MAKING THE WORLD A MORE SECURE PLACE: COMBATING VIOLENCE AGAINST WOMEN

Marie Vlachová and Lea Biason

Geneva, March 2004

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MAKING THE WORLD A MORE SECURE PLACE:
COMBATING VIOLENCE AGAINST WOMEN[1]

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Introduction

Ever since 1999, each year on 25 November the world has protested against gender-based violence during the International Day for the Elimination of Violence against Women. The scope, magnitude and variety of the information on gender-based violence shown by the media in 2003 bear witness to the fact that the struggle to end the violence is still very much in its early stages. Let us consider some facts which have been randomly selected during the course of November 25, 2003[2] from the on-line media:

- According to statistics obtained from the World Bank, about 113 million total number of women are missing as a result of female infanticide (female foetuses being aborted or newborn girls being killed) and neglect of young girls, which has led to a severe gap in the demographic composition of the population of China, India, Pakistan, Bangladesh, Indonesia, the Philippines and Turkey.

- In the year 2000, an estimate of 700'000 to 2 million women and children throughout the world were subjected to trafficking across international borders annually. Moreover, the trafficking in women is not restricted to the developing world alone. For instance, in Bosnia and Herzegovina an estimated 750 to 1'000 women are trafficked for exploitation in local brothels each year.

- According to the 1998 United Nations Study on the Status of Women, one woman is raped every 26 seconds in South Africa. Throughout Africa, women and girls have to live with the fear of becoming the victims of crimes of sexual

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[1] This paper has been written in the context of a DCAF project on women and children as two major groups which are exposed to the insecurities of the present world. The project was launched in 2003, and for the time being two publications are under preparation: namely a handbook entitled 'Women in an Insecure World' to published in 2004, and a similar book on children to be published in 2005. A documentary film on violence against women is also in progress. Further information on the working group and the project can be found at http://www.dcaf.ch/.

[2] L. Biason, International Day of Violence Against Women: An Urgent Call, draft manuscript for the prepared book 'Women in an Insecure World: A Handbook on Violence Against Women' (Geneva: DCAF, 2004).

violence; crimes which might result in many women contracting HIV/AIDS in a region where millions of them have already died because of violence and unprotected sexual relations. Women and girls in other developing countries such as South Asia and Southeast Asia, the Caribbean and Central America are equally vulnerable, as the rapid spread of HIV/AIDS continues.

- The World Health Organization (WHO) estimates that 6'000 girls are genitally mutilated every day. More than 130 million girls and women worldwide have been subjected to female genital cutting, and a further two million girls are at risk. Girls and women are subjected to genital mutilation in at least twenty eight countries, most of which are situated in Africa. Genital mutilation causes lasting psychological trauma, extreme pain, chronic infections, bleeding, abscesses, tumours, urinary tract infections and infertility.

- Located in the desert at the US border, Ciudad Juarez represents an over-populated city, rife with high criminality rates, drug trafficking and violence. During the past years, multinational companies have installed factory assembly lines, drawing the cheap labour force from the impoverished population throughout Mexico. Women have to commute long hours and traverse deserted roads where they can fall prey to abduction, sexual violence and assassination. Amnesty International has put forward a shocking figure indicating that over 400 women have been reported missing, supposedly having been sexually attacked and murdered in this region during the last ten years.

- In Lahore, Pakistan, over a span of four months from July to October 2003, an NGO study showed that the most visible forms of violence against women are murder with 211 women victims, followed by kidnapping with 183 female victims and rape with 177 reported cases.

- The most crucial and widespread form of female suffering is domestic violence as experienced by women in their homes and at the hands of their 'intimate' partners and/or family members. In 2002, the Council of Europe announced that violence against women was the major source of death and disability for women aged between 16 and 44 years. Studies which were conducted in 2003 demonstrate that all women, no matter what their condition is, are vulnerable and this includes pregnant women who may also suffer the same plight. For instance, a current assessment in a hospital in the UK indicated that 3 per cent of the 500 pregnant women who took part in the survey had experienced some

form of violence during their pregnancy; in Namibia this figure is in the order of 6 per cent of the 1500 women surveyed. These figures are mere assessments of the actual range of violence as domestic violence is a delicate and complex problem and some studies record that an estimated 6 out of 10 women fail to report their victimization. Furthermore, those who do report their ill-treatment to the authorities, only do so after having been subjected to an average of 35 assaults.

- A further illustration of the urgency of the problem is underlined by calls for assistance and help. For example, a Russian hotline for battered women received 100'000 calls in 2002. In the USA, the National Domestic Violence Hotline has received a total of 860'000 calls since its creation in 1994.

All of these cases are evidence of violence committed against women, for the pure and simple reason that they are women, i.e. because the status that society accords to their gender permits men (for the most part) to behave violently against women (for the most part). It is obvious that other groups of the population may be affected in a similar manner, but female victims of gender-based violence deserve special attention, not only because they represent the majority of victims, but also because, as opposed to children or the elderly, women can fight the violence both actively and effectively. It is necessary to stress right from the very beginning that women do not differ from men in their capacity to commit violent acts. In other words, female gender roles and characteristics connected with these roles such as submissiveness, obedience and solicitude can be changed under the pressure of extreme conditions. This has been evidenced many times by the active participation of women in combat during armed conflicts in Rwanda, Sri Lanka, Columbia, Palestine and Chechnya. Another case of women committing violence against other women is female genital mutilation, since it is essentially elderly women who perform this painful surgery on girls.

Violence against women typically only occasionally attracts any great attention, for instance when world conferences on women are being held or during the International Day for the Elimination of Violence against Women. Although it is undeniable that people are much more knowledgeable about violence now than they were a decade ago, it is not quite so easy to answer the question of the extent to

which gender-based violence is truly important both for international and national policy. The essential answer depends on one's point of view – if the salience of gender-based violence related issues is estimated according to the increase of recent relevant international law documents and political declarations, one can easily conclude that it is one of the most topical problems in the area of human rights protection. However, if the problem is viewed from the perspective of reliable data and valid statistics on the scope and magnitude of gender-based violence, one would expect to find that it is rather a marginal problem. Furthermore, if one were to evaluate the political weight of gender-based violence by the amount of real achievements made in the struggle to end it, one is forced to admit that true achievements in eliminating this evil have been few, and this is in spite of the fact that the international community recognized its existence and perniciousness as early as half a century ago.

Most often, women are humiliated, tortured and raped in the privacy of their own home, where implementing the legal protection of their rights is particularly difficult. This 'private' aspect of violence against women enables those in charge of protecting human rights to close their eyes to something which may be unpleasant or even worthy of disgust and reprehensible, but which is so common and widespread that it is more convenient to simply neglect it. Violence against women is mostly invisible, but when every now and again media reports cover these issues, the shocked public questions whether the world we live in is really so cruel, immoral and indifferent. Although it is difficult to deal with violence without stirring up any emotions, such a question can be asked in a rational way – why is violence against women so universal and pervasive, what are its roots and causes and why is the struggle against it such a long and winding road. This paper attempts to point to some possible answers to these questions and to show the methods and measures that are taken, and could be taken in the future in order to end the violence.

The Nature of Violence Against Women

The scope and magnitude of violence against women can be illustrated in the following manner. This violence is both of a physical and psychological nature and cuts through all cultures and societies. It is committed within the family setting (battering, sexual abuse of female children, dowry-related violence, marital rape,

female genital circumcision, and other traditional practices that have proven to be harmful to women; non-spousal violence, and violence that accompanies various forms of female exploitations), in communities (sexual abuse, harassment, and intimidation in the workplace and educational institutions, trafficking in women, and forced prostitution), as well as in society at large, in cases when the perpetrators are members of state institutions, or because these institutions are unable to protect women, as may be the case during detention and custody and in armed conflicts. Violence afflicts all demographic groups of the female population, although to some extent certain type of crimes and atrocities reflect the stage of economic, political and social development. Whilst traditional forms of gender-based violence centred on religion and customary law dominate in developing countries, in developed countries domestic violence with women's partners as perpetrators is the most frequent type of violent behaviour. Although all women are potential victims, certain groups are more exposed to the violence, such as indigenous women, women from ethnic minority groups, female refugees and internally displaced women, migrant women, women living in rural and remote communities, destitute women, female children and elderly women, and last but not least, women and girls in situations of armed conflicts. Some types of violent behaviour are restricted to certain religious groups, others are ubiquitous. Perpetrators may be both individuals and communities, both non-state institutions, such as paramilitary forces, or state institutions that are not able and/or willing to protect vulnerable groups of citizens. Trafficking in women for the sex industry and domestic slavery in some post-war countries are considered to be particularly dangerous crimes against women and girls. In such countries international peacekeeping forces are often deployed to protect local inhabitants; in practice however, their presence often works to trigger and support heinous traffic in women and girls for the sex trade. Although the trade itself is run by local mafias, strong evidence has come to light suggesting the direct involvement of peacekeepers, and civilian members of international missions.

Roots of Gender-Based Violence

Gender-based violence is a part of complex social, political and economic phenomena of a global character, and therefore any measures for its elimination that are straightforward or too simplistic usually fail in long-term perspective. Complex changes in the global labour market, enabling women from developing countries to

migrate in order to find jobs, lie against the background of trafficking in women, one of the worst forms of violence against women. According to some estimates, women represent one half of the 120 million legal and illegal migrants presently working abroad. Moreover, in some countries, for instance in Sri Lanka, it is primarily the women who leave their homes to search for better job opportunities abroad. The increase in the number of women migrating from Third World countries represents a response to the demand for services connected with the traditional roles of women namely child care, domestic housekeeping and sex services. This demand for traditional female work was strengthened as women from the West began to take on professional careers and to compete with men in the workplace, and therefore having much less time to perform traditional domestic duties.

The sex industry is only one part of this change in the global labour market structure, although, admittedly, it is probably the most lucrative area. No exact statistics detailing its scope and magnitude are available, but even the estimates attest to growing magnitude and criminal nature. It has been reported that the volume of trafficking world-wide grew by almost 50 per cent from 1995 to 2000.[3] Multiple sources corroborate that sex industry is based on abuse, humiliation and enslavement, which, as a result, has damaged the lives of millions of women and girls all over the world.

Although the pull in this 'special' working sector is primarily influenced by poverty and a lack of other jobs in underdeveloped countries, factors other than economic ones play their part in motivating women to be willing to enter the treacherous and marshy land of the sex industry. Labour migration represents an opportunity – and sometimes the only opportunity on offer – to escape the bounds of traditional cultures in which women live in total subjugation to men, and where their roles are determined from their birth to death. Among women and girls leaving their homes in order to find jobs in bars, nightclubs and brothels abroad, surprisingly high numbers of middle class women with a good education can be found working next to women who come from the poorest classes and regions. It is, of course, the push of sexual services which powers the engine of this industry, the demand for an imported, exotic sexual

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[3] Ndoro Ndiyae, 'Trafficking and Sexual Exploitation of Women – Global Trends and Responses' , draft manuscript for Marie Vlachová and Lea Biason (eds), *Women In a Insecure World: A Handbook on Violence Against Women* (Geneva: DCAF, 2004).

partner – a girl from a traditional society who is supposed to have caretaking and submissive qualities which Western women no longer possess.

Thus, the piteous destiny of a Moldovan girl working in some of Kosovo's brothels is part of an invisible, yet powerful change in the global market. Any solutions for eliminating trafficking in women that do not take into consideration these varied and complex factors have no chance of succeeding.

Indeed, globalization with its worldwide money flows and flexible labour markets, as well as technical means enabling travelling and fast dissemination of information, contributes both to the reproduction of gender-based violence and to the public, the media and politicians paying greater attention to it. Nevertheless, globalization is not the main reason for the fact that, all over the world and for millennia women have been exposed to violence because of their gender. The roots of this ancient phenomenon must be sought in the patriarchal character of almost all existing cultures and societies, and also in the inequalities encoded in gender roles – obedient, serving, caretaking women and conquering, leading and dominating men – which are forged into our attitudes, values and behaviour in the process of socialization.

Some societies are more patriarchal than others. In traditional cultures with firm family and community bounds, women are subjected to being controlled by male heads of families and communities more than in modern Western societies. In the Middle East, certain traditions condone violence against women and punish perpetrators very moderately, if at all. For instance, in some cultures it is perceived to be right for a man to beat his wife as her life is believed to be of less value than that of a man. In some Islamic countries, this belief is even translated in the penal code wherein a female homicide is compensated by only half as much as a male homicide is, and marital rape is not considered to be a crime in the civil code as women traditionally have a duty to be subservient to their husband, including to their sexual demands.

In this context it is worth mentioning a feminist interpretation of the roots of gender-based violence. Although there are obvious differences between the roles, rights, and status of women in developed and developing countries, in the feminist interpretation

the patriarchy is a basic, essential feature of any discriminative society where gender relations are based on inequality. According to the feminist concept, every society/culture/community that hampers the empowerment of women is considered to be patriarchal. In the environmental stream of feminism it is the western society that is understood as a typical patriarchy, and western modern science and development as male, patriarchal projects, threatening to annihilate nature and the entire human species. For instance, in the book by the Indian physician Vandana Shiva entitled 'Staying Alive: Women, Ecology and Development' (London: Zed Books, 2002) nature being transferred into a mere source of raw material, and the management of resources of sustenance into a process of commodity production for profit maximisation are seen as new patterns of domination over women, in which they are marginalized and excluded from participating as partners in all important spheres of societal life. But women are not only special victims of the present environmental crisis, but also the agents that can challenge today's western patriarchy and its universalistic demands for nature's exploitation.

Practical policies that deal with the struggle to end violence against women sometimes look at feminist interpretations with a certain amount of distrust, especially in the case of radical feminism, but the contribution of gender studies and feminism to the elucidation and understanding of the very nature of this pervasive and persistent evil cannot be neglected, given its ability to see the problem of gender-based violence holistically, as a part of a global struggle for a future world in which the principle of power based on violence would be substituted by an alternative concept of non-violence as power. Moreover, feminism has been always an invaluable inspiration for practical solutions in the elimination of gender-based violence. Gender inequalities in the management of natural resources and in the safeguarding of the environment are mentioned in all crucial political documents on violence against women, starting with the Beijing Platform for Action of 1995 and ending with the Security Council Report of the Implementation of the United Nations Millennium Declaration of 2003.

Not only does the access to basic resources such as food, unpolluted water, health care, education, land, seeds and agricultural tools, but also the possibility to participate in decision-making about societal priorities appear to be problematic areas of gender equality. Poverty, underdevelopment and a lack of economic

resources – are other causes of persistent gender inequalities, and consequently, of violence used in order to keep women in their subordinated status.

But again, the situation is not so simple that we could make an unambiguous equal link between poverty and gender-based violence. The economic boom of Asian countries in the 1970s and 1980s has not changed deeply rooted gender relations, which have been in existence for centuries. It resulted among other things in an unprecedented heyday of regional sex industries satisfying the needs of both tourists and local men. The status of women in these countries is exactly the same as it was centuries ago. As introduced by Louise Brown in her book on the Asian sex industry, 'there is a beautifully neat symmetry: strict sexual codes and rigorously male-dominated societies are mirrored by widespread systems of sexual slavery and regular supply of trafficked women to the sex trade' (Louise Brown, Sex slaves: The trafficking of women in Asia. London: Virago Press, 2000, p. 25). The strength of common law and traditional rules in societies with strong patriarchal elements says much about the private sphere of life. In these societies, the legal protection of individuals established in the public sphere of work, public institutions and social interactions has been substituted by men's rights to control women's behaviour and, when viewed as necessary, to discipline those who disobey. The existence of two different spheres of life – the public and the private one – with different powers for men and women can be seen as another cause of the persistent reproduction of violence against women, mainly in privacy of households, in order to maintain the traditional structure of gender relations. There is a lot of evidence that the modernization and democratization processes which some countries of the Third World have been going through, are only beginning to penetrate into the private sphere very slowly.

The legal protection of women is not customary, not even in the public sphere, and especially in countries with weak, ineffective and corrupt state institutions. These prevailingly male-dominated institutions tend to view violence against women as being less weighty and protection worthy than crimes against men. The traditional social attitudes toward violence against women have resulted in an unusually high frequency of violent acts against women in girls in Latin America, the Caribbean, the Middle East and in western regions of Asia. Yet, these 'macho' standards also appear in western countries – for instance the statistics on violence against women in

the United States do not make pleasant reading either. According to reports made by the U.S. Department of Justice in 1998, approximately 4.8 million intimate partner rapes and physical assaults are perpetrated against American women annually.

Armed conflicts, *coup d'états* and regime changes are a breeding ground for atrocities against women. The protection of civilians, represented for the most part by women and children, which is guaranteed by international humanitarian law, has failed in recent conflicts and wars. Paradoxically, more than ever before armed conflicts expose civilian population to atrocities, cruelties and suffering. Moreover, wars and conflicts are prone to exacerbate existing inequalities and patterns of discrimination. Therefore, women who are exposed to discrimination in peacetime are victimized to an even greater extent during wartime and the mayhem that accompanies it since they bear the brunt of the responsibility for caring for the family in situations where there is a general lack of survival commodities such as food, water and medication etc. During the recent wars in Africa, Asia and Europe, women and girls were exposed to sexual violence and exploitation; they were forced to follow the camps of the armed forces and to provide domestic and sexual services for the soldiers of belligerent parties. In ethnic conflicts in particular, sexual violence against women has been employed as a weapon of war, a method which is deliberately used in order to humiliate and unnerve the enemy by violating the adversary's most private sanctuary – be it his house, or his wife or daughter – and spread terror in order to trigger a wave of refugees, thus facilitating 'ethnic cleansing'.

Violence against women in war situations have been relatively widely reported by the media, but there is a surprising lack of exact statistics documenting its scope and, of course, as time passes the chance of gaining more precise data diminishes. Nevertheless, the existing numbers are shocking enough: on African territory alone, an estimate of the number of 'war rapes' has reached hundreds of thousands of cases, and the number of rapes committed during the wars in Croatia and Bosnia-Herzegovina has been estimated as up to 60'000 cases. Moreover, in the countries with high frequency of HIV/AIDS, systematic mass raping results in further spread of the disease. A massive flight of civilians from any country affected by an armed conflict is another inevitable consequence of war, and women and children represent the most numerous group among war refugees and internally displaced persons. Even in refugee camps, which should provide protection for defenceless members of

the population, again it is the women who suffer various forms of violent behaviour. Recently the gloomy situation of female refugees and other groups of women fleeing their countries has been recognized as one of the most painful problems of gender-based violence by the international community.

The Costs of Violence Against Women

Violence against women has been recognized not only as a moral, legal and health problem, but in considering the increased investments necessary for its alleviation and remedy; it is more and more often addressed as a crucial economic issue and a grave obstacle to development. Although the quantification of human suffering and the costs paid by families and communities when the services that women provide them with are paralyzed by war might be rather problematic and uneasy from the point of methods used, some recent studies show that the costs of violence represent quite a significant burden not only for developing economies but even for western countries. These 'costs of violence', which essentially comprise expenditures on health care for the affected women, are increasingly being used as an argument for the elimination of violence. There are many examples supporting the correlation between gender inequality and economic underdevelopment. For instance, the discrimination against women in the labour market results in them being offered less job opportunities, which, in a long-term perspective, causes many female groups – notably the elderly women, illiterate or insufficiently educated girls, women and girls infected by HIV/AIDS – to become heavily dependant on the productive population. The most frequent incidence of HIV/AIDS is to be found not only among the so-called high-risk groups i.e. female sex workers, hotel and restaurant staff – but also among women who were not offered any chance of a basic education, as a consequence of gender discrimination. In order to introduce an example of costs of gender-based violence that is non-women-related, the gloomy situation of the male population in the post-communist countries of Eastern Europe undergoing the transformation of their economies can be mentioned. Massive unemployment, the loss of jobs and security for their existence, poor working conditions and the stressful feeling of guilt which male breadwinners suffer because of their incapability to provide for their families, all of these factors which accompany uncontrolled economic transformations may result in a significantly increased incidence of cardiovascular diseases, suicides, alcoholism and drug addiction, and consequently more frequent domestic violence.

The transforming economies have to invest more in medical, social and community support services, such as shelters for women and children affected by domestic violence, in police and judicial services that are in charge of capturing and punishing the perpetrators. The reduced working productivity of those affected by violence means lower wages and subsequently a lower market consumption, which can have a serious impact on demand and can impact economic growth.

In Canada, annual gender-related costs are estimated to reach billions of US dollars, which represents about one percent of the Canadian GDP. In certain situations women have fled to refuge shelters, a phenomenon which has reached record levels in Switzerland, with 55'459 nights being spent in women's shelters in 2002. In Switzerland, the cost of protecting women and children who have and/or are suffering domestic violence is evaluated at over 400 million Swiss Francs per year. In the USA alone, the health costs of violence against women including intimate partner assaults, rape and murders amount to 5.8 billion US dollars a year. Yet, there are regions where domestic and other forms of violence result in consequences for which the price cannot be expressed in financial terms. In southern Asia where shelters for women and children suffering from domestic violence are scarce and where the deeply entrenched culture strongly chains women to a secondary status, the feelings of profound despair which many women experience have led them to believe that their only means of escape is through suicide, which has been on the rise recently. Over a decade, an increasing number of female infanticides has misbalanced the demographic structure of populations of whole regions as happened recently in Northern India where the lack of women in all age groups caused a massive increase in the trafficking in women from China in order to substitute for the 'missing brides'.

The International Community's Struggle to Eliminate Gender-Based Violence

Ever since the creation of the United Nations, the international community has paid attention to gender inequality and discrimination against women, which both result in men behaving violently towards women. A cursory glimpse into the activities of the international community related to the elimination of gender-based violence might be illustrative enough to indicate the complexity of the remedy process.

In 1948, with the advent of the Universal Declaration of Human Rights, the universality of human rights was applied to gender for the very first time and its equal validity and relevance to both genders were declared explicitly. In 1993, the Member States of the United Nations signed the Declaration on the Elimination of Violence against Women, clearly condemning violence against women as morally and legally unacceptable regardless of whether it is conducted in the privacy of the home or in public. The UN Security Council Resolution 1325 on Women, Peace and Security, which was adopted in 2000, deals with the active participation of women in peace-building with special attention being accorded to those countries involved in long-term conflicts such as Afghanistan, Sri Lanka and Sierra Leone. At the same time, Resolution 1325 suggests strategies regarding ways in which to achieve the equal participation of women in top positions at the United Nations and in peace support operations. Thus, the half-century struggle to end violence against women resulted in a significant shift from a mere declaration of gender equality to a clear condemnation of gender-based violence and, what is of even greater importance, to the recognition of women's real and potential contribution to peace, human rights protection and development.

The recognition of violence against women as a political problem and as an obstacle to economic and social development has been the first achievement on the long road to the elimination of the violence. In the first decades following the Second World War, women's issues appeared on the agenda of the United Nations, but were mainly seen as the struggle to counter discrimination against women in their claims to basic human rights such as the right to education, labour and political participation. The entry of former African colonies into the world policy scene in the sixties and seventies turned the attention of the international community to development issues (mainly economic and health). It also focused attention on the methods and ways of eradicating gender inequalities and of making full use of women's labour power and their potential in solving Third World problems, especially poverty and armed conflicts. It was a time of great expectations and ambitions, as evidenced by the 'minimal goals' which were established at the World Conference of Women in Mexico in 1975, and which were expected to be achieved during the so-called 'United Nations Decade of Women':

- Combating problems affecting female migrant workers, female prisoners, women and girls forced into prostitution;

- Achieving equality of access to education for women at all levels of schooling;

- Increasing employment opportunities for women throughout the world;

- Passing laws to ensure a greater participation of women in politics and governance, and making significant improvements in women's access to adequate nutrition, housing, health care and family planning.

These goals have not yet been fulfilled, but the very fact that they were defined and adopted by the international community significantly increased the public awareness of how widespread and deep gender inequality is in society. The direct link between gender inequality and humiliation, the suffering and death of millions of women also became more evident than ever before.

In the 1980s and especially in the 1990s, gender inequity, discrimination against women and violence committed against them were defined by the United Nations Economic and Social Council (ECOSOC) as being pervasive, cutting across lines of income, class and culture, and the violence was declared to be unacceptable regardless of whether it was committed in private or in public, by state or non-state institutions. In 1993, the first international human rights instrument, namely the United Nations Declaration on the Elimination of Violence against Women, which defined and describes the most frequent types of the violence, was designed exclusively to deal with violence against women, naming the roots as unequal power relations between men and women. The Fourth World Conference on Women held in Beijing in 1995 was the largest conference ever organized by the UN. The fact that at the same time, in Huairou, a Beijing suburb, the female representatives of non-governmental organizations gathered to discuss women's issues, illustrates the achievements of grass-root organizations in the area of women's empowerment. The UN organizations began to consider them as partners that were of equal value as national governments and other political institutions. NGOs, including charitable associations and feminist academic institutions, enrich the activities of the international community with critical views and standpoints, since they can give an estimation of the success of the implementation of relevant international laws and

recommendations at the regional and national level, and point out many problems that otherwise would have been left unnoticed. The emergence of the idea of the necessity to apply a gender sensitive approach to many of the crucial problems which the international community is trying to solve – such as poverty, illiteracy, post-war reconstruction, HIV/AIDS, peace support operations, etc., came from the NGO environment.

This year, the celebrations for St. Valentine's Day at many western universities and campuses, were accompanied by the so-called 'V-Day', a campaign initiated by non-governmental organizations to end the violence against women and girls. The 'V' refers both to Valentine's and to the violence against women, and V-Day is only one of numerous non-traditional ways in which the present struggle against violence accentuates a moral pressure to individuals and potential perpetrators, in this case to young men, in order to increase their personal responsibility for the elimination of the violence, and to contribute to it becoming socially unacceptable. Such a campaign aims for a change of social values and attitudes and can be considered as a complementary effort to create a healthier legal environment in which violence against the weak would be punished in accordance with the existing laws. In the background, lies the experience of legislations (and even the best ones) being inept, if they are not supported by a proper 'legal culture', meaning a commonly shared attitude condemning not only violence but also the impunity of its perpetrators.

What is Recommended by the International Community to End Violence Against Women

Although activities which are based upon a change in values and moral principles cannot be underestimated, the core measures to end violence lie in more appropriate laws, in women's empowerment through education and participation in decision-making, in the training of those responsible for women's protection, in sets of preventative actions, as well as in more regular monitoring and analysing of the conflict situation in which women are exposed to extreme violence. A body of recommendations on the eradication of gender-based violence currently exists in the form of official documents; notably the Fourth World Conference on Women, the Beijing Platform of Action which was agreed on in 1995 and the Beijing + 5 Further Actions and Initiatives which was adopted during the 23rd Special Session of the UN

General Assembly in 2000. In addition, several studies have been undertaken in recent years underlining more specific recommendations. These include a study by the UN Secretary-General on Women, Peace and Security in 2002, UNIFEM's Independent Experts' Assessment on Women, War and Peace of the same year, and the many analysis undertaken by research institutes and non-governmental organizations. The following brief summary illustrates the nature and orientation of the main measures and activities recommended by the international community to eradicate gender based violence.

1. Protection through law

a) *Universal ratification of international instruments on international human rights and humanitarian issues*

At the international level, an important legal framework drawn from international conventions on human rights and humanitarian law exists, and this framework provides protection for women from violence and prohibits any prejudice against women's rights. These instruments are essential as they establish common standards and norms. Accession to these instruments and their implementation mark the commitment of states to improving the status of women. Furthermore, reporting mechanisms provide monitoring of the implementation of these standards. It is therefore essential that these instruments are ratified by all states and that they be implemented adequately.

b) *Effective implementation of legal reform and improvement of access to justice*

National legislation, starting from the Constitution, should assure women's rights. In this context, it is crucial to criminalize violence against women in all its forms, including domestic violence and traditional practices. Laws that punish official agents i.e. the police, security forces and any other state officials who become engaged in any form of violence against women in carrying out their duties, should be reinforced. Women and girl victims should be provided with adequate access to legal remedies including the provision of gender-sensitive justice, compensation and indemnities.

c) ***End impunity by ensuring adequate punishment of perpetrators***

The criminalization of all forms of gender-based violence through legal reform will acquire meaning only if these are appropriately implemented. As such states have a responsibility to punish all criminals including military and public officials. States should strengthen cooperation in extraditing perpetrators. In addition, states should refrain from referring to traditional or religious practices to avoid their duties. It is essential that penal, civil, labour and administrative sanctions for all perpetrators be strengthened in order to ensure compliance and make it clearly understood that no one can avoid responsibility for such acts and that these actions will not be tolerated in society.

2. Protection through institutions

a) ***Strengthening of institutional mechanisms for protection: coordinated approach***

The problem of gender-based violence is wide in scope in terms of actors and institutions involved. The response therefore requires a multidisciplinary approach engaging institutions from the political, justice, health, labour, media, education, social and security systems at all levels. An effective response is assured through the coordinated institutionalization of gender perspectives and protective mechanisms against gender-based violence in all these sectors. Training alone is not enough as its impact diminishes as time passes. For a longer-term commitment, it is essential that institutions be able to adapt dynamic and visible gender policies and strategies aimed at changing the institutional culture. This change requires mainstreaming a dynamic policy and strategy in gender issues which should be reflected in the institution and its programmes and in particular in the set up and design, goals, leadership, implementation and evaluation. The change should bring about a transformation in cultural prejudices and beliefs. For example, in considering for the security sector, an important strategy would be to create institutional mechanisms that enable women and girls to report or testify against gender-based violence in a secure environment. For this, it is crucial that women be involved in security sector institutions and programmes such as the police and the military and are integrated in their transformation and reform. For instance, some states have set up women-only police stations which is to be encouraged and could be further improved on by

providing services such as legal advice and counselling. An alternative solution is a unit at each police station that is staffed by women who are responsible for receiving complaints about gender-based crimes.

The justice system should also be made sensitive to the special needs of victims of gender-based violence, in terms of investigative procedures and providing testimonies. The number of female judges, prosecutors and investigators should be increased so as to ensure balance and equality.

In addition, any investigations of gender-based crimes also require an appropriate reaction by the medical field – as the provision of evidence by means of medical analysis is significant in such crimes. Doctors and other paramedical actors should establish specific procedures that neither discriminate against female victims nor perpetuate cultural prejudices.

Finally, gender-mainstreaming in institutions at all levels should be accompanied by efficient follow-up mechanisms that illustrate progress.

b)   Allocation of proper budget

For institutions to reflect gender perspectives and establish proper response mechanisms, requires the government to allot sufficient funds and financial support for the long-term. Without proper funding, programmes become inadequate, reflecting staff shortages and will inevitably be limited in their ability to provide assistance and protection mechanisms.

c)   Establishment of shelters and support mechanisms

Women and girls suffering from gender-based violence need to have a safe place to go. This is especially true for victims of domestic violence for whom their own home has ceased to be a safe haven. Governments need to put up shelters and assistance hotlines and offer support for victims which should include medical, psychological, social and legal services for women and affected family members.

d)   Protection of women in armed conflict

The experience from recent war situations which women were caught up in has enabled the formulation of adequate measures of how to protect women in extreme situations. Among them, the prosecution of all criminals guilty of gender-based violence during war is a priority, as is the provision of legal redress, and compensation or indemnity for the victims. Offering assistance to victims - legal, social, medical help as well as guaranteeing their personal safety and paying special attention to the specific needs of women during wartime i.e. delivering food, water, sanitation and health, etc. – are also extremely important. The complex situation during war and its aftermath needs an integrated effort by local community, especially at the grassroots level, where women can be very useful during peace negotiations and the reconstruction process. It is also desirable to increase the participation of women in peace support operations at the decision-making level as well in all phases of the mission.

3.   Prevention through awareness-raising, training and research

a)   Increased awareness-raising on the rights of women and gender-based crimes

Deeply entrenched social beliefs regarding the identity and role of women in society constitute a strong barrier to the full enjoyment of women's rights. Such conventional knowledge lacks an understanding of the rights of women and what constitutes a violation of these rights. Therefore it is important to increase awareness about the different gender identities, the rights of women and most importantly the nature of sexual violence in all its forms as a crime in society. This awareness raising should be taken up in systematic and comprehensive programmes in the education system – including police and military academies, the working environment, media, justice, health and social systems as well as the civil society. Since parents have a key role to play in teaching mutual respect among girls and boys at an early stage, they should be sensitized about their responsibilities in bringing up children in a non-violent environment, to not discriminate against girls and inculcate values based on the respect of equal rights. The media has a significant part in promoting well-balanced representations of women and men as well as eliminating images that depict violence. Ideally, this responsibility should be regulated by professional media

guidelines and codes of conduct. Specific education and training should also be given to law enforcement personnel and actors in justice, health and social systems regarding the causes and consequences of violence against women and how best to prevent them. Furthermore, general campaigns should be organized to reach out to the local level as well as national, regional and international communities on the nature of violence against women.

b)   Effective training for all actors involved

In order to formulate adequate and comprehensive responses to the problem of gender-based violence, authoritative agents e.g. public officials, the police, prison officials and security forces as well as actors from the medical, judicial, social and educational fields need to be sensitized through training about the nature of gender-based violence. These individuals would also benefit from being kept abreast of the existence and nature of any humanitarian and human rights laws which are related to such crimes. Training materials and guidelines at the communal, national, regional and international levels, for all actors involved, should be developed in the protection of women and girls from violence as well as their rights and specific needs in various contexts such as crimes perpetrated in war, domestic violence, trafficking and other forms of violence against women and girls. In addition, women and girls in general, as well as victims or potential victims, should be informed about their rights and how to better protect themselves from violence.

c)   Effective collection of gender-disaggregated data

Reliable data is imperative in order to formulate adequate responses and strategies. Over the past decade, various studies and strategies in international *fora* have initiated research on data and statistics concerning the status of women. Programmes run by the United Nations and reporting mechanisms have been an important catalyst for forcing governments to provide progress evaluations on the state of their female population. However, deficiencies still exist in the systematic collection of 'gender-disaggregated' data especially on violence against women. Therefore, the collection of data and statistics concerning all forms of violence against women and girls should be promoted. All actors involved such as medical staff, law enforcement agents especially including the police should all be made

aware of the nature of violence against women as crimes and specific procedures must be drawn up in order to maintain a reliable record.

d) *Furthering research on causes, consequences and solutions*

The current body of knowledge on violence against women is limited due to several barriers. First of all, in general, society still treats such crimes as taboo, thus restricting access to victims and preventing a deeper analysis of the problem. Most often, such crimes are sealed in silence which leads to a lack of necessary data. In addition, the place of women in society tends to be relegated to the private sphere, which is an excuse used by many not to deal with such matters. However, these obstacles need to be surmounted. Research on the root causes and consequences of violence against women in the economic, political, cultural and social fields needs to be undertaken to understand the nature and scope of the problem. Targeted studies on the needs and methods to advise and rehabilitate perpetrators should also be undertaken in an effort to prevent any re-occurrence of the violence. For an effective response mechanism, current solutions and adopted measures ought to be continually assessed both in terms of their effectiveness and success. In addition, in order to formulate better policies and programmes, further research should be carried out on the impact of war on women, considering the physical, psychological, economic and social aspects. Finally, there is also a need for research to be conducted on the role of women in the prevention of war, conflict resolution and reconstruction.

e) *Effective monitoring and assessment*

The elimination of gender-based violence and discrimination in accordance with various international conventions need to be assessed through monitoring committees. For this, it is essential that global indicators are agreed upon internationally to enable assessment of violence against women. Relevant institutions both at the international and national levels, should incorporate efficient follow-up methods such as the incorporation of the status of women and progress on the attainment of women's rights in reporting mechanisms at the topmost level.

4.   Empowerment of women through education and labour

In many cultures, the subordinate status of the female gender and socially attributed stereotyped roles often lead to the exclusion of girls and women from education and formal labour systems, in particular at the top levels. Although numerous official documents and human rights conventions have enshrined the right to education, including free and compulsory elementary education and the right to work encompassing the right to receive wages commensurate to a standard of living, progress in this area is very slow. Though women have gained improved literacy rates in crucial areas such as Africa, South and West Asia and the Arab states, in 2002, the world's adult illiteracy figure was estimated at 862 million people, with women making up two-thirds of the world's illiterates. In the Arab states, five million girls out of eight million primary school aged children continue to be denied access to education.

Education and labour systems are key areas for the empowerment of women and girls, which reduce their vulnerability to several forms of gender-based violence such as survival prostitution and trafficking. It is therefore crucial to identify all persisting barriers to the education of girls and women and their access to formal labour systems. Furthermore, all Ministries of Education have a key role to play in transforming established social perceptions of the inferiority or superiority of either gender and their stereotyped roles through education curricula.

5.   Empowerment of women through their participation in decision-making

Studies have shown that the lives of women and girls are favourably influenced by changes in policies which are enabled when there is a critical mass of women in public life. The achievement of a critical mass is in the order of 30% of public positions in decision-making levels. There are several ways to reach these goals such as the establishment of a quota system. However, the integration of women should not be just an exercise in establishing a tally but a real commitment to engaging women by providing assistance and training to female potential candidates and providing them with access to all decision-making level positions including the Ministry of Defence and Ministry of Foreign Affairs. The knowledge and practical know-how in conflict resolution and security issues that women possess are valuable resources that need to be tapped. Many grassroots female organizations and

national, regional or international women's NGOs have been engaged in conflict prevention, peace-building and reconstruction. However, women's efforts have so often been relegated to the informal channels. For peace agreements to have a lasting and sustainable effect all sectors of society, including women's associations, need to be involved. In this respect, the official participation of women should be recognized and implemented in preventive diplomacy, peace negotiations and all phases of formal mediation, peacekeeping operations, peace-building and post-conflict reconstruction. Most importantly women should be engaged in the decision-making levels of sectors involved in peace and security at the national, regional and international levels. Input by women is necessary in the design, implementation and assessment of solutions and remedies on peace and security so as to ensure a balanced and equal output that responds to the grievances of all involved.

The experience of the ad-hoc International Criminal Tribunals in the 1990s illustrated that the presence of women judges led to a breakthrough in criminalizing gender-based violence during wars. That women participate on an equal basis to men as judges, prosecutors and investigators in truth and reconciliation bodies and national and international courts is essential as it provides greater sensitivity to gender-based crimes and enhances gender justice. The presence of female judges or investigators leads to an atmosphere of increased confidentiality for women victims for whom re-telling the abuse is a very difficult and traumatising experience.

Conclusion

Although the facts and data on the scope and magnitude of violence against women presented above paint a rather dismal picture, the situation is far from being hopeless. Much has been achieved in the effort to eliminate or at least to restrict gender-based violence, and these results offer a positive perspective for the future. First of all, international humanitarian law, albeit with gaps and shortcomings, represents a solid base for punishing perpetrators and giving women more protection. The international community pays constant attention to monitoring the situation worldwide, bringing more evidence about the forms of violence in different regions, and striving to put more pressure on national governments to fulfil the obligations which arise from international covenants, declarations and resolutions. Women's rights have become an integral part of the advancement of human rights as

a whole and all of the UN organizations have accepted the importance of gender mainstreaming, which consists in the principle of prioritizing solutions and decisions so as to make them sensitive to the specific needs of women and also making use of the ability of women to become active contributors in building up a more peaceful and less violent world.

A broad network of diverse actors is engaged in the struggle against violence across the local, regional and international arena. At the local level, these actors may be care providers within the community, police officers, educators, social workers, government officials and local NGOs. At the national level, a wide range of both state and non-state actors are involved, comprising not only of social services, religious institutions, health and education ministries, but also actors dealing with judicial matters, law enforcement and the protection of citizens. At the international level, international and regional organizations, international NGOs and cross-national religious and charity organizations all have a role to play in eliminating gender-based violence.

The media present more and more information about violence against women, which in turn helps to make the invisible, yet pervasive evil more overt and increases the public awareness of its criminal nature. Some of the forms of violence against women and also against children tend to attract public attention by their evident immorality and manifest criminal nature. This is the case of the trafficking of women (and children) which, behind drug and arms trafficking, has become the third largest source of profits for organized crime, and has generated millions of dollars, according to some American sources. What is more, there are other good reasons as to why it has become increasingly difficult for those who are responsible for protection of citizens to neglect violence against women. Silencing or simply ignoring the broad and powerful network of NGOs which have spent decades striving to include issues such as the violation of women's rights and discrimination on the agenda of top policymakers, has become impossible. Moreover, in the complex conditions of post-conflict reconstruction, women have proved their survival ability and their aptitude to ensure that their families also survive. Their contribution to the reconstruction of villages, cities and regions having been destroyed by war has shown their strength and stamina and the benefits that local communities as well as society as a whole can gain by empowering women to participate in activities that stretch beyond the

boundaries of their households. The survival potential of women is documented from the major wars of modern history, but the true value of the contribution of women to post-war reconstruction has never been addressed in the way in which it has after the most recent armed conflicts. It has been proved that when humanitarian agencies providing aid to war-torn regions address local women, the reconstruction is faster and the aid is provided more effectively. The increasing number of women in managing and leading positions on both international and national levels plays an important role in the inclusion of gender sensitive solutions and measures in political programmes and practical steps. Hopefully, the awareness of the scope of violence committed against women worldwide and increasing persuasion about its political unacceptability will become an important element of this growing sensitivity to women's needs and potentials.

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