military advance, sometimes in reprisal; the extent and nature of these crimes is less well-known, and very few of the suspected perpetrators have been brought to justice.

In the 1998 Akayesu judgment at the International Criminal Tribunal for Rwanda, based on individual testimonies regarding the stated intent of the perpetrators and the investigation of sexual violence across the country, prosecutors successfully demonstrated that genocidal intent motivated extensive sexual violence during the genocide. “It is important to note, however, that the phenomenon of rape neither began nor ended in 1994. Sexual violence and forced marriage continue to be perpetrated by members of the Rwandan Defense Forces, security forces, and unpaid militias. Gender-based violence has been a persistent feature of the human rights violations committed by Rwandan security forces in the Democratic Republic of Congo and in the post-war insurgencies in Rwanda. These assaults are sometimes reported but seldom prosecuted. The low status of women and girls in society and their limited access to justice makes it difficult to seek redress and increases women and girls’ vulnerability to sexual violence.”

Women suffer extensively from HIV/AIDS and related diseases, much of this a result of rape during the armed conflict. Though not all cases of HIV/AIDS among rape

survivors resulted from 1994 violence, the mass rapes that occurred during that time greatly increased transmission of the virus in Rwanda. Rape survivors who contracted HIV/AIDS continue to experience human rights violations: they and their families often face severe social stigma, which has led to loss of employment, difficulty in asserting property rights, and a loss of civil and political rights.

**China May Flood UNESCO Site and Matriarchy**

A report in *The Independent* (19 October 2004) describes a massive “secret” dam project — strenuously opposed by Chinese environmentalists and local tribespeople — in Yunnan’s Tiger Leaping Gorge that would flood a World Heritage Site, “displacing up to 100,000 people and devastating tribal societies” — including the Naxi people, “one of the world’s only surviving matriarchal societies”. They also are said to be last ethnic group to use a form of hieroglyphics. The damming is being justified by the government and the country’s biggest power producer as a way to counteract previous environmental damage, including silting from other dams, lake pollution, and deforestation. Nine NGOs have petitioned to save the area recognized by UNESCO: “We call on the authorities to fulfil the vision of science-based development . . . to balance the human interests against nature, in order to leave our precious world heritage like Tiger Leaping Gorge, the first bend of the Yangtze, to the world and to future generations.”

The award of the 2004 Nobel Peace Prize to environmental activist Wangari Maathai prompted worldwide discussion of the dimensions of peace and security.

*“When our resources become scarce, we fight over them. In managing our resources and in sustainable development, we plant the seeds of peace.”*

- Wangari Maathai, of Kenya



**From the 2004 Nobel Peace Prize citation:**

*“Maathai stands at the front of the fight to promote ecologically viable social, economic and cultural development in Kenya and Africa. She has taken a holistic approach to sustainable development that embraces democracy, human rights and women’s rights in particular.”*



Source: Ager, Simon, “Omniglot - a guide to writing systems - **Naxi scripts**” <www.omniglot.com> 2005-01-25