

# Victories over Violence

*Ensuring Safety for  
Women and Girls*

A PRACTITIONER'S MANUAL



Mahnaz Afkhami  
Haleh Vaziri



**VICTORIES OVER VIOLENCE:**  
**ENSURING SAFETY FOR**  
**WOMEN AND GIRLS**

**A PRACTITIONER'S MANUAL**

**MAHNAZ AFKHAMI**  
**HALEH VAZIRI**

**Women's Learning Partnership  
For Rights, Development, and Peace (WLP)**

4343 Montgomery Avenue, Suite 201  
Bethesda, MD 20814

Tel: (1) 301-654-2774  
Fax: (1) 301-654-2775  
Email: [wlp@learningpartnership.org](mailto:wlp@learningpartnership.org)  
Web: [www.learningpartnership.org](http://www.learningpartnership.org)

Cover Design and Layout by Xanthus Design

© Copyright 2012  
By Women's Learning Partnership for Rights, Development, and Peace (WLP)  
ISBN 978-0-9830995-5-0

# Table of Contents

<b>Acknowledgements</b>	1
<b>Who We Are</b>	2
About the WLP Partner Organizations	3
<b>Introduction</b>	
<b>Causes and Consequences of Violence against Women and Girls, Educating for Safety and Peace</b>	7
<b>WORKSHOP SESSIONS</b>	
<b>Section A: Violence in the Private Sphere</b>	13
Session 1: Meeting and Greeting to Create a Learning Community	14
Session 2: Verbal and Psychological Abuse at Home	17
Session 3: Mistreatment of Domestic Workers	21
Session 4: Intimate Partner Violence	27
Session 5: Female Genital Mutilation	36
Session 6: Forced Marriage and Child Brides	43
Session 7: Murder in the Name of Honor	53
<b>Section B: Violence in the Community</b>	65
Session 8: Sexual Harassment in Public Spaces	66
Session 9: Sexual Harassment in the Workplace	72
Session 10: Rape and Sexual Assault	79
Session 11: Hate Crimes against Lesbians	87
Session 12: Prostitution	95
<b>Section C: Violence by the State, Across Borders and in the Global Arena</b>	103
Session 13: Trafficking for Sex Slavery	104
Session 14: Rape as a Weapon of War	111
Session 15: The Roles and Rights of Women and Girls in Peacemaking and Post-war Reconstruction, UN Security Council Resolution 1325	115
Session 16: Conclusions, Evaluation of the Experience and Recommendations	120

<b>For Further Reading</b>	127
The UN Mandate for the Elimination of Violence against Women: Standards, Instruments and Guidelines for Its Effective Use, By Yakin Ertük	128
Combating Violence against Women and Girls: Examples from Latin America, By Jacqueline Pitanguy	133
<b>Appendices</b>	
Appendix 1: UN Security Council Resolution 1889, S/RES/1889 (2009)	139
Appendix 2: UN Security Council Resolution 1888, S/RES/1888 (2009)	145
Appendix 3: UN Security Council Resolution 1820, S/RES/1820 (2008)	155
Appendix 4: UN Security Council Resolution 1325, S/RES/1325 (2000)	161
Appendix 5: UN General Assembly Resolution 48/104, Declaration on the Elimination of Violence against Women, A/RES/48/104 (1993)	167
Appendix 6: UN General Assembly Resolution 1763 A(XVII), Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962)	175
Appendix 7: The Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity (2006)	179
<b>Annotated Bibliography</b>	206

# ACKNOWLEDGEMENTS

We are grateful for the generous support provided by the following foundations for the development, testing and adaptation of this manual:

**Channel Foundation**

**Dutch Ministry of Foreign Affairs MDG3 Fund**

**Ford Foundation**

**National Endowment for Democracy**

**New Field Foundation**

**Oxfam-Novib**

**Shaler Adams Foundation**

**The Sigrid Rausing Trust**

**Swedish International Development Cooperation Agency**

We greatly appreciate those who gave us invaluable advice and insights into the causes of violence against women and girls, its consequences and efforts to prevent and redress it: Lina Abou Habib, Zainah Anwar, Yakin Ertük, Rakhee Goyal, Asma Khader, Sindi Medar-Gould and Jacqueline Pitanguy. We also owe thanks to Magdalene and Thistle Farms and their founder Becca Stevens for inspiring the case study on prostitution in session 12, as well as to Jacki Lyden and National Public Radio (NPR) who granted us permission to draw on their broadcast coverage of these rehabilitation programs.

## WHO WE ARE

A partnership of 20 autonomous organizations, Women's Learning Partnership (WLP) trains and supports women in the Global South, primarily in Muslim-majority countries, to become leaders and advocates for a just, peaceful world. WLP creates culture-specific leadership trainings on democratic participation, and it partners with local organizations to help women gain the skills they need to fulfill greater leadership roles at the family, community and national levels. Over the past decade, WLP has developed curricula and education resources that encourage women's leadership and rights, and bolster their capacities as agents for change toward the establishment of free, fair and democratic societies. In 2001, WLP published *Leading to Choices*, a leadership training manual for women with a special focus on women in Muslim-majority societies. By 2010, *Leading to Choices* had been translated into 20 languages and adapted for dozens of different cultural contexts. To date, WLP's programs and training materials have reached tens of thousands of women and men in over 40 countries, strengthening local organizations to become self-sustaining and empowering women's movements around the globe.

## About the WLP Partner Organizations

**Afghan Institute of Learning (AIL):** AIL is a women-led non-governmental organization that uses a creative, responsive and dedicated approach to meet the health and education needs of Afghan women, children and communities. AIL trains and works with health and education professionals and organizations through programs in teacher training, health professional training and health education and leadership and human rights training. Programs support home schools, community-based organizations, women's learning centers and a pre-school education program. [www.afghaninstituteoflearning.org](http://www.afghaninstituteoflearning.org)

**All Women's Action Society (AWAM):** Founded in 1985, AWAM is an independent feminist organization committed to improving the lives of women in Malaysia. Its vision is to create a just, democratic and equitable society where women are treated with respect, and are free from all forms of violence and discrimination. To reach this goal, AWAM informs, connects and mobilizes those interested in securing women's rights, bringing about equality between men and women and supporting women in crisis. AWAM's activities include advocacy, training and education and direct services to victims of violence, including counseling and legal aid. [www.awam.org.my](http://www.awam.org.my)

**Association Démocratique des Femmes du Maroc (ADFM):** ADFM is an independent association established in 1985 to defend and promote the human rights of women and to foster equitable policies and social practices. As one of the largest non-governmental organizations in Morocco focused on the rights of women, ADFM has been successful in forming networks with civil society and governmental institutions regionally and internationally. The organization guarantees and reinforces the rights of women through advocacy, awareness raising, literacy campaigns, direct assistance and education, among other activities. [www.adfm.ma](http://www.adfm.ma)

**Association des Femmes Chefs de Famille (AFCF):** AFCF is a non-governmental organization in Mauritania with a primary mission to promote human rights and to defend the rights of women and children. AFCF strives to bring support to women in precarious situations (particularly female heads of households), create a network of associations working to improve living conditions for women and children, and contribute to fostering gender equality and building active solidarity among women of different social classes. [www.afcf.fr.gd/](http://www.afcf.fr.gd/)

**Aurat Foundation:** Aurat Foundation was established as a non-governmental organization in 1986. The foundation is committed to working for women's rights and empowering citizens to participate in good governance for the purpose of creating a just, democratic and humane society in Pakistan. The organization works in partnership with over 1,200 non-governmental and community-based organizations on activities related to advocacy, activism and knowledge – and information-building for women's rights and gender equality in Pakistan. [www.af.org.pk](http://www.af.org.pk)



**BAOBAB for Women's Human Rights (BAOBAB):** BAOBAB is a non-profit organization working for women's human rights and legal rights under religious laws, statutory laws and customary laws, with a particular focus on Muslim women. BAOBAB works with legal professionals and paralegals, policymakers, women's and human rights groups, other non-governmental organizations and members of the general public. Its programs promote human rights education, particularly women's human rights. BAOBAB sponsors women's rights training and education projects, and programs that enhance understanding of women's rights to influence social and government policies. [www.baobabwomen.org](http://www.baobabwomen.org)

**Be-Free Program/Bahrain Women Association for Human Development (BFP/BWA):** BFC/BWA is a women's rights and child empowerment organization in Bahrain. The organization strives to increase awareness of women's legal rights, as well as other issues that affect women, such as globalization, information technology, the environment, health care, culture and the family. The Be-Free Center focuses on eliminating child abuse and neglect and empowering children to be powerful and productive citizens. Through activities including training workshops and seminars, radio and television programs, advocacy campaigns and networking, BWA promotes active citizen participation among women. Officially established in 2001, the vision of BWA is "to empower leaders for the human development era." [www.bahrainws.org](http://www.bahrainws.org)

**Cidadania, Estudo, Pesquisa, Informacao e Acao (Cepia):** Cepia is a non-governmental, non-profit organization dedicated to developing projects that promote human and citizenship rights, especially among groups historically excluded from exercising their full citizenship in Brazil. Cepia conducts studies and educational and social intervention projects focusing on health, sexual and reproductive rights, violence and access to justice, poverty and employment. Cepia's advocacy strategy includes monitoring and evaluating public policies, and maintaining an open dialogue with different social groups and civic organizations. [www.cepia.org.br](http://www.cepia.org.br)

**Collective for Research & Training on Development-Action (CRTD-A):** CRTD-A provides technical support and training in Lebanon to non-governmental organizations, governmental partners, researchers and international agencies on areas of social and community development, with a particular emphasis on gender equality and equity. CRTD-A focuses on the theory and practice of qualitative, participatory and action-oriented social research, and produces original literature on gender and development, gender mainstreaming, gender training, social development, civil society and poverty. The CRTD-A team provides consultancy services for non-governmental organizations and other development actors in gender-related areas. [www.crt-da.org.lb/en](http://www.crt-da.org.lb/en)

**Fondo de Desarrollo para la Mujer (Fodem):** Fodem is a non-governmental organization in Nicaragua that supports the economic and political empowerment of women with scarce resources through financial, business, and citizenship programs. Its programs have earned Fodem the Central American award for Best Practices from Grupo Intercambio. [www.fodem.org.ni](http://www.fodem.org.ni)

**Forum for Women in Development (FWID):** FWID is a network of Egyptian non-governmental organizations working for the emancipation of women and elimination of all aspects of discrimination against women. Launched in 1997 by 15 civil society organizations, FWID advocates for the reform of policies and legislation that discriminate against women. It is made up of groups of activists, both male and female, from different social and professional backgrounds, who work together to build a democratic, just and egalitarian society.

**Foundation for the Support of Women's Work (FSWW):** FSWW is a non-governmental organization in Turkey seeking to ensure women's equal participation in social, economic and political decision-making by drawing on the expertise and potential of local women. Established in 1986, it supports low-income women's groups to improve the quality of their lives, their communities and their leadership. KEDV/FSWW works in Istanbul, the Marmara earthquake region and southeastern Turkey. The organization also provides consultancy, training and monitoring support to those local governments, non-governmental organizations and other organizations that want to integrate FSWW programs into their activities. [www.kedv.org.tr](http://www.kedv.org.tr)

**Human Rights Center/Citizens against Corruption (CAC):** CAC in Kyrgyzstan focuses on the rights of women and refugees, provides legal consultation, conducts and disseminates research, convenes civic forums, participates in public hearings and trains human rights defenders. CAC advocates against corruption in the government through monitoring elections and supporting election reform, supporting women in parliament and advocating against the use of torture and the death penalty. [www.anticorruption.kg/](http://www.anticorruption.kg/)

**Iran:** WLP works in partnership with activists and scholars from Iran to develop Persian training manuals and multimedia curriculum. In 2005, WLP convened a National Learning Institute for Women's Leadership and Training of Trainers with a group of Iranian activists, non-governmental organization leaders, journalists and academics to enable participants to develop skills in participatory leadership and to strengthen women's networks in Iran.

**Shymkent Women's Resource Center (SWRC):** SWRC is a non-profit organization in Kazakhstan whose programs combat trafficking and violence against women and promote the rights of women and women's leadership. SWRC organizes campaigns to combat trafficking, creates self-help support groups for women, provides psychological and legal counseling and manages a shelter for victims of trafficking. [www.swrc.kz/eng](http://www.swrc.kz/eng)

**Sisterhood Is Global Institute/Jordan (SIGI/J):** SIGI/J is a non-governmental organization established in 1998. Its founders include lawyers, jurists and human rights activists working to support and promote women's rights through education, skills training and modern technology. Its programs include human rights education, initiatives for combating violence against women and girls and a knowledge partnership program that provides ICT training. SIGI/J also sponsors cultural and educational events that highlight the experiences of women leaders. [www.sigi-jordan.org/pages](http://www.sigi-jordan.org/pages)

**Women's Affairs Technical Committee (WATC):** WATC is a coalition in Palestine established in 1992 to eliminate discrimination against women and to pursue a democratic society that respects human rights. The aims and objectives of WATC include developing young women's leadership skills, increasing women's political participation at all levels and empowering and supporting existing women's rights organizations. WATC achieves its objectives through training, networking, advocacy, campaigning and maintaining an educational media presence. [www.watcpal.org](http://www.watcpal.org)

**Women and Youth Development Institute of Indonesia (WYDII):** WYDII was founded on the premise that the empowerment of women and development of youth are essential to the establishment of a vibrant democracy. WYDII's mission is to create an environment in which women can participate fully in public life and where youth are given the opportunity to realize their potential in order to face the challenges in their future. WYDII works to develop opportunities for women and youth to engage more actively in the democratic process and to become effective, empowered leaders. [www.wydii.org/](http://www.wydii.org/)

**Women's Self-Promotion Movement (WSPM):** WSPM is a grassroots organization created in 2001 in Zimbabwe. WSPM implements women's economic empowerment programs and women's capacity-building programs that seek to improve the lives of disadvantaged women through education, economic development and women's leadership. The organization primarily works with refugees, women and girls in the southern Africa region.

# **INTRODUCTION: ADDRESSING THE CAUSES AND CONSEQUENCES OF VIOLENCE AGAINST WOMEN AND GIRLS, EDUCATING FOR SAFETY AND PEACE**

## **Recognizing the Scale and Diversity of the Problem**

Violence against women and girls is both a global and local societal ill—global because its perpetrators and victims are in every corner of the world, and local because its forms differ from one place to the next depending on specific cultural, political and socio-economic circumstances.

From sexual harassment on Japan's public transport system to spousal battery in Russia, from trafficking for sexual slavery in Thailand's brothels to prostitution on the streets of the United States, from female genital mutilation in Ethiopia to breast ironing in Cameroon, from female infanticide in India to forced sterilization of women in China, from child marriage in Bangladesh to murders in the name of honor in Jordan, from rape to "correct and cure" South Africa's lesbians to rape as a weapon of Serbian ethnic-cleansing in Bosnia-Herzegovina—this list of human rights violations endured by the world's women and girls is nowhere near exhaustive.

As forms of abuse vary, practitioners and scholars from diverse disciplines have explored and debated the causes of violence against women and girls. Mental healthcare professionals examine individual perpetrators and survivors of violence to discover psychiatric maladies and behaviors inherited from families of origin. Anthropologists investigate how and why expressions of gender-based abuse become ritualized in specific cultural contexts and are then accepted by victims. Sociologists and political scientists analyze the origins and mutually reinforcing impact of male dominance or patriarchy on power relations in the home, in the public domain and in international relations.

Whatever the form of abuse and the analysis of its causes, the defining feature of this violence is the perpetrators' goal of controlling women and girls. This control entails the imposition of certain gender roles on females, restrictions on women's and girls' physical movements and even efforts to own their bodies as property. Although the perpetrators of this violence are generally men, women may be complicit in sustaining and fortifying male dominance in all aspects of life.

As awareness and indignation have increased particularly during the last century, governments worldwide have enacted legislative and other prohibitions on violence against women and girls in their countries. States have also worked together to formulate international laws addressing gender-based human rights violations. This international legal regime is expanding, from the Beijing Platform for Action of the Fourth World Conference on Women formulated in 1995 to United Nations Security Council Resolution 1960 adopted unanimously in 2010 to strengthen the global community's efforts to end sexual violence during armed conflict.

Despite these positive legal developments, however, implementation and enforcement of national and international laws on violence against women and girls are at best challenging tasks for three main reasons. First, in various countries, gender-based human rights abuses are not defined as such but rather are considered and justified as cultural and/or religious practices integral to a society's history and identity. Women and girls who reject female genital mutilation or speak out against so-called honor crimes, for example, are taking on society's long-standing, widely accepted and typically male guardians of culture and faith. They risk not only further physical harm but also ostracism by their immediate families, houses of worship and communities.

Moreover, in most countries, women have less access to the political and legal systems than men. Whether reporting a case of spousal battery to the police, struggling to leave an abusive husband or lobbying for legislation on domestic violence, a woman is likely to confront unequal power relations at every turn.

Finally, to ensure the implementation and enforcement of any law but particularly one that will overturn the established order requires resources. Yet women operate at an economic disadvantage in their efforts to escape, eliminate and/or address the consequences of gender-based human rights violations. Sadly and bluntly stated, living a life free of violence costs more money than many women have or can earn in a marketplace biased against them.

Indeed, a vicious circle is at work: Women and girls are easy targets of violence because men assume the gate-keeper role vis-à-vis cultural and religious values, resisting new ideas that may subvert their authority and privilege. For those women and girls who reject gender-based abuse as a normal part of everyday life, there are few avenues of redress that are not littered with political and economic obstacles.

### **Educating for Safety and Peace Guidelines**

Consequently, gaps between passing legislation and operationalizing the human rights of women and girls remain. Perhaps the most significant effort to close these gaps centers on education in the sense of both consciousness-raising and the development of professional expertise. Grassroots educational endeavors must help communities fully grasp the extent of violence and the short- and long-term harm done not only to victims but also to the society at large. Education geared towards professionals must enable them to acquire not only a

body of expert knowledge and a skills set, but also, and of equal importance, a gendered perspective to apply to the tasks of preventing violence against females and addressing its impact on victims, perpetrators and society as a whole.

This educational tool, ***Victories Over Violence: The Practitioner's Manual to Ensuring Safety for Women and Girls***, is now in your, the facilitator's, hands to design and create a productive and enjoyable learning experience with the workshop participants. These guidelines aim to help you reach this goal.

Unlike in a traditional classroom setting, you do not serve as the teacher imparting information for students to receive it. Rather, as a facilitator, your role is to cultivate a comfortable, trusting environment which is crucial for discussing the sensitive issue of violence against women and girls. Ideally, both the participants and you will feel safe enough in this environment to share knowledge, opinions, emotions and experiences. This act of sharing is intended to inspire everyone to think about practical measures and policies for tackling the worldwide problem of gender-based violence.

### Arranging the Workshops

For the participants and you to benefit from the manual's sessions, being prepared is important. As the facilitator, you are responsible for making the format and logistics of the workshops fit the contents of the sessions. However, you may wish to enlist the participants and even other members of the local community to help you perform various tasks; their assistance will allow you to focus on knowing the manual's contents while creating a sense of collective investment in the workshop experience and in the larger project of educating for the safety and peace of women and girls. These tasks include:

- collecting contact information from the participants
- scheduling meeting dates and times;
- securing a space to convene the workshops;
- keeping track of the session's length 3 hours, 30 minutes is the recommended maximum time period; and
- bringing supplies a chalk board and chalk or a flip chart and magic markers, copies of instructions and other texts, a clock with visible hour and minute hands, paper, pens and/or pencils as well as drinks and snacks for a break.

Once you, the workshop participants and/or community members have taken care of these logistics, tending to the manual's contents will become easier. Please be sure to read the entire manual in advance and to review each session before you facilitate it so as to ensure your intimate familiarity with the text. Knowing the manual well will enable you to recognize and emphasize those sessions, discussion points and learning exercises most relevant to the participants and in the local cultural, religious, political and socio-economic context. Familiarity with the manual will also help you make the workshops more informal and collaborative because you will not have to depend on it as a script.

## **Understanding the Manual's Organization and Principles**

Appreciating the organization of the sessions and within each session is vital for understanding and communicating the manual's underlying principles and values. The sessions examine prevalent forms of gender-based violence found around the world:

- verbal and psychological abuse at home
- mistreatment of domestic workers
- intimate partner violence primarily spousal abuse
- female genital mutilation
- forced and child marriage
- murder in the name of honor
- sexual harassment in public spaces
- sexual harassment in the work place
- rape and sexual assault
- hate crimes against lesbians
- prostitution
- trafficking for sex slavery
- rape as a weapon of war
- the roles and rights of women and girls in peacemaking, peacekeeping and post-war reconstruction as articulated in UN Security Council Resolution 1325

The types of violence presented here do not constitute an exhaustive list; for example, forced sterilization of women as a method of population control is not discussed. Facilitators and/or workshop participants may request the addition of this and/or other forms of violence not currently dealt with in the manual when they are asked during the final session to evaluate their learning experience. Alternatively, they may wish to be proactive and develop sessions on types of violence perpetrated in their own societies but not featured here.

The sessions unfold in a progression, moving from violence at home or in the private sphere, to the community or public space, to the transnational and international arenas. The case studies in each session are drawn from actual events – real episodes of violence taking place around the world – although the names of individuals involved and some details have been changed in the interest of confidentiality. The case studies feature stories set in societies as diverse as Haiti, Malaysia, Nepal and the United States. This manner of organizing the manual enables the facilitator and participants to explore the linkages between violence in these three realms—the private, public and global—while underscoring the point that gender-based human rights violations are ubiquitous and defy cultural, economic, ethnic, political, religious and other divisions.

Within each session, the case study serves to spark conversation about the causes and consequences of violence against women and girls, the choices that victims make to survive and re-build their lives as well as the measures practitioners take in addressing these human rights violations. You may want to read the case studies aloud during the workshop or ask volunteers to do so, because hearing the stories helps bring them to life and makes the details more vivid and memorable.

Following the case studies are “questions for discussion,” and all but the last two sessions feature learning exercises. You as the facilitator may wish to change the order in which you pose these questions—even omitting and/or adding some—and conduct the exercises, depending on how the conversation unfolds during the workshops and what issues are important to the participants. Flexibility is encouraged. The case studies of abuse in the private realm are followed by two learning exercises, whereas most of the sessions dealing with violence in the public and global arenas feature three.

The learning exercises reflect the manual’s participatory ethos. The facilitator and participants are asked to work together, to break into small groups, to ask each other questions and to forge consensus around concepts and decisions—all in the quest for solutions to the problem of gender-based violence. The resulting dialogue allows the participants to identify and prioritize their concerns and to recognize obstacles as they strive to prevent violence and to vindicate the human rights of those victimized by it.

Session 14 on wartime rape and session 15 on women’s roles and rights in post-conflict situations are structured somewhat differently. Rather than highlighting a specific case, these sessions describe a series of episodes so as to introduce issues that are newer to discussions of gender-based violence. As these sessions do not include learning exercises, the interaction between the facilitator and workshop participants as well as among the participants will come from answering a more extensive list of questions for discussion than that following prior case studies.

If facilitators and/or workshop participants conclude that learning exercises are useful and necessary in dealing with the issues presented in these two sessions, such feedback is welcome and solicited by the manual’s evaluation form in session 16. Besides offering feedback, they may wish to take the initiative and design learning exercises for testing in their own and future workshops.

Another feature of each session is the sidebar starting with the question “Did you know...?” and answering with interesting and significant facts about the specific type of violence being examined. By focusing on the sidebar, you provide not only information but also another point of departure for conversation about the causes, location, prevalence, severity and consequences of such human rights violations as mistreatment of domestic workers, child marriage and trafficking.

In short, the organization of the sessions and within each session is aimed at promoting creativity, communication and collaboration between you as the facilitator and the participants as well as among the participants themselves.



## **Identifying the Audience and Objectives for the Manual and Workshop**

As you facilitate the sessions, keep in mind that *Victories Over Violence* is geared towards two main audiences: practitioners first and foremost, but also laypeople. For practitioners, the manual seeks to provide a constructive framework to brainstorm for measures and policies that prevent violence against women and girls and/or allow survivors to rebuild their lives as emotionally and physically healthy, productive members of the community.

By participating in the workshops, practitioners will hopefully cultivate a network of colleagues and friends with whom they can exchange information and ideas, and even collaborate in projects to eliminate gender-based violence and to empower survivors. For laypeople, the manual offers a comprehensive introduction to this social problem and may provoke their curiosity enough to have them delve more deeply into the subject matter.

In fact, the manual includes two short articles “for further reading” by prominent experts Yakin Ertük and Jacqueline Pitanguy, seven appendices of documents relevant to the fight against gender-based violence and a thematically organized, annotated bibliography of literature mostly produced during the last two decades but also classic works. These elements of the manual should enable laypeople and practitioners alike to find resources that satisfy and stimulate their curiosity.

Practitioners in the field of violence against women and girls are typically activists in the human rights community working at the grassroots and/or international levels and policy makers within governments and international organizations. Arguably, though, achieving victories over gender-based violence will take broader efforts and more people’s energies. Indeed, the case studies do not feature only activists and policy makers as practitioners but rather showcase an array of professionals such as a nurse, an obstetrician, a human resources officer and a print reporter among others.

At first glance, these professionals may not seem to be in positions that involve tackling the issues surrounding violence against women and girls; some of them would hesitate to self-identify as practitioners or as human rights advocates. However, the reality is that individuals of diverse backgrounds, professional and otherwise, may come face-to-face with victims and perpetrators of violence due to the ubiquity of practices that discriminate against and harm someone just for being female.

To facilitate workshops based on *Victories Over Violence* is to recognize that activists and policy makers have accomplished a great deal. Yet if by facilitating these sessions, professionals in other fields become committed to addressing the problem of gender-based violence, then you and the participants have moved your society a step closer to a genuine community of practitioners who value and vindicate the human rights of women and girls.

## WORKSHOP SESSIONS

### SECTION A

---

# Violence in the Private Sphere



# SESSION 1:

## Meeting and Greeting to Create a Learning Community

(Workshop session, approximately 2 hours)

***Note for Facilitator:*** *Unlike the subsequent sessions, this first one does not feature a case study because it is meant to give the workshop participants and facilitator the opportunity to:*

### Session Objectives:

- introduce themselves to one another;
- define key terms; and
- articulate a social contract that indicates how everyone will interact with each other for the workshop's duration and what objectives the participants aspire to achieve.

The participants will share their thoughts by performing three learning exercises and completing the evaluation form below. This session will also allow the facilitator to share with the participants the workshop schedule and any other logistical arrangements they need to know.

### Learning Exercises

(Approximately 2 hours)

#### Exercise 1 Greeting to Come Together

(Approximately 45 minutes)

1. Organize the workshop participants' seating into a circle.
2. Starting with the facilitator, go around the circle to have everyone introduce themselves in no more than 3 minutes— giving their names and stating in a couple sentences *what they seek to contribute* to the workshop and *what they hope to take* from the experience.

3. Once each person has introduced her-/ him-self, go around the circle again but this time to ask questions that will enable everyone to get know one another a little better. Have each person turn to their neighbor on the left and pose a short question about a light topic, nothing too serious—for example: “What do you do to relax?” “Do you think you are a good cook?” “Which season of the year do you like most?” “What is your favorite book/food/music/sport?”

## Exercise 2 Defining Key Terms

(Approximately 30 minutes)

1. Have the workshop participants break into three groups for a 10-minute brainstorming session about how to define key terms that will be used throughout the workshop— human rights, gender and violence. Ask each group to select a spokesperson who will report to the full workshop.
2. As the groups are brainstorming, request that they keep their definition to no more than three sentences.
3. Reconvene the workshop participants. Give the three spokespersons 2 to 3 minutes to share their group’s definition of the assigned term.

***Tip for Facilitator:*** Use a large flip pad or chalk board to enable each spokesperson to write down her/his group’s definition of the assigned term.

4. Once the three spokespersons have finished speaking, ask the entire group whether they are satisfied with these definitions, what if any revisions they would make and why they would or would not make changes.

## Exercise 3 Formulating a Social Contract

(Approximately 45 minutes)

1. Instruct the workshop participants that they need to establish rules for their interaction during the sessions so as to create a community in which they can learn and enjoy each other’s company.
2. Give them 25 minutes to brainstorm for 5 to 7 rules that reflect the values they seek to advance in their learning community. Explain to them that these rules will be a social contract which they agree to and by which the workshop will be conducted.
3. Once the participants are done brainstorming, select two volunteers to state these rules as clearly and succinctly as possible.

**Tip for Facilitator:** *Use a large flip pad or chalk board to enable the volunteers to write down these rules.*

- 4. With this social contract formulated, ask the participants whether they found this exercise easy or difficult and why, as well as how they intend to enforce their rules.

**Did You Know That...?**

A 2011 poll conducted by TrustLaw of 213 gender experts from five countries identifies Afghanistan, Congo, Pakistan, India and Somalia as the five most dangerous places to be a female. The experts cite these reasons:

**Afghanistan** – continued war, lack of healthcare, poverty and discriminatory cultural practices;

**Congo** – the use of rape as a weapon of war with some 400,000 cases per year;

**Pakistan** – cultural practices—child marriage, murder to extort dowry and in honor’s name and acid attacks;

**India** – female feticide and infanticide, murder to extort dowry and the trafficking of women and girls into sex slavery; and

**Somalia** – high maternal mortality, female genital mutilation and rape in a context of lawlessness and civil war.

**Source:** “TrustLaw Poll-Afghanistan is most dangerous country for women.” <http://www.trust.org/trustlaw/news/trustlaw-poll-afghanistan-is-most-dangerous-country-for-women/>. For the poll’s methodology, visit <http://www.trust.org/documents/womens-rights/resources/2011WomenPoll-MethodologyandResultsSummary.pdf>.

# SESSION 2:

## Case Study – Verbal and Psychological Abuse at Home

(Workshop Session, approximately 3 hours)

Maribel, 21 years old, is a student of psychology at the Metropolitan University in Caracas (Universidad Metropolitana, UNIMET); on campus, she feels confident, excelling in her courses and surrounded by her friends. The contrast with her home life could not be starker. The men in her family, especially her younger brother Rafael, ridicule her choice to study psychology: “Are you crazy? You are sick to love working with those deviants!”

When she began her studies at UNIMET, Maribel tried to share with Rafael, once her confidante, why she chose psychology; but the more she explained, the more he picked on her. His refrain: “Why are you so studious? Because you can’t find a husband? You want to marry some crazy guy!” Maribel ignores him, but Rafael does not relent.

**Did You Know That...?**

Verbal abuse may cause depression, post-traumatic stress disorder, sleep difficulties, eating disorders and emotional distress.

**Source:** World Health Organization (WHO). “Fact Sheet, Violence against Women.” <http://www.who.int/mediacentre/factsheets/fs239/en/index.html>.

One night he shouts at her during dinner, “I should come to that stupid library to see why you waste time there! Are you there flirting with some crazy boy? If I ever catch you looking at any one, I’ll make you regret the day you signed up for school!”

Maribel can no longer stay quiet. Incredulous, she yells, “There’s no boy, only books, idiot! Who’re you to make me regret anything? My brother or a thug?” Maribel’s father immediately dismisses her for disrespecting Rafael.

Nobody dares defend her, not even her mother—the only other woman in the home. As Maribel leaves the room, her three brothers chuckle with satisfaction.

A couple days later, after reflecting on her situation, Maribel decides she has to act; she is becoming demoralized, fearful of her brother and angry that nobody in her family empathizes with her. She makes an appointment with a psychologist at UNIMET, Dr. Diaz. After describing her interaction with Rafael, the doctor asks, “Why do you think your brother behaves this way? Does he envy your success? Is he like this with other women?”

“I have no idea why he insults me! Can you help me understand him? I love my little brother, but I need advice on how to handle him before he does something irrational!”

“Like what? What could he possibly do? He’s probably concerned about your well-being and is just overly protective. Maybe you’re over-reacting, and...”

Maribel interrupts, “What? Dr. Diaz, I can’t believe you’re blaming me? What did I do? Except choose to study this field! Your field! Maybe I should just go...”

Trying to stop her from leaving, the doctor interjects, “Ms. Ilario, please wait. I want to understand you, your brother and the whole situation. Let’s try again. How do Rafael’s comments make you feel? Let’s begin there. I’m sorry if I blamed you. Can we start over?”

Although skeptical, Maribel stays until the session ends when Dr. Diaz reiterates, “I regret faulting you in this situation. I’m glad you didn’t leave. If you wish to talk more, we can arrange a weekly session. I don’t charge UNIMET students. Think about it. Here’s my card, and I’ll give you my mobile number as well—just in case you need it. If an emergency arises...”

## **Questions for Group Discussion**

(Approximately 1 hour)

### **The Interaction between Maribel and Rafael**

(Approximately 25 minutes)

- Does Rafael’s behavior towards Maribel constitute violence? Why or why not?
- Is he violating her human rights? If so, which rights is he violating?
- Does Maribel respond to Rafael appropriately? What does she do to make the situation worse or better?
- Which of these options could help Maribel resolve her dilemma?
  - ☐ She could abandon her studies.
  - ☐ She could fight back in kind, insulting Rafael.
  - ☐ She could enlist the help of other family members—her brothers, mother or...
  - ☐ She could try reasoning with Rafael.
  - ☐ She could save money to rent an apartment close to campus and/or live with a close relative or friend who respects her professional decisions.
  - ☐ She could continue to see Dr. Diaz.
  - ☐ She could \_\_\_\_\_. Please offer your own suggestion.
- In your opinion, why does Rafael insult Maribel and mock her educational choice? How do you think he perceives himself as a man? That is, what does being a man mean to him, particularly in relation to his sister?

## The Interaction between Maribel and Dr. Diaz

(Approximately 15 minutes)

- Why do you think Maribel chooses to make an appointment with Dr. Diaz?
- Does the doctor understand her distress? Does he recognize Rafael's behavior as violence towards Maribel? Why or why not?
- What does Dr. Diaz do right and/or wrong during his session with Maribel?

## For Further Thought

(Approximately 20 minutes)

- Do you think mental health professionals would be open to and should receive gender-sensitivity training to improve their knowledge of women and gender-based violence?
- If you answered "yes," what kind of training would you suggest? What issues should this training emphasize so that women receive better mental health care?
- If you answered "no," do you see disadvantages to gender-sensitivity training in the field of mental health care? What are they?

## Learning Exercises

(Approximately 2 hours)

### Exercise 1 Sharing Experiences of Verbal Abuse

(Approximately 1 hour)

1. Have the workshop participants break into pairs to discuss Maribel's dilemma.
2. Ask the pairs to share with each other one personal experiences of verbal abuse by a male family member or friend. As each participant recounts this experience to her/his partner, have them think about the following questions:
  - *How did the situation make you feel? Why did you feel this way?*
  - *How did you deal with the individual who insulted you? Did you appease, confront or avoid him?*
  - *Did you seek help from family members or friends? Did you seek professional assistance, such as counseling?*
3. Reconvene the group. Have each pair share (at least) one of their stories with the group, with one person describing her/his partner's experience as s/he understood it.



4. Conclude by asking the group what makes these stories similar and/or different. Select the three most significant themes emerging in their stories of verbal abuse.

## **Exercise 2 Role-playing the Counseling Session**

(Approximately 1 hour)

***Tip for Facilitator:*** To add realism and interest to this exercise which focuses on Maribel's interaction with Dr. Diaz, bring props for the workshop participants to use. For example, Dr. Diaz may sit behind a desk. Maribel may carry a purse or school bag that she picks up as she is about to leave the doctor's office.

1. Have the group select two volunteers among the workshop participants to read and act out the dialogue between Maribel and Dr. Diaz.
2. As the volunteers act out this dialogue, ask the group how they would revise it to their liking. Have them consider what changes in the dialogue would make Dr. Diaz's session with Maribel...
  - *more realistic.*
  - *more productive.*
  - *more \_\_\_\_\_.*

You may want them simply to think out loud, or you may prefer to appoint one participant to record the revisions in writing.

3. Once the participants agree on the revisions, have them select two new volunteers to read and act out the new dialogue between Maribel and Dr. Diaz.
4. Conclude by having the group briefly consider what is different about the second reading and performance of this dialogue.

## SESSION 3:

### Case Study – Mistreatment of Domestic Workers

(Workshop session, approximately 3 hours, 30 minutes)

In the embassy's waiting room, Manisha flashes back to the day almost year ago when she learned that Dr. Adnan Al Khalidi and his wife Munira in Riyadh would employ her. The prospect of earning money to help her family filled her with joy. The recruitment agency described the Khalidis and their three daughters as “eager to meet their new family member.” Manisha never imagined the conditions she would have to endure.

Lost in day-dreams of returning to Colombo, Manisha hears the man behind the desk call her. “Yes, sir, I’m here.” She limps towards him, wincing in pain. Pulling the chair across from him, she reads his name plate. “Thank you, Mr. Sanjeev. I’m Mani...”

Cutting her off, he replies perfunctorily. “I know your name; I just summoned you. Tell me why you’re here and I’ll try to help you.”

Taken aback by his curtness, Manisha’s thoughts are jumbled. “This morning I told my employers I’d walk to the market, but I lied. I took a taxi here. I want to return to Sri Lanka. I haven’t been paid for months! I work 20 hours a day without even a glass of water! Madam slaps me for the smallest errors! And not only that...”

Mr. Sanjeev interrupts: “So you quit your job and need help returning to Colombo, right? Like the others in the waiting room planning to escape.”

Manisha ignores his cynicism. “If Mrs. Khalidi leaves the house, the doctor taunts me. Yesterday, when she went out, he grabbed me from behind, trying to wrestle me to the floor. As he undid his belt, I scratched his face. I screamed, hoping the neighbors would hear me, but he covered my mouth. When I bit his hand, he called me ‘dirty slut’ and pushed me aside. Maybe he feared his wife would return.”

“So did you tell Mrs. Khalidi? Or better yet, the police?” Mr. Sanjeev asks, his pride wounded by the image of a Saudi man attempting to rape one of his own, a Sri Lankan woman.

“I tried to tell Madam. I should have known she wouldn’t believe me. She called me a ‘liar’ and a ‘whore,’ then picked up my broom and swung it at my back and legs until I fell to the ground. I’m cut and bruised all over. My right ankle is so swollen. I can barely walk.” Tears fill Manisha’s eyes.

Handing her a tissue, Mr. Sanjeev declares in frustration, “Everyday, we receive nannies and maids fleeing abuse. Case folders are piling up on the ambassador’s desk. Our Minister of Foreign Employment Promotion and Welfare is discussing with the Saudi Minister of Labor changes to the worker recruitment and employer sponsorship systems. Right now, since I handle these issues, I’ll draft a detailed account of your experience and give your case folder to the proper authorities. I still advise you to contact the local police.”

Manisha is skeptical. “Do you really think Saudi officers will believe my story over whatever the Khalidis say? Why would officers take the word of a lowly maid, a foreigner?”

“You can’t know who they’ll believe until you file a police report. I’m not going to waste time convincing you. For now, you can stay at the embassy’s safe house with the other ladies, but I make no promises. Running away means nullifying the terms of your employment and losing any protections afforded to you. As your sponsors, the Khalidis have contractual rights. If they come looking for you...” Mr. Sanjeev’s voice trails off in resignation.

“You wouldn’t send me back to the Khalidis—would you?” Manisha asks nervously.

“I’m just explaining the realities we face. The embassy tackles cases far worse than yours which we rightly prioritize. Last year, a couple pounded hot nails into a maid’s body.<sup>1</sup> There are overseas workers taking their own lives. Do you see this stack of paper? All reports of maids’ and nannies’ suicides! So all I can do for you is my best, and getting you back to Colombo will take time.”



**United for Foreign Domestic Workers’ Rights poster featured in Singapore’s media outlets, calling attention to domestic workers’ plight.**

**Sources:** <http://www.theasiamag.com/patterns/modern-day-slavery>.

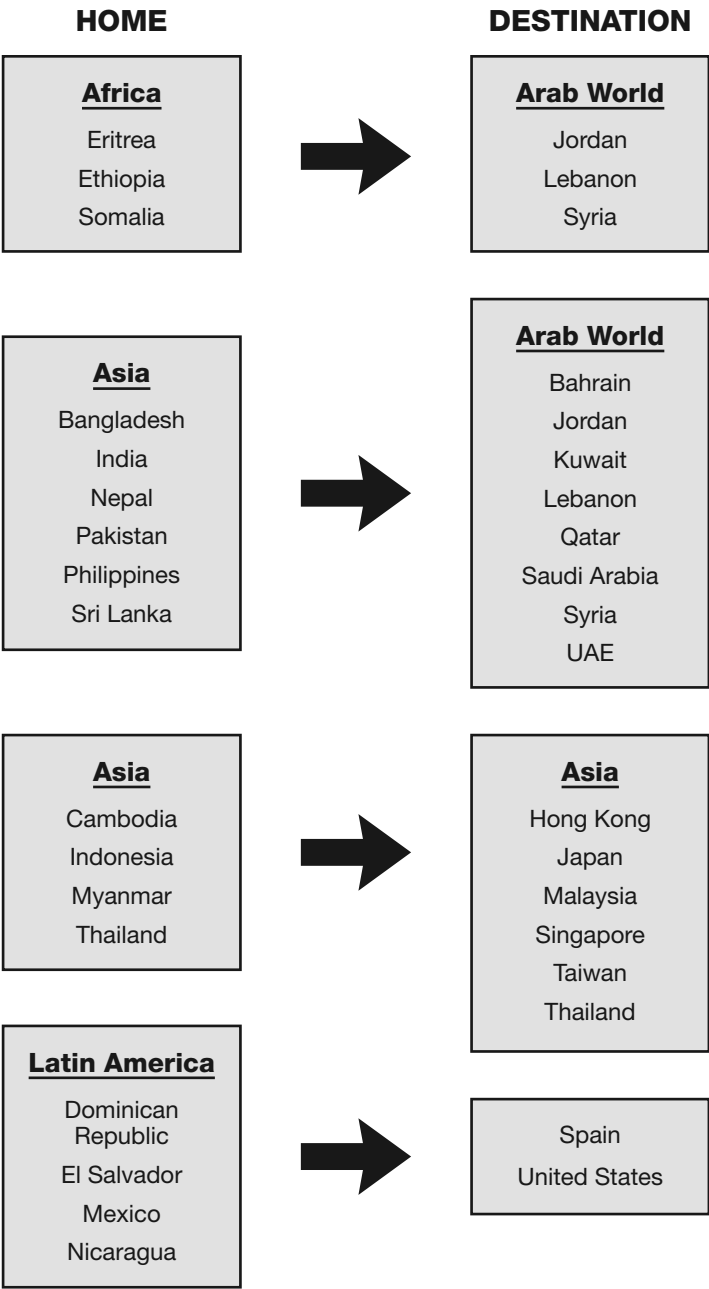
“I understand, Mr. Sanjeev. I’d appreciate if you’d show me the safe house.”

Manisha must entrust her safety to him but wonders whether the Khalidis are looking for her.

<sup>1</sup> A reference to the case of 49-year-old L.G. Ariyawathi, whose Saudi employers hammered heated nails into her forehead, arms, hands and legs when she complained about her workload. She returned to Sri Lanka at her own expense to have the nails surgically removed, while the government pressed Saudi authorities to investigate the case. Though officials agreed, they claimed the maid had lied and opposition forces had convinced her to make these accusations to destabilize the kingdom. See Md. Rasooldeen, “Riyadh to help probe atrocity against Lankan maid,” Arab News, August 31, 2010, <http://arabnews.com/saudiArabia/article121568.ece>.

Did You Know That...?

Female foreign domestic workers (FDWs) tend to follow patterns of migration from home to destination regions and countries:



Sources: Ahn, Pong-Sul, ed. *Migrant Workers and Human Rights: Out-Migration from South Asia*. New Delhi, India and Geneva, Switzerland: International Labor Organization (ILO), 2004. Hondagneu-Sotelo, Pierrette. *Doméstica: Immigrant Workers Cleaning and Caring in the Shadows of Affluence*. Berkeley and Los Angeles, CA: University of California Press, 2001. *Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East*. New York, NY: Human Rights Watch, April 27, 2010.

## Questions for Group Discussion

(Approximately 1 hour, 15 minutes)

### The Interaction between Manisha and the Khalidis

(Approximately 20 minutes)

- Does the Khalidis' behavior towards Manisha constitute violence? Why or why not?
- Are they violating her human rights? If so, which rights are they violating?
- Does Manisha respond to the Khalidis appropriately? To Dr. Khalidi's sexual assault? To Mrs. Khalidi's beatings? What does she do to make her situation worse or better?
- Do you think there is any way Manisha could have continued working for the Khalidis? If so, how—under what conditions? If not, why not?

### The Interaction between Manisha and Mr. Sanjeev

(Approximately 25 minutes)

- Why does Manisha flee to the Sri Lankan embassy?
- As an embassy employee, what are Mr. Sanjeev's responsibilities towards her? What does he do right and/or wrong in tackling the situation Manisha confronts him with?
- What authority does Mr. Sanjeev have in this regard? What constraints does he face?
- What does Manisha do right and/or wrong when seeking his help? Should she take Mr. Sanjeev's advice to talk to Saudi law enforcement officers? If so, why? If not, why not?

## For Further Thought

(Approximately 30 minutes)

- What factors make domestic workers vulnerable to employers' abuse? Are these factors similar for domestic workers hired in their own country and those employed in a foreign destination country? Which group of domestic workers is more vulnerable?
- What effects do the global market place and socio-economic class identities have on employers' behavior towards domestic workers?
- What household chores do you think are acceptable to assign to a domestic worker—to a maid or nanny? How many hours a day or week are reasonable to finish these chores?
- Given that men are also employed as domestic workers—as drivers and gardeners, for example—what role does gender play in an employer's conduct towards an employee?

- Has our country passed laws defining acceptable terms of employment? Do they apply to foreign nationals working in our country? Has our government negotiated agreements with other countries from/to which laborers migrate? And do they have the force of other national laws?
- Are the laws and/or agreements effectively enforced? What is the penalty for employers violating the laws?
- If our country has not formulated relevant laws or entered into agreements, why do you think this is the case?

## Learning Exercises

(Approximately 2 hours, 15 minutes)

### Exercise 1 Negotiating Terms of Employment to Claim a Worker's Human Rights

(Approximately 45 minutes)

1. Imagine the workshop participants are applying for domestic jobs through a recruitment agency, and they must articulate fair terms of employment—conditions enabling them to satisfy an employer's needs while protecting their own rights.
2. Give them roughly 20 minutes to brainstorm for 5 to 7 terms of employment to present to the recruitment agency which would then convey these conditions to potential employers.
3. Once they have agreed on these terms of employment, ask a volunteer to state them as clearly and succinctly as possible, taking no more than 5 minutes.

***Tip for Facilitator:*** Record the terms of employment on a large flip pad or chalk board, or ask the volunteer to do so, for the participants to see.

4. Ask the participants whether they had difficulty formulating 5 to 7 terms of employment and whether they initially came up with too few or with too many statements.
5. Have the participants consider whether and how their negotiating position would differ if they could circumvent the recruitment agency and speak directly to potential employers.

## **Exercise 2** Uniting for a Common Cause, Creating Strength in Numbers

(Approximately 1 hour, 15 minutes)

1. Ask the workshop participants whether labor unions or other workers' organizations are legally allowed here.
2. If the participants answered "yes," ask them to name examples. If they answered "no," skip to Step 3.
3. Now imagine the participants will establish a union to safeguard domestic workers' interests.
4. Take roughly 20 minutes for them to offer suggestions about concerns and human rights their union or organization should address.

***Tips for Facilitator:*** Keep track of the participants' suggestions and record the vote tallies requested in Step 5 on a large flip pad or chalk board for all to see.

5. Once the participants make at least eight suggestions, have them vote to decide which three are most important. Tally their votes to rank the concerns and/or rights they identified.
6. Ask a volunteer to summarize the top three concerns and/or rights the participants' labor union will advance on domestic workers' behalf by stating "Our union will \_\_\_\_\_."

# SESSION 4:

## Case Study—Intimate Partner Violence

(Workshop session, approximately 3 hours)

Nasima raced through Kuala Lumpur's traffic to reach Damai Service Hospital. Propping her sister up as they enter the emergency ward, she worries that Najla cannot walk on her own. Rubbing her bulging belly, Najla prays for her baby's life. She feels the sting of Feisal's punches to her groin, incredulous that he hit her there. She knows how to conceal bruises on her face, neck and arms with make-up and clothes, but she cannot hide the blood dripping on the floor. Najla moans, "Maybe sitting will help stop the bleeding."

Pulling a chair for her sister, Nasima rushes over to the reception desk clerk to explain why she and her sister are there. "We think her baby is hurt because she's bleeding. Her husband punched her. We need a doctor right away!"

While the clerk asks Nasima questions, Najla sits and feels the life drain from her insides. "He's killing me slowly...now our baby," she whispers to herself between sobs.

"The clerk told me a nurse will be with us shortly. Now take deep breaths." Nasima seeks to soothe Najla but cannot contain her anger. "From the day Feisal asked for your hand, he was rude, squeezing your arm until you winced. Why get pregnant?"

"Stop! I know you're furious." Najla cuts off her sister. "But whatever he has done, Feisal is my husband. He needs help to change. I've asked him to see a mental health professional."

Nasima is about to respond to her sister when a nurse approaches. "Hello. I'm Maznah Muhammadi, the emergency ward's director of nursing. Let's go to the examination room."

"I'm Nasima Osmani. This is my sister, Najla. Her husband beats her, and this time he hit her in the groin. We're afraid he injured the baby."

"Please call me 'Maznah.' Najla, I need to ask you some questions. Would you like Nasima to wait outside so we can talk privately?" Najla takes her sister's hand, signaling for her to stay.

Maznah inquires, "Since when has your husband been hitting you?"

Najla feels defeated. "Since we married three years ago. For weeks, Feisal doesn't raise his hand. Then suddenly, he flies into a brutal rage. I don't even fight back any more."



Maznah instructs Najla to lie on the examination table and lift her shirt. The nurse is shocked by the bruises on her protruding belly. “My God, what has he done to you? It’s a wonder you’ve survived, Najla!”

Nasima’s eyes betray her anxiety until the nurse smiles at her sister. “Your baby is like Mommy, a real survivor, Najla. As I move my hand on your belly, your little one is kicking! Yet we still need to learn why you’re bleeding. I’ll call an obstetrician right away.”

“Thank you, Ms. Muhammadi. I’m so relieved my baby is alive!” Najla declares. “Feisal will change for his child. He’ll be so happy. He’s always sorry after hurting me.”

Nasima yells in disbelief, “Change when the baby comes? Najla, why didn’t Feisal change after his promotion? An executive doesn’t hit his wife. Then when you earned your master’s degree, or when you moved to a new home. Men don’t beat smart, affluent women, right? I beg you: Leave before he kills you! We’ll get a protection order from the court, and we can have Feisal arrested for even coming near you.”

“Ladies, please let me interject. Nasima, your sister isn’t ready to leave Feisal. You can’t force her even though he is pummeling her. I know you’re angry.” Najla looks weary as Maznah turns to her. “Now you should listen to me, Najla. This past year, I’ve helped treat a dozen women beaten by husbands pledging to reform. Eight of these wives are gone, killed by those same remorseful men—too late to take advantage of legal options such as a protection order. So Nasima’s fears are justified. Feisal’s conduct is illegal. The Domestic Violence Act isn’t perfect, but the section on protection orders is worth reading.”

“Ms. Muhammadi, I try to be a perfect wife. I’ve suggested Feisal seek counseling. So I can’t give up on him. If I leave, I have nowhere to go. I can’t impose on Nasima.” Najla is barely coherent. “He’ll hit me again when his guilt fades. I’m trapped. I did this to myself!”

Maznah puts her hand on Najla’s shoulder. “My dear, I know your situation seems hopeless right now, but you’re a smart lady who’ll know whether and when you’re ready to leave Feisal. Before the doctor arrives, I want to give you a packet of information on marital violence. You may want to read the materials when you’re a little calmer.”

Hours later, at Nasima’s home, Najla empties the packet to find two sheets—one with a list of items that an abused woman should take from home when leaving her spouse, another with excerpts of Malaysia’s Domestic Violence Act and a card with phone numbers to call in an emergency. To her surprise, she sees scribbled on the last card Maznah’s mobile number and a note: “I know your pain, Najla. I left my husband two years ago. Please call me if you need to talk.”

## Did You Know That...?

- Traditional notions of masculinity often used to justify intimate partner violence are similar worldwide, as are batterers' characteristics, among them:
- a facade of confidence, even toughness, masking low self-esteem and neediness;
- controlling behaviors—questioning the woman's decisions on everything from her management of the household to her career, keeping the couple's money and isolating her from family and friends;
- hyper intensity of emotions—falling in love with the woman “at first sight,” believing he is the “only man” who meets her needs and feeling insulted by criticism;
- jealousy of any person who pays attention to the woman, especially any man;
- unrealistic expectations of the woman—when she is not perfect in every respect, she “deserves” to be punished; and
- use of alcohol and/or drugs to cope with stress which exacerbates violent tendencies.

Source: A.A.R.D.V.A.R.C. An Abuse, Rape, and Domestic Violence Aid and Resource Collection.  
<http://www.aardvarc.org/dv/batterer.shtml>

## Two Sources of Information Najla Finds in the Packet from Maznah

### Abused Women Leaving Home “Take with You” Card:

- Government-issued *photograph identification*, other photo ID if you do not have that;
- mobile phone if you have one, or better yet, borrow the mobile of a friend whose number your husband does not have;
- list of vital *contact numbers*—police department, doctor and hospital, shelter and a dependable family member or friend who knows where you are;
- cash for at least 2 weeks of expenses, and *check book and ATM (automatic teller machine) or credit card* if they are in your name;
- clothes for at least 3 days packed in a small carrying bag;
- *items needed for your health*—medicines you take regularly, eye glasses, contact lenses, hearing aid, etc.;

- **keys to your home and car**—if you can borrow or afford to rent a car, doing so may have an advantage—tracking you down will be more difficult for your spouse; and
- **if applicable, for children**—photo ID, clothes for 2-3 days, and items needed for their health (as above).

*If you can prepare and pack in advance as many of these necessities as possible to have hidden and ready in your or a friend's home, your departure may be easier and quicker.*

## **Malaysia's Domestic Violence Act of 1994—Excerpts from Part II on “Protection Orders”**

### **4. Interim protection order.**

- (1) The court may, during the pendency of investigations relating to the commission of an offence involving domestic violence, issue an interim protection order prohibiting the person against whom the order is made from using domestic violence against his or her spouse or former spouse or a child or an incapacitated adult or any other member of the family, as the case may be, as specified in the order.
- (2) An interim protection order shall cease to have effect upon the completion of the investigations.

### **5. Protection order.**

- (1) The court may, in proceedings involving a complaint of domestic violence, issue any one or more of the following protection orders:
  - (a) ... restraining the person against whom the order is made from using domestic violence against the complainant;
  - (b) ...restraining the person against whom the order is made from using domestic violence against the child;
  - (c) ...restraining the person against whom the order is made from using domestic violence against the incapacitated adult.
- (2) The court is making a protection order under paragraph (1) (a) or (b) or (c) may include a provision that the person against whom the order is made may not incite any other person to commit violence against the protected person or persons.

### **6. Orders that may be included in protection order.**

- (1) A protection order issued under section 5 may, where the court is satisfied on a balance of probabilities that it is necessary for the protection and personal safety of the complainant or the child or the incapacitated adult, as the case may be, provide for any one or more of the following orders:
  - (a) subject to subsection (4), the granting of the right of exclusive occupation to any protected person of the shared residence or a specified part of the shared residence by excluding the person against whom the order is made from the shared residence or specified part thereof, regardless of whether the shared residence is solely owned

or leased by the person against whom the order is made or jointly owned or leased by the parties;

- (b) prohibiting or restraining the person against whom the order is made from entering any protected person's place of residence or shared residence or alternative residence, as the case may be, or from entering any protected person's place of employment or school or other institution or from making personal contact with any protected person other than in the presence of an enforcement officer or such other person as may be specified or described in the order;
- (c) requiring the person against whom the order is made to permit any protected person to enter the shared residence, or to enter the residence of the person against whom the order is made, accompanied by any enforcement officer for the purpose of collecting the protected person's or persons' personal belongings;
- (d) requiring the person against whom the order is made to avoid making written or telephone communication with any protected person and specifying the limited circumstances in which such communication is permitted;
- (e) requiring the person against whom the order is made to permit any protected person to have the continued use of a vehicle which has previously been ordinarily used by the protected person or persons;
- (f) the giving of any such direction as is necessary and incidental for the proper carrying into effect of any order made under any of the above-mentioned paragraphs, to have effect for such period, not exceeding twelve months from the date of the commencement of such order, as may be specified in the protection order.

**Source:** "Domestic Violence Act 1994 (Act 521), Incorporating all amendments up to 1 January 2006." Published by The Commissioner of Law Revision Malaysia, Under the Authority of the Revision of Laws Act 1968, In Collaboration with Percetakan Nasional Malaysia Bhd, 2006. <http://www.agc.gov.my/Akta/Vol.%2011/Act%20521.pdf>.

## Questions for Group Discussion

(Approximately 1 hour, 30 minutes)

### Najla's Marriage to Feisal

(Approximately 20 minutes)

- By abusing Najla for years, which of her human rights has Feisal violated? Before Najla married, what signs could she have looked for as a predictor of his behavior?
- Do you think Feisal can eschew marital violence if he seeks mental healthcare as Najla requested—therapy with a social worker, psychologist or psychiatrist? Why or why not?
- Would marriage counseling be a better option? What are the advantages and/or disadvantages of Feisal and Najla talking to a therapist together?
- Would Najla herself benefit from individual therapy? Why or why not?

- Najla declares that she cannot leave Feisal. Do you empathize with or understand her feelings? Why or why not? What factors may be influencing her decision to stay?

## **The Interaction between Najla and Nasima**

(Approximately 15 minutes)

- As Nasima offers Najla emotional support and practical help in tackling the problem of domestic violence, what responsibility does she have towards her sister?
- What does Nasima do right and/or wrong in her interaction with Najla? Is Nasima's help necessary and/or desirable when the sisters are at the hospital? Why or why not?
- If Najla had a brother instead of a sister, do you think he could offer her emotional support and/or practical help as Nasima does? How might a brother's response to Najla's situation differ from and/or resemble Nasima's approach?
- What, if any, role should the married couple's immediate families play in this situation?

## **Maznah's Treatment of Najla**

(Approximately 25 minutes)

- As an emergency room nurse, what responsibilities does Maznah have vis-à-vis Najla?
- What does Maznah do right and/or wrong in her treatment of Najla?
- Do you think Maznah should try to persuade Najla that Nasima is correct about Feisal—that he is unlikely to alter his behavior when the baby arrives? Why or why not?
- Is Maznah wise to warn Najla about the murder of abused women? Why or why not?
- Should Maznah be more direct in trying to convince Najla to seek a protection order? Why or why not?
- How useful are the contents of the information packet that Maznah gives Najla? Which information do you consider most helpful, and why?
- Do you believe Maznah's experience as a survivor of abuse affects how she interacts with Najla? If so, how? If not, why not?

## For Further Thought

(Approximately 30 minutes)

- Practitioners have increasingly used the term “intimate partner violence” rather than “domestic violence.” Do you think their meanings differ, or are they interchangeable?
- Has our country passed legislation against domestic violence? If so, is this legislation a separate, specific law or a provision in a more general law prohibiting gender-based violence? Do you think having a specific law is important? Why or why not?
- If our country has such legislation, what does it say? Is this legislation effectively enforced? Why or why not? What is the punishment for perpetrators of domestic violence?
- If our country has not passed such legislation, why do you think this is the case?
- Which aspects of our country’s culture, political system and/or socio-economic conditions facilitate or foster domestic violence? Which aspects inhibit or discourage this behavior?
- Do you believe a couple can and should seek expert help—for example, counseling by a mental health professional or religious figure—to eliminate violence from their relationship and, thus, to preserve their marriage? Why or why not?
- Or do you think a woman must leave and divorce her husband if he is violent towards her? Why or why not?
- What resources are available to survivors of domestic violence in our society? What types of assistance do government agencies and/or private organizations offer these women? What kind of help should they provide?
- Does our society offer any kind of preventive and/or corrective educational programs about domestic violence for boys and men? If so, are you familiar with these programs? If not, why do you think such programs do not exist here?

## Learning Exercises

(Approximately 2 hours)

### Exercise 1 Understanding Intimate Partner Violence—Facts or Myths

(Approximately 45 minutes)

1. Read aloud the 8 statements on page 34, to the workshop participants.
2. After reading each one, ask the participants whether it is a fact or a myth. If they do not agree, count how many think the statement is true and the number believing it is false. Take roughly 20 minutes for these first two steps.

**Tip for Facilitator:** *Posting the statements along with the workshop participants’ responses on a large flip pad or chalk board may be helpful.*

3. Once the participants have decided the validity of the statements, use the remaining 20 minutes to discuss whether they are correct in each case and why.

- A woman with a career who earns her own money will never be hit by her husband.  
☐ True/Fact      ☐ False/Myth
- A healthy, loving marriage is never characterized by acts of violence.  
☐ True/Fact      ☐ False/Myth
- Law enforcement officials are not obliged to help a woman whose boyfriend or fiancé hits her, because she is not married to her partner.  
☐ True/Fact      ☐ False/Myth
- When a woman leaves her violent husband or boyfriend, she is no longer at risk of being harmed by him.  
☐ True/Fact      ☐ False/Myth
- A husband who physically abuses his wife when she is not pregnant is likely to continue doing so when she is pregnant.  
☐ True/Fact      ☐ False/Myth
- Although less common, a man may be the victim of intimate partner violence.  
☐ True/Fact      ☐ False/Myth
- A woman who has survived intimate partner violence may suffer such long-term effects as chronic health problems, low self-esteem, anxiety attacks and lack of trust in men.  
☐ True/Fact      ☐ False/Myth
- A man’s use of alcohol or drugs is not the cause of intimate partner violence but does increase the abuser’s propensity to lose control and attack his girlfriend or wife.  
☐ True/Fact      ☐ False/Myth

**Facilitator’s Answer Key:** *False/Myth, True/Fact, False/Myth, False/Myth, True/Fact, True/Fact, True/Fact, True/Fact.*

## Exercise 2 Knowing Your Audience, Educating to Eliminate Domestic Violence

(Approximately 1 hour, 15 minutes)

1. Have the workshop participants break into four groups for a 25-minute brainstorming session about developing an educational campaign on prevention of domestic violence. Ask each group to select a spokesperson who will report to the full workshop.

2. Explain to the groups that each has been tasked with formulating an educational campaign for a specific audience.

An educational campaign for a specific audience...

- Group 1: Target audience = Men age 18 and older
- Group 2: Target audience = Children ages 10 to 12
- Group 3: Target audience = Nurses
- Group 4: Target audience = Legislators

3. Instruct each group to forge a consensus on no more than five points they should convey to the target audience through their educational campaign. Remind the groups that their message should emphasize themes and utilize terms which are appropriate and relevant to their audiences.

4. Reconvene the workshop participants. Have all four spokespersons share the main points of her/his group's educational campaign in 20 minutes.

***Tip for Facilitator:*** Use a large flip pad or chalk board to enable each spokesperson to write down the main points of her/his group's campaign.

5. Allow the participants about 15 minutes to ask questions and suggest improvements on aspects of their educational campaigns.
6. In the remaining 15 minutes, ask them the similarities and differences between the messages of the four campaigns.



# SESSION 5

## Case Study—Female Genital Mutilation (FGM)

(Workshop session, approximately 3 hours)

### Did You Know That...?

- Some African states have passed anti-FGM laws as have some in the West that are home to African immigrants:

#### AFRICAN COUNTRIES

Burkina Faso, 1996  
Cote d'Ivoire, 1998  
Djibouti, 1995  
Ghana, 1994  
Kenya, 2002  
Senegal, 1999  
Tanzania, 1998  
Togo, 1998

#### WESTERN COUNTRIES

Belgium, 2006  
Canada, 1997  
New Zealand, 1995  
Norway, 1995  
Sweden, 1982  
United Kingdom, 1985  
United States, 1996

- Sixteen states have passed laws beyond US federal legislation: California, Colorado, Delaware, Illinois, Maryland, Minnesota, Missouri, Nevada, New York, North Dakota, Oregon, Rhode Island, Tennessee, Texas, West Virginia and Wisconsin.

**Source:** "FGM Fact Sheet."  
[http://www.equalitynow.org/english/campaigns/fgm/fgm-factsheet\\_en.html](http://www.equalitynow.org/english/campaigns/fgm/fgm-factsheet_en.html).

Dr. Jawara Niasse approaches the lectern. The obstetrician has never addressed a group so diverse—scholars, community activists and medical professionals. He knows his presentation, titled “African Physicians Say ‘No More to FGM,’” will stir controversy. “Thank you kindly for inviting me to your conference about women’s health and human rights. I will discuss physicians’ efforts to eradicate female genital mutilation in Africa. This mission is personal; I would never marry a woman who has suffered this abuse because she thinks her husband defines virginity in this way. I have traveled to Dakar from Tambacounda. There, 93 percent of women age 15 to 49 report undergoing FGM, though Senegal’s overall figure is 28 percent.”

Some attendees whisper in disapproval as others nod in agreement. Dr. Niasse points to the graphics on the screen: “You have already heard about the types of FGM outlined on my chart. So let’s look at this graph. In 20 African countries, at least 25 percent of women undergo FGM.” (See chart and graph on page 38.)

The doctor then highlights FGM’s harm to female health. “Immediate consequences include pain, shock, infection, tissue injury, fractures, urine retention, hemorrhage and even death. Over time, FGM causes menstrual problems, cysts, keloid scarring, pelvic and urinary tract infections and HIV/AIDS due to unsanitary cutting tools. Mother’s and baby’s death in child birth correlates to FGM. Women may suffer depression and post-traumatic stress disorder too.”

A few women look askance as Dr. Niasse declares, “Traditions die hard. Healthcare professionals are one obstacle to change. Since FGM’s impact depends on the type performed, the cutter’s skill, hygienic conditions and the female’s resistance, some physicians have turned this ritual into a surgical procedure done in a sanitized office on an anesthetized patient. Whether doctors believe they are making the practice safer or exploiting families who can afford ‘medical cutting,’ they are furthering the trend of medicalization. Whoever does the cutting, it is never medically necessary.”

Dr. Niasse concludes, “To women I say, take pride in rejecting FGM for your daughters and, if it is not already too late, for yourselves. I know men my age—I am 34—who deem cutting archaic. To men I say, be gentlemen; manhood does not mean your wife should have endured abuse so that you may control her sexuality. To doctors I say, remember why you chose this profession: to heal the sick. As physicians, let’s proclaim ‘No more to FGM!’ I appreciate your attention and will now take questions and comments.”

An older gentleman raises his hand: “Professor of ethics Youssef Sobhy from Egypt. As I tell students, morality may require accepting pain as the price for virtue. The short-lived pain a girl feels is a small price for her chastity and her husband’s respect as a lady.”

A woman interjects. “Please, doctor, I need to speak. I’m Barbara Carlson. I run a Washington, DC-based NGO helping immigrants to claim their rights. Many of my East African clients insist on the cultural right to female circumcision. Yet some of the community’s women have asked me to join their campaign to ban cutting as a form of gender-based violence. Do I discriminate against a group for its traditions or against females for being females?”

“My esteemed colleagues and friends, please allow me to respond.” Dr. Niasse tries to temper his tone but has little patience for the professor. “Mr. Sobhy, your morality entails imposing an arbitrary standard on women to exact a price from them—namely, their health. Why does this morality depend on control of a woman’s sexuality?”

Stung by the doctor’s disrespect, Professor Sobhy stands up to leave when he feels a hand nudging him back into his seat. It is Professor Musallam Al Qazi calling Dr. Niasse: “Young man, please take your own counsel: Be a gentleman. Professor Sobhy has studied ethical issues for decades. I have consulted with him as I try to define my own position on this matter. We Yemenis also circumcise girls. Insulting my colleague will not resolve this debate. You may learn by listening to scholars in other disciplines whose views differ from yours. After all, whose behavior are you trying to change? Precisely such people, no?”

Dr. Niasse, embarrassed by the admonishment, regrets being tough on Professor Sobhy. “Ladies and gentlemen, I do not wish to insult anyone and surely not these scholars, but I fail to see how stressing culture, morality or religious traditions helps us. Ms. Carlson’s dilemma underscores my point. If a custom causes harm, if it violates human rights, why must we uphold it? Why do

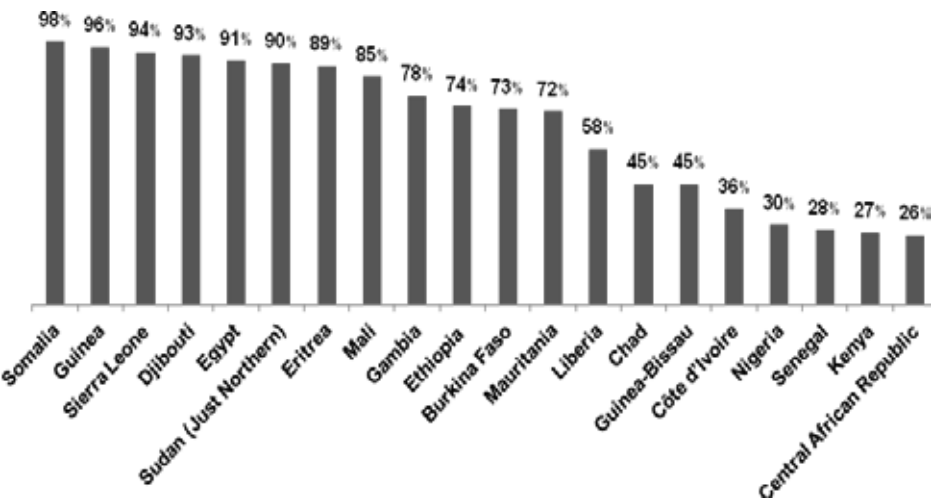
advocates for culture and religion fear scientific evidence of how we make our girls and women suffer? With these questions, I have exceeded my allotted time. However, if you gentlemen have answers, I want to listen. Maybe we can meet after this panel for tea and conversation.” Dr. Niasse notices Professor Al Qazi smiling. Yet Professor Sobhy’s eyes still betray his anger.

## Dr. Niasse’s Chart Outlining the Types of FGM

<b>Type I: Clitoridectomy</b>
Partial or total removal of the clitoris (a small, sensitive and erectile part of the female genitals) and, in very rare cases, only the prepuce (the fold of skin surrounding the clitoris)
<b>Type II: Excision</b>
Partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the lips surrounding the vagina)
<b>Type III: Infibulation</b>
Narrowing of the vaginal opening through the creation of a covering seal formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris
<b>Type IV: Various Other Practices</b>
All other harmful practices done to the genitalia for non-medical purposes—pricking, piercing, incising, scraping or cauterizing the clitoris and/or labia, and applying or inserting corrosive substances into the vagina

## Dr. Niasse’s Graph Showing African Countries where 25+% Experience FGM

Percentage of Women Age 15-49 Reporting They Underwent FGM



**Source:** World Health Organization, <http://www.who.int/reproductivehealth/topics/fgm/prevalence/en/index.html>. The prevalence of FGM graphed here is derived from Demographic and Health Surveys conducted by US-based firm ICF Macro and Multiple Cluster Indicator Surveys commissioned by UNICEF, between 1997 and 2009. Please note: The figure for Sudan is from survey research done before “South Sudan” became a separate country in 2011. This figure represents only women in the north because researchers did not have access to the rest of the country due to poor infrastructure and political unrest.

## Questions for Group Discussion

(Approximately 1 hour, 15 minutes)

### Dr. Niasse's Presentation and His Interaction with the Conference Attendees

(Approximately 35 minutes)

- According to Dr. Niasse, which of a girl's/woman's rights is violated in the practice of FGM? Why does this practice constitute gender-based violence in the doctor's view?
- Do you think Dr. Niasse—as a physician, particularly an obstetrician, and a man—is an effective advocate for girls' and women's health and human rights? Why or why not?
- What was your initial opinion or reaction when Dr. Niasse finished his remarks? How would you assess the doctor's treatment of such a controversial issue?
- How would you evaluate the doctor's interactions with Professor Sobhy and Professor Al Qazi? What does Dr. Niasse do right and/or wrong in responding to these scholars?
- And what about the professors' approaches in dealing with Dr. Niasse? What does each man do right and/or wrong in his interaction with the doctor?
- What role does Barbara Carlson play in this debate? If Dr. Niasse and the professors talk after the panel, do you think she should ask to join them? Would her presence would be helpful? Why or why not?

### For Further Thought

(Approximately 40 minutes)

- Some people use the term “female genital cutting,” FGC, as less judgmental of this cultural practice than FGM. In your view, is this term interchangeable with FGM? Why or why not?
- Why is medicalization of FGM a negative development? What are the dangers of having a physician perform this ritual?
- Does our society expect girls/women to undergo any form of mutilation or another ritual causing bodily and/or psychological harm? What is the rationale for this ritual?
- Has our country passed a law against FGM and/or other forms of mutilation? Under this law, who is punished for FGM—the cutter, a girl's parents or legal guardian or...?
- If our country has not passed such a law, why do you think this is the case?
- Do you think proponents of FGM and/or other gender-based rituals seek to restrict female sexuality and movement? If so, why and how? If not, why not?
- Do you know of rituals from other cultures aimed at controlling women? For example, what was the effect on women from certain Asian cultures of the bygone custom of foot-binding? What is the impact on Muslim women of the recent trend of wearing the “niqab”—a veil covering the whole body and face, except a slit for the eyes? Why do some women choose to wear the niqab while others eschew this garment?

## Learning Exercises

(Approximately 1 hour, 45 minutes)

### Exercise 1 Recounting the Stories We/They Tell

(Approximately 1 hour)

1. Have the workshop participants break into two groups for a 20-minute brainstorming session. Ask each to select a spokesperson who will report to the full group.
2. Instruct Group 1 to think of 3 to 5 rules and/or stories *told to girls* about their bodies and/or their future relationships with men; and Group 2 to do the same with rules and/or stories *told to boys*.

**Tip for Facilitator:** *If the groups are having difficulty with this task, offer examples: “A girl should expect that as a woman, she must prove her virginity to her husband” and “A boy should know that a man’s wife is not allowed to refuse his advances.”*

3. Reconvene the workshop participants. Have the spokespeople take turns briefly sharing one idea until they finish conveying their groups’ deliberations.
4. Have the participants consider the similarities and differences between what girls and boys are told about their bodies and/or future relationships with the opposite sex. Ask them how these rules and/or stories may contribute to harmful practices like FGM.

### Exercise 2 Creating Alternative Rites of Passage for Girls

(Approximately 45 minutes)

1. Read to the workshop participants the paragraphs below about rites of passage for girls.

Several African states have passed laws criminalizing FGM. Yet legislation alone does not sway communities to abandon a practice deeply rooted in local understandings of faith and culture. This custom typically marks a girl’s passage into womanhood and is celebrated by her family. Informal groups and non-governmental organizations in some societies are thus seeking to incentivize rejection of this practice by creating alternative, safe rites of passage to mark the transition to womanhood without the element of control and the physical and psychological harm of FGM. These alternative rites often include:

- a time period for women elders to mentor girls—discussing female roles and rights;
- a graduation ceremony or other formal public recognition that girls have received the benefit of their elders’ wisdom; and

- a celebratory meal or other festivities and/or gifts for the girls.

Some rites also enlist boys and men to acknowledge the inviolability of girls' bodies, to pledge respect for girls and women and to anticipate, even prefer, marrying uncut women.

2. After reading these paragraphs, ask the participants what rites of passage exist for girls in their community, including FGM. Follow up by asking whether any of these rites cause physical and/or psychological harm or promote girls' health and self-esteem.
3. Now imagine the participants are charged with developing an alternative rite of passage for girls. Engage in 15 minutes of brainstorming to determine the components of this rite.

***Tips for Facilitator:*** *If the workshop participants are having difficulty coming up with ideas, prompt them with questions such as:*

- What would you name this custom?
- What practices and words would be associated with this rite of passage?
- What should a girl learn by participating in this custom? What feelings do you wish to evoke in her through this experience?
- Should boys and/or men be involved in any way?
- How would you celebrate a girl's completion of this rite of passage?

Use a large flip pad or chalk board to record the participants' suggestions.

If the participants enjoy internet access, have them visit the websites of the following organizations offering information and resources for alternative rites of passage developed in The Gambia and Kenya among other countries. Or do a global search with the phrase "alternative rites of passage, FGM."

- **BAFROW in The Gambia – Foundation for Research on Women's Health, Productivity and the Environment**

<http://www.bafrow.gm/index.html> → On the website's left-hand side, click on the menu tab labeled "Campaign Against Female Genital Mutilation/Cutting (FGMC)" for the relevant drop-down list.

- **The Daughters of Mumbi Global Resource Center in Kenya**

<http://www.daughtersofmumbi.org/alternativeRites.html>

- **"Dynamics of Traditional Practices: The Case of Tumndo Ne Leel: A Coming of Age Concept among the Kalenjin Community of Kenya," by Dr. Susan K. Chebet, Ph.D.; June 2009.**

<http://international.iupui.edu/kenya/resources/Dynamics-of-Traditional-Practices.pdf>

4. After the participants are done brainstorming, select one volunteer to summarize in roughly 5 minutes the group's newly developed rite of passage for girls in their community.
5. Optional: Ask the participants whether they would be willing to advance their proposal for a new rite of passage to potentially interested parties in their community—clergy, key government ministers, local officials, school teachers and other educators, women's human rights advocates, etc.—and how they would go about doing so.

# SESSION 6:

## Case Study—Forced Marriage and Child Brides

(Workshop session, approximately 3 hours, 30 minutes)

“I have nowhere else to go. I had to escape. Please hide me; if he finds me, he’ll kill me!”

As the girl stumbles in the door, Torpekay notices her filthy clothes, torn slippers and bruises under her eyes. “Please sit down and tell me your name. How did you get here? I’m Torpekay Maiwandi. I’m the shelter’s counselor. I’m responsible for your initial assessment.”

“Azadeh Gilani, that’s my name. I’m from Zende Jan. I’m sure my husband is looking for me by now. I didn’t want to marry him, but my father said the two families had already agreed and Sarwar Khan would be my husband.” Wiping tears and smudges of dirt from her cheeks, the words tumble out of her mouth. “Zende Jan isn’t so far from Herat. I crawled out the window and ran to get here as soon possible—in one day, I hoped.”

Torpekay interrupts, “That’s a long way for a little girl. How old are you? How long have you been married?”

### Did You Know That...?

Afghanistan’s Civil Code stipulates:

- in Article 40 – Both parties’ “legal capacity” is required for marriage.
- in Article 70 – Legal capacity is age 16 for girls and 18 for boys;
- in Article 71 – When a girl is not of legal age, her rights belong to her father or guardian, but marriage for minors under 15 is prohibited.

**Source:** Bahgam, S. and Mukhatari, W. *Study on Child Marriage in Afghanistan*. Cologne, Germany and Kabul, Afghanistan: Medica Mondiale, May 2004. [http://www.medicamondiale.org/fileadmin/content/07\\_Infothek/Afghanistan/Afghanistan\\_Child\\_marriage\\_medita\\_mondiale\\_study\\_2004\\_e.pdf](http://www.medicamondiale.org/fileadmin/content/07_Infothek/Afghanistan/Afghanistan_Child_marriage_medita_mondiale_study_2004_e.pdf).

In 2006, Global Rights surveyed 4,700 Afghan households, finding 59 percent of women were in forced marriages.

**Source:** *Living with Violence: A National Report on Domestic Abuse in Afghanistan*. Washington, DC: Global Rights, March 2008. [http://www.globalrights.org/site/DocServer/final\\_DVR\\_JUNE\\_16.pdf?docID=9803](http://www.globalrights.org/site/DocServer/final_DVR_JUNE_16.pdf?docID=9803).

Child marriage is most prevalent in sub-Saharan Africa and South Asia. During the last decade, surveys in Niger, Chad, Bangladesh, Mali and Guinea have shown that more than 60 percent of women married by age 18.

**Source:** Jain, Saranga and Kurz, Kathleen. *New Insights on Preventing Child Marriage: A Global Analysis of Factors and Programs*. Washington, DC: International Center for Research on Women (ICRW), April 2007.



Catching her breath, Azadeh answers, “I was on the road for three days. I left after my husband fell asleep. I ran but I tripped on a rock. I couldn’t move my left foot. So I hid in an old, abandoned home for a while.”

Observing the girl’s swollen ankle, Torpekay declared, “I need the doctor to look at you as soon as possible. So let’s return to my questions.”

“I’m 13; Sarwar Khan is 40. We’ve been married for about a year. He wanted a baby right away; so I couldn’t go to school anymore. One day, I told him I miss my classmates and he slapped me. I was so scared; I never mentioned school again. My silence satisfied him for a while. I thought to myself, ‘He’s not a bad man. He works hard. He doesn’t speak ill of others. He likes the meals I cook.’ What choice did I have? Sarwar Khan needed a wife. So I tried to get used to being married.”

- Torpekay, furious about the girl being slapped, pauses to regain her composure. “If you started to adapt to being married, what changed your mind?”
- “I saw how much Sarwar Khan wanted a baby. When I didn’t get pregnant quickly, I was so sad. I feared he might leave me. Yet I had faith that God would bless us with a baby.” Azadeh explains. “My husband mocked my faith. I ignored his comments at first. When I told him how much his words hurt me, he punched me in the stomach until I couldn’t breathe. He has beaten me almost every day since. Last week, he smacked my head against the wall and tried to strangle me. That’s when I knew I had to escape.”
- Noting how resourceful Azadeh is, Torpekay inquires how she found the Voice of Women Shelter in Herat. Swallowing tears, Azadeh recalls, “My teacher used to read stories about brave Afghans rebuilding our country. She told us about Mrs. Suraya Pakzad; she married young, at 14, but to a very kind man. He even let her go to college.”<sup>1</sup>
- “You are a very good student, Azadeh, to remember Mrs. Pakzad’s story. When the Taliban took over, she started secretly teaching girls in the underground schools she created. Did your teacher recount how our dear Suraya established the Voice of Women?”
- “Yes, that’s why I came here. I think my teacher knew that so many girls and their mothers need help.” Azadeh responds.
- Impressed with the girl’s determination, Torpekay realizes she must advise Azadeh of the tough road ahead. “You’re welcome here. Most residents are a bit older, though we’ve been taking in girls like you as many parents are just giving away their little ones—too many mouths to feed, settling family debts or for whatever reason. The Voice of Women will do its best to protect you, Azadeh, but I must forewarn you that we make no guarantees. Shelter employees and residents often face harassment by government officials who even threaten to shut us down. Thank God for our relationship with local police officers; they look after us. So let’s get you settled. After the doctor examines you, we’ll find you a bed. Tomorrow, we’ll discuss your next steps—pursuing a divorce and getting you back to school. Neither of these steps will be easy, but we’ll try our best.”

- “Thank you so much, Mrs. Maiwandi. I’ll do whatever is necessary to stay here.” Despite fear and exhaustion, Azadeh’s face reveals a small smile.

---

<sup>1</sup> For more information about the Voice of Women, visit <http://www.voiceofwomen.org.au/>. For more information about Suraya Pakzad’s life and work, see Katie Gluek, “Suraya Pakzad and the Long, Tough Road for Afghan Women,” *Politics Daily*, March 11, 2010, <http://www.politicsdaily.com/2010/03/11/suraya-pakzad-and-the-long-tough-fight-for-afghan-women/>.

## Questions for Group Discussion

(Approximately 1 hour, 15 minutes)

### Azadeh’s Marriage to Sarwar Khan

(Approximately 25 minutes)

- Does the interaction between Azadeh’s parents and Sarwar Khan’s family constitute violence against her? Why or why not?
- Azadeh is not at the age of legal capacity for girls to marry—16 years old. Nor is her father allowed to exercise her marital rights as she is a minor under 15. What reasons could her parents have to ignore Afghanistan’s civil code by giving her in marriage?
- Sarwar Khan is three times older than Azadeh. What reasons could he have to marry her in violation of Afghan law? What do the actions of Azadeh’s parents and Sarwar Khan reveal about how Afghan society defines the roles and rights of women and men? In particular, how does our society (and others) conceptualize masculinity?
- Which of Azadeh’s human rights have been violated? Who has violated those rights?

### Torpekay’s Assessment of Azadeh’s Situation

(Approximately 25 minutes)

- As a counselor for the Voice of Women Shelter, what are Torpekay’s responsibilities?
- What does Torpekay do right and/or wrong in her initial assessment of Azadeh’s situation?
- What are or should be the objectives of Torpekay’s assessment? What information should she seek from Azadeh and/or other girls and women seeking assistance at the shelter?

## For Further Thought

(Approximately 25 minutes)

- Has our country passed a law defining the institution of marriage and/or stating the age of legal capacity for girls/women and boys/men entering into a marital contract? If so, what does the law say? Is the age of legal capacity the same for males and females?
- If our country has passed such a law, what is the penalty for parents who give a minor child into marriage? What is the penalty for an adult spouse who marries a minor? Is this law effectively enforced? Why or why not?
- If our country has not passed such a law, why do you think this is the case?
- What aspects of our country's culture, political system and/or socio-economic conditions encourage child marriage—whether intentionally or unintentionally? Are there any aspects that discourage this practice?
- In your opinion, what should be the age of legal capacity for entering into a marital contract? Should that age be the same for females and males? Why or why not?

## Learning Exercises

(Approximately 2 hours, 15 minutes)

### Exercise 1 Understanding What International Law Says about Marriage

(Approximately 1 hour)

1. Select four volunteers to read out loud the following international legal texts:
  - The 1948 Universal Declaration of Human Rights – Articles 16-1 and 16-2
  - The 1962 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages – Last paragraph of the Preamble (The complete text of the Convention is available in Appendix 6 on page 175.)
  - The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – Articles 16-1,a-c
  - The 1989 Convention on the Rights of the Child – Articles 1 and 19-1

***Tip for Facilitator:*** Posting these texts on a large flip pad or chalk board may be helpful. The flip pad or chalk board may be used to record the workshop participants' thoughts about why child marriage contravenes international law as requested below in Step 2.

- **The Universal Declaration of Human Rights**

**16-1.** Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

**16-2.** Marriage shall be entered into only with the free and full consent of the intending spouses.

- **The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**

Reaffirming that all States ... should take all appropriate measures with a view to abolishing such customs, ancient laws and practices by ensuring, inter alia, complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary...

- **The Convention on the Elimination of All Forms of Discrimination Against Women**

**16-1.** States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- The same right to enter into marriage;
- The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- The same rights and responsibilities during marriage and at its dissolution;...

International legal texts...

- **The Convention on the Rights of the Child**

**1.** For the purposes of the present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

**19-1.** States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. After the volunteers have finished reading these texts, ask the participants why child marriage violates international law. Encourage them to point to specific language in these documents in their responses.

## **Exercise 2 Capturing the Child Bride’s Image**

(Approximately 1 hour, 15 minutes)

1. Imagine the workshop participants are entrusted with the task of designing an informational brochure for a shelter much like the one Azadeh went to. A section of the brochure will focus on the plight of child brides in our country and/or worldwide as well as on the resources available to girls at the shelter when they leave their husbands.
2. Have the group brainstorm for roughly 25 minutes about what the shelter’s message should be, with the aim of forging a consensus on at least three main points. Ask the participants to state these points succinctly as required by the brochure format.
3. With these points in mind, show the group the 15 images and accompanying data on girl marriage in specific countries<sup>2</sup> featured in the “Human Rights Gallery” below.
4. Take another 25 minutes to have the participants decide which three images best convey the shelter’s message, as the group’s brochure has space for no more visuals.
5. Conclude this discussion using the remaining 15 to 20 minutes to have the participants articulate why each visual is or is not suitable for placement in the brochure.

***Tip for Facilitator:*** Use a large flip pad or chalk board to record vote tallies for all the participants to see.

---

<sup>2</sup>The statistical data in the “Human Rights Gallery” are based on Demographic and Health Surveys conducted between 1995 and 2008 by U.S.-based firm ICF Macro. The surveys are nationally representative of households in these countries to the extent infrastructural and political conditions allow. Because on-the-ground realities may impede the reach of survey interviewers into rural areas, these figures may reflect a slight undercount of girl marriage rates. For more information, visit <http://www.unicef.org/infobycountry/index.html> where data is available on a web page for each country under the heading “Statistics.”

# HUMAN RIGHTS GALLERY



**Afghanistan**

57 percent of women aged 20-24 report being married as girls, i.e. by age 18. UNICEF 2007 Photo of the Year by Stephanie Sinclair.

Source: <http://www.stolenchildhood.net/entry/afghanistan-new-contract-to-curb-child-marriages/>.



**Niger**

77 percent rate of girl marriage.

Source: "Is an end to child marriage in sight?" From the Foreign Policy Association. April 28, 2009. <http://womenofvision.wordpress.com/2009/04/28/is-an-end-to-child-marriage-in-sight/>.



**India**

46 percent rate of girl marriage.

Source: Shukla, Saurav. "Madhya Pradesh gears up against child marriage." <http://www.topnews.in/law/region/madhya-pradesh?page=14>.



**Ethiopia**

49 percent rate of girl marriage.

Source: Goodwin, Liz. "Girls Fight Back Against Child Marriage." The Daily Beast. December 2, 2009.



Malaysia

No data found.

Source: "Malaysian child bride defends marriage." *The Straits Time*. December 13, 2010. [http://www.straitstimes.com/BreakingNews/SEAsia/Story/STIStory\\_613317.html](http://www.straitstimes.com/BreakingNews/SEAsia/Story/STIStory_613317.html).



Yemen

48 percent rate of girl marriage. Nujood Ali with a newspaper reporting her divorce at age 10.

Source: <http://envearth.wordpress.com/2010/10/19/vote-on-child-marriage-law-in-yemen-delayed/>.



Nigeria

43 percent rate of girl marriage. The captions read: "Are you not coming to the stadium with us? Today is children day remember?" and "But I can't. I am a married child now, you know!"

Source: "Debate: Child Marriage in Nigeria is Permissible: Islam prohibits early pregnancy, not early marriage." *CP-Africa*. August 18, 2010. <http://www.cp-africa.com/2010/08/18/debatechild-marriage-nigeria-permissible-islam-prohibits-early-pregnancy-early-marriage/>.



Turkey

37 percent rate of girl marriage.

Source: Emekiz, Ipek. "'Child brides' in Turkey should be heard, helped, says women's group." *Hürriyet Daily News*. October 5, 2010. <http://www.hurriyetdailynews.com/n.php?n=traumas-of-8216children-brides8217-are-aimed-to-be-alleviated-with-the-informative-project-2010-10-05>.



Cameroon

53 percent rate of girl marriage.

Source: "busuu.com collaborates with NGO in Cameroon." October 8, 2009. <http://blog.busuu.com/busuu-com-collaborates-with-ngo-in-cameroon/>.



**Syria**

18 percent rate of girl marriage.

**Source:** "Facebook Group against early marriage." *The Damascus Bureau*. May 24, 2010. <http://www.damascusbureau.org/?p=263>.



**Gambia**

36 percent rate of girl marriage.

**Source:** *Organization for Vulnerable People (OVP) The Gambia*. September 12, 2010. <http://www.gambia-charity.blogspot.com/>.



**Saudi Arabia**

No data found.

**Source:** "Child marriage in Saudi Arabia." December 24, 2008. <http://www.cnn.com/2008/WORLD/meast/12/24/saudi.arabia.child.bride/index.html>.



**Bangladesh**

65 percent rate of girl marriage.

**Source:** *Hickley, Matthew*. "Nine-year-old brides saved by authorities from being married off in Muslim weddings" *Mail Online*. 29 September 2008. <http://www.dailymail.co.uk/news/article-1063605/Nine-year-old-brides-saved-authorities-married-Muslim-weddings.html>.





**Kenya**

25 percent rate of girl marriage.

**Source:** "Turning Child-Brides into Scholars: CCF's Margery Kabuya Adapts an Old Tradition to Trade Early Marriage for Education." April 1, 2005. <http://www.childfund.org/media/article.aspx?id=426>.



**Pakistan**

24 percent rate of girl marriage.

**Source:** Ebrahim, Zofeen T. "Pakistan: Child Brides." Women's Feature Service. [http://www.wunrn.com/news/2009/05\\_09/05\\_11\\_09/051109\\_pakistan2.htm](http://www.wunrn.com/news/2009/05_09/05_11_09/051109_pakistan2.htm).

# SESSION 7:

## Case Study—Murder in the Name of Honor

(Workshop session, approximately 3 hours)

“Welcome to Emra’a 102 FM from Ramallah at 10:00 a.m. on Tuesday, 5 September 2011. I am Jumaana Lutfi, your newest host on the only station in Palestine for women by women. I am introducing ‘Women, Politics and the Law’—a call-in show that looks in-depth at stories topping the headlines. We will open up the telephone lines. Dial 295-5555 to share your opinions. Your ideas matter because you can create positive change!”

“For our first program, we will discuss an age-old story—the murder of our girls and women by their brothers, fathers, cousins and uncles in the name of family honor. The supposed improprieties for which they are killed: smiling at a male classmate, dressing colorfully and thus immodestly, refusing an arranged marriage and becoming pregnant by rape. We will examine a case stirring debate about our laws and politics since last spring.”

“On 7 May, Aya Baradiyya’s remains were found in a well near the village of Surif.<sup>1</sup> Her parents had reported her disappearance to the police in April 2010. She left for Hebron University one day but never returned. They feared she had run away or been kidnapped.”

“In fact, Aya’s uncle Oqab Baradiyya planned to kill her. He disapproved of a suitor 17 years her senior. He and three friends snatched Aya and threw her into that well to drown as she begged for her life. Oqab let Aya’s parents believe that her whereabouts were unknown until days after the police retrieved her remains, when he confessed to a so-called honor killing.”

“Honor—as men have defined it— has been a mitigating factor in taking a woman’s life. Jordan’s 1960 penal code, part of which applies in the West Bank,<sup>2</sup> grants leniency in punishment. Six months in jail is the maximum.”

“Yet Aya’s murder differs from others which stayed secret when families buried their girls in unmarked graves. Women’s groups and Hebron University students marched in our cities. Her funeral, aired live on television, was attended by thousands.”

---

<sup>1</sup> This brief account of Aya Baradiyya’s murder is based on a thorough review of coverage by Palestinian and other Arab dailies, websites and broadcast programming.

<sup>2</sup> Jordan ruled the West Bank from 1948 to 1967.

“How have our political officials reacted to the outrage? President Mahmoud Abbas fulfilled his pledge to sign a decree cancelling penal code articles that afford leniency to this crime’s perpetrators. He and other officials met with Aya’s family. The Palestinian Authority reportedly paid for her funeral and gave the Baradiyyas a stipend. So are our leaders doing enough to stop murders in honor’s name? Please call 295-5555 to speak to me, Jumaana Lutfi, on Emra’a 102 FM.”

**Did You Know That...?**

- Much attention is paid to murders in honor’s name committed by Muslims in the Middle East, North Africa and Southwest Asia. Yet the practice is not exclusive to Muslims; it has been recorded among Christians, Druze, Hindus, Sikhs and Yezidis in these and other regions.
- In 2000, United Nations Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions reported such murders in countries as diverse as Bangladesh, Brazil, Ecuador, Egypt, India, Iraq, Israel, Italy, Jordan, Morocco, Turkey and Uganda, among others. The list included states that had outlawed killing in the name of honor, such as Brazil did in 1991, and those, such as Jordan, whose laws still—11 years after her report—exempt the perpetrator from serious punishment if he kills a female relative to restore his or his family’s honor.

**Source:** *Extrajudicial, summary or arbitrary executions: Report of the special rapporteur, Ms. Asma Jahangir, submitted pursuant to Commission on Human Rights resolution 1999/35. UN Doc. E/CN.4/2000/3, 25 January 2000; and Hussein, Rana. Murder in the Name of Honor The True Story of One Woman’s Heroic Fight Against an Unbelievable Crime. Oxford, UK: Oneworld Publications, 2009.*

“Hello Ms. Lutfi! I am Layaali, and I am a university student like Aya. She could have been my sister. I wish to offer my deepest sympathies to her family. She is a martyr who did not die in vain because the president has now decreed the harshest punishment for men who kill in honor’s name

“Thank you Layaali for your call. Do other listeners feel the same way?”

“Ms. Lutfi, my name is Samir. What Aya’s uncle did was wrong; Mr. Oqab should have told her parents immediately that she is gone forever to spare them the agony of not knowing. He could then explain that he sought only to restore the family’s reputation.”

“So Aya’s uncle’s mistake was not that he killed her but rather that he concealed her death for over a year—do I understand you correctly? Do any listeners agree with Samir?”

“Ms. Lutfi, please do not misunderstand what I said. Aya was a very studious, modest girl. I know some Hebron University students, and they all say so. Mr. Oqab’s intentions were misplaced and hiding his deeds caused Aya’s family even more pain.”

“Thank you Samir for trying to clarify your opinions. The lines are still open for a few more minutes at 295-5555. Do I have another listener on the phone?”

“Jumaana, I am Nadira Ghannam with the Women’s Center for Legal Aid and Counseling. Please allow me to respond to Samir and to your important question about whether our leaders have done enough to end the tradition of murder in honor’s name?”

“Welcome to Emra’a 102 FM, Ms. Ghannam. Please tell us what you think.”

“Samir may have learned from his elders that killing for honor is wrong only when a good girl is mistakenly targeted due to unfounded rumors of immodest behavior. Yet the victim’s behavior is irrelevant. Killing for honor is premeditated murder. Human rights organizations have recognized President Abbas’ decree as a good step towards changing the culture of impunity. However, we have moved beyond first steps, working for seven years with the Ministry of Justice to draft a bill entirely different from the outdated penal codes. Strife among political leaders and the president’s subsequent efforts to reconcile with Hamas<sup>3</sup> has made submitting the bill to the Legislative Council impractical for now, but President Abbas should endorse our draft legislation if he really wants to end this practice.”

“Nadira, I would love to continue our discussion, but we are unfortunately out of time. Mr. President, if you are listening, a bill that will save women’s lives urgently needs your support. Thank you all for tuning to ‘Women, Politics and the Law.’ I am Jumaana Lutfi, and I enjoyed being with you on Emra’a 102 FM.”

---

3 Hamas is the acronym for “Harakat al Muqawama al Islamiyya “ or Islamic Resistance Movement. During spring 2011, President Abbas and other senior leaders of Fatah—the Palestinian National Liberation Movement or Harakat al Tahrir al Watani al Filastini—mended their relationship with Hamas, seeking to avoid a Palestinian civil war.

## Questions for Group Discussion

(Approximately 1 hour, 30 minutes)

### Jumaana Lutfi’s Program “Women, Politics and the Law” on Emra’a 102 FM

(Approximately 30 minutes)

- Emra’a 102 FM is a radio station produced by Palestinian women and targeting them as listeners. In fact, the word “emra’a” means “woman” in Arabic. Do you think this station provides a suitable forum to examine the news of Aya Baradiyya’s murder and the resulting public outcry? Is the station an appropriate forum to delve into the debate about how to punish men who kill in honor’s name? Why or why not?
- In your view, does Jumaana Lutfi’s call-in show “Women, Politics and the Law,” and her discussion of so-called honor killings in particular, fulfill expectations created by the program’s title? Why or why not?

- Does Jumaana strike the appropriate tone when recapping the news of Aya Baradiyya’s murder? How would you describe her reporting of this case?
  - Balanced *or* biased.
  - Sensitive *or* insensitive to Aya’s parents.
  - Appropriately serious given the subject matter, overly serious and thus off-putting *or* insufficiently serious to the point of dismissive.
  - Sufficiently thorough to spark discussion with callers, too detailed *or* too vague.
  - \_\_\_\_\_ *Please offer your own adjectives.*
- Does Jumaana strike the right tone when opening the telephone lines to listeners? Why or why not? Should she inject her own opinions more clearly into the discussion with and between her listeners? Or should she only facilitate the discussion with callers and not add her views?
- What recommendations if any do you have for Emra’a 102 FM and/or Jumaana to improve their coverage of Aya Baradiyya’s case and their discussion of killing in honor’s name? In other words, are there any gaps to fill or shortcomings to fix in “Women, Politics and the Law”? If so, what are they? If not, why not?

**Callers’ Opinions on Palestinian Officials’ Response to Killings in Honor’s Name**

(Approximately 20 minutes)

- Jumaana talks with three listeners—Layaali, Samir and Nadira—each espousing a different viewpoint about murder in honor’s name. What are the strengths and/or weaknesses of each caller’s reasoning in articulating her/his opinion?
- Do you agree with any of three callers’ positions? If so, with which one do you agree? Why this listener’s viewpoint? And why do you disagree with the other two?
- If you do not agree with any of the callers, what is your opinion upon learning about Aya Baradiyya’s murder and Palestinian officials’ approach to the problem of killing in honor’s name?

**For Further Thought**

(Approximately 40 minutes)

- How do you define a person’s honor—woman or man? What personality traits and types of behavior contribute or detract from an individual’s honor? How does an individual project her/his honor in dealing with others—with her/his family members, friends and colleagues as well as members of society?
- How does our society conceptualize honor? What are the differences and/or similarities between society’s understanding of honor and your own definition?
- Are crimes in honor’s name a common form of gender-based violence in our society? If so, what aspects of our country’s culture, political system and/or socio-economic conditions facilitate such crimes? If not, what aspects discourage such crimes?

- How does our legal system deal with murder in honor’s name? Should a man’s or his family’s honor be a factor in deciding how to punish a man for killing a female relative?
- Is murder in the name of honor an escalation of domestic violence? Why or why not? In what ways does killing in honor’s name resemble or differ from other murders?
- Although less common, men may be victims of murder in honor’s name. In your view, does a man accused of “dishonoring” his family confront the same problems as those a woman faces? If so, how and why? If not, what is unique about a woman’s/man’s case?

**Learning Exercises**

(Approximately 1 hour, 30 minutes)

**Exercise 1 Distinguishing Murder in the Name of Honor from Other Crimes**

(Approximately 45 minutes)

1. Ask the workshop participants to think about what makes killing in the name of honor different from other murders, and to consider in particular four aspects of the crime— the motivation for killing, the nature of the act, the perpetrator and the victim.
2. Now instruct them to forge a consensus about these aspects of the crime using the questions in the table below as a guidepost. Allow them 5 to 7 minutes to discuss each aspect.

***Tips for Facilitator:** Having the participants state their ideas as if they are filling in the table below may assist them in keeping their thoughts organized. They do not actually have to complete the table to perform this exercise.*

*Recording the participants’ points on a large flip pad or chalk board may be helpful.*

Learning Exercise 1 *(continued)*

3. Four aspects of the crime...

	Murder	Killing in the Name of Honor
<b>Motivation For Crime</b> <ul style="list-style-type: none"><li>• Why does the perpetrator commit this crime? For material gain? For emotional satisfaction? For...?</li></ul>		
<b>Nature of the Act</b> <ul style="list-style-type: none"><li>• Is the crime spontaneous or premeditated?</li><li>• How is the victim killed? Is the victim's death immediate? Is the victim made to suffer before dying?</li></ul>		
<b>Perpetrator</b> <ul style="list-style-type: none"><li>• Who commits this crime?</li><li>• Does s/he have any relationship with the victim? Or is s/he a stranger?</li><li>• Does s/he act alone? Or is there more than one perpetrator?</li><li>• Does s/he hide the crime or confess?</li></ul>		
<b>Victim</b> <ul style="list-style-type: none"><li>• Who is killed?</li><li>• Does s/he have any relationship with the perpetrator?</li><li>• Can s/he defend her-/him-self against the perpetrator?</li><li>• Does s/he receive the proper respects? Do her/his family memorialize her/his life in a funeral or through another ceremony?</li></ul>		

4. Once the participants have forged a consensus around these four points, select a volunteer and give her/him 3 to 5 minutes to summarize in no more than 7 sentences the differences between murder in the generic sense and killing in the name of honor as agreed upon by the group.
5. Conclude by asking the participants whether they think the punishment for killing in honor's name should be the same, more severe or less severe than for murder. Take a vote on these three options for punishing the perpetrator and then share the final tally.

## Exercise 2 Honoring Victims of Murder in the Name of Honor Worldwide

(Approximately 45 minutes)

### 1. Read the paragraphs below to the workshop participants.

Perpetrators of murder in honor's name believe their own and their families' reputations are reflected in the behavior of their female relatives. Choices that girls and women seek to make—what they wear, whether they seek an education and/or career, who they wish to marry and how many children they want to have—create the risk of violent death. Girls and women die at the hands of their male family members for trying to reconcile the desire to live freely with the pressure of traditions and societal expectations.

To cleanse the family's honor, the perpetrator wants to eliminate all traces of the victim's life. She is often buried in an unmarked grave and not spoken of again, as if she never existed at all. Deepika Thathaal, Norwegian film maker and pop singer of Pashtun and Punjabi descent, is striving to make sure the victim's life is not simply wiped away. She has created a digital memorial called "Memini," which means "remembrance" in Latin. Launched in April 2011, the website features a collage of victims' photos and names from around the world. Clicking on an individual photo or name takes the site visitor to that victim's story—a brief description of who she is, why she was killed and by whom.

Through Memini, Thathaal hopes to raise awareness of this crime's prevalence by putting a face, or many faces, on it. As the site declares, "Our wish is to ensure that the stories of victims of honor killings are told, thus defying the intent of those who wanted to erase them ... our intention is that shame falls where it is deserved: on the murderers who stood in judgment of innocence! This documentation of stories also has a deeper purpose—to bring to light the many women and girls who are victims of this brutality in order to tell the world—it is happening and it has to STOP!"

### 2. Give the participants roughly 10 minutes to look at the images and to review the stories of six victims taken from the website—see below under step 5.

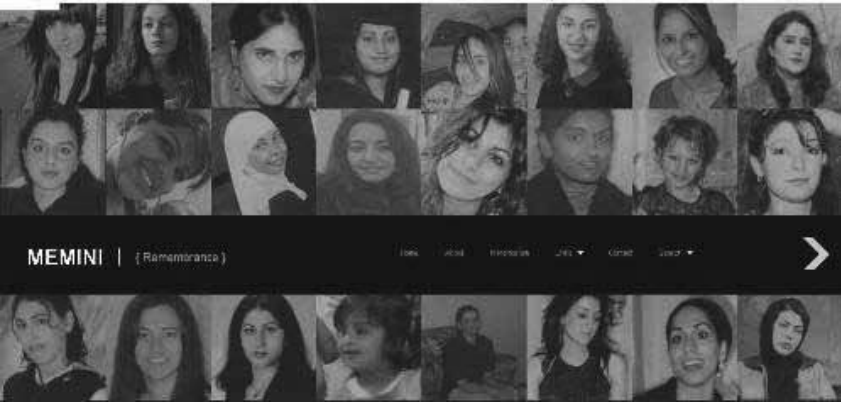
***Tip for Facilitator:*** *If the participants enjoy internet access, have them visit the website, <http://www.memini.co/>, and click on individual photos of their own choosing so as to discover how this memorial looks and the feelings it evokes.*

### 3. Ask them whether they think Memini is an effective tool for shining a spotlight on the crime of murder in the name of honor. Take a vote to determine how many participants consider the website effective and how many do not.



- 4. Share the vote tally, and then select two volunteers from among those participants who do find Memini an effective tool and those who do not think so to offer at least three top-of-mind reasons for their opinions.
- 5. End by asking the group whether they could envision using Memini’s images beyond the website—for example, in a public service announcement on television, on a billboard, on the walls of certain buildings, on the packaging of certain products or....

**MEMINI is a Latin word meaning “Remembrance.”**



**Rim Abu Ghanem**  
**19, Israel**

Rim Abu Ghanem was a 19-year-old girl from the Abu Ghanem clan of Juarish, in Ramla, a city of 64,000... in Israel. The clan of around 2,000 members is close-knit, very conservative... with a high rate of violence towards its women members.

In 2006, Rim Abu Ghanem was the seventh Abu Ghanem woman to be murdered. Her only crime, in the eyes of her family, was refusing to marry a man to whom she had been promised. In the days preceding the murder, she had run away only to be found by police, who returned Rim to her family on condition that her three brothers signed an agreement that she would not be harmed.

Rim’s murder was premeditated and planned by her very own brothers. Her elder brother, Suleiman Abu Ghanem, a pediatrician at the Assaf Harofeh Medical Center, gave his brothers Ahmed and Salameh sleeping tablets and instructed them on how to sedate their sister. When Rim fell asleep, her brothers packed her into a truck and drove her to a field. When Rim briefly woke up, she had attempted to plead for her life, while her brothers had tried to make her admit she had “disgraced the family’s honor.” Her brothers Salameh and Muhammed then suffocated her and wrapped her body and threw it down a nearby well.

Subsequently, three of Rim's brothers confessed to and were convicted of killing her and are serving 20-year jail sentences. The fourth brother, who did not take an active part in the act of murder, will serve a 12-year sentence. These sentences were unfortunately reduced from murder to manslaughter due to a police error in handling the informants of the case.

Source: <http://www.memini.co/>



**Sazan Bajez-Abdullah**  
**24, Germany**

In Munich, Germany, Iraqi-born Kazim Mahmud Raschid killed his ex-wife, Sazan Bajez-Abdullah, in late 2006.

On the 25th of October 2006, Sazan's divorce from Kazim Mahmud Raschid was finalized. He had beaten her so much during their marriage that the police had obtained a restraining order against him.

The same day, he killed her for the dishonor of divorce in the busy Maier Leibnitz Street. He stabbed her 13 times and poured gasoline over her; as she lay wounded, he set her on fire. Residents from balconies threw down water; those on the street tried salvaging her body with wet cloth and attempted to shield her two year old son to safety. A criminal investigator nearby arrested Kazim straight away on hearing the commotion.

The following year, during his trial, Kazim admitted to planning the act. "I wanted to kill her. If I do this, I am a man."

Kazim Mahmud Raschid is sentenced to life imprisonment without parole.

Source: <http://www.memini.co/>



**Aqsa Parvez**  
**16, Canada**

16-year-old Aqsa Parvez from Mississauga, Ontario Canada, was strangled by her brother and father in an honor killing in 2007.

Aqsa was the child of a Pakistani immigrant family. She had wanted to get a part-time job and be allowed to dress and act like other teenage girls in her neighborhood, but this caused conflict within her family.

In September 2007, Aqsa told a school counselor she was afraid her father might kill her. Arrangements were made for her to stay at a shelter. Her family asked her to come home and permitted her to wear non-traditional clothes to school, but when conflicts continued, Aqsa decided to live with her friends instead.

On December 10th, 2007, Aqsa was taken from the school bus stop by her brother at ... 7:20 am, and 36 minutes later, her father called 911 and told police he had “killed his daughter.” Aqsa was immediately taken to Credit Valley Hospital and later transferred in critical condition to the Hospital for Sick Children, where she died.

In an interview with police, Aqsa’s mother says her husband told her he killed his youngest child Aqsa because, “My community will say, ‘You have not been able to control your daughter.’ This is my insult. She is making me naked.”

On June 15, 2010 Aqsa’s father, Muhammad Parvez and brother Waqas Parvez pleaded guilty to second-degree murder.

Source: <http://www.memini.co/>



**Sanaa Dafani**  
**18, Italy**

Sanaa Dafani, of Pordenone, Italy, was 18, worked in a pizzeria, wore jeans and dated a man. Her boyfriend, Massimo De Biasio, was an Italian man in his early thirties. Sanaa wanted to live with him. Her father, El Ketaoui Dafani, who had emigrated from Morocco, did not want his daughter to lead a Western lifestyle.

Enraged at his daughter’s actions, Mr. Dafani blocked a car in which Sanaa and her boyfriend were sitting, stabbed his daughter’s throat with a kitchen knife, and injured Mr. Biasio when he tried to defend her.

El Ketaoui Dafani is on trial for the murder of his daughter; the sentence is yet unknown, but the prosecution is attempting to secure the maximum penalty available.

Source: <http://www.memini.co/>



**Nejat**  
**22, Iran**

Iran’s Ham-Mihan newspaper reported the case of an Ahwazi woman who was buried alive by her father in April. Villagers had accused her of having an extra-marital affair after she divorced her husband, prompting her father to kill her for the sake of family honor. He admitted killing his 22-year-old daughter Nejat, but claimed she agreed to be buried alive and even helped to dig her own grave ... Nejat’s two-year-old daughter has since been taken to an orphanage in Ahwaz City ... This account of the killing has been confirmed by Iranian women’s rights activists...

Some cry and scream, “I want to stay alive,” others shout their innocence, and still others beg for forgiveness...

But Nejat said nothing. She did not cry. She did not beg. She did not ask for forgiveness ... She entered the grave calmly so that her father could put enough dirt on her that she would no longer breathe, look, feel, think, feel ashamed, or serve as stain of dishonor for her father ... so that she would be no more.

Nejat knew that in a society where misogyny is deeply rooted in tradition, [and] ... promoted by the government ... she had to search for rescue in nonexistence...

This man said about the bitter moments that he buried his daughter alive:  
“When I dug the hole, my daughter went towards it without saying a word and laid down in it. I did not feel well, but I thought I was doing the right thing. Initially, I used the shovel to put the dirt on her. She wasn’t saying anything. She just stared at the sky. I threw the dirt on her stomach and chest, but she still did not say anything. She did not ask me not to do that. I looked at her in the last moment, before I covered her face with dirt. She called out to me and said ‘Dad, please take care of my daughter.’”

**Source:** <http://www.memini.co/>



# WORKSHOP SESSIONS

## SECTION B

---

# Violence in the Community

B

# SESSION 8:

## Case Study—Sexual Harassment in Public Spaces

(Workshop session, approximately 3 hours, 30 minutes)

Exhausted from a full day of teaching and meeting with students, Tamarai leaves her office impatient to reach home and spend time with her family, but dreading the walk from the University of Madras to the bus stop. Confronting the hustle and bustle of Chennai’s streets each evening, she knows a parade of strangers awaits her as heads to the bus stop.

Clutching her purse and notebooks tightly, Tamarai ignores the barrage of whistles and comments. “Pretty lady, where are you going? I’ll take you wherever you

### Did You Know That...?

- “Eve-teasing,” a term dating back to at least the 1960s and referring to the Bible’s Eve, is used in India, Pakistan and Bangladesh to mean sexual harassment in public spaces.
- Establishing All Women Police Units (AWPUs) to address eve-teasing and other gender-based crimes is one step in India’s shift to gender-sensitive law enforcement. Of India’s 35 states and union territories, 19 had AWPUs in 2004, led by Tamil Nadu with 195 of the country’s total 293.

**Source:** Natarajan, Mangai. *Women Police in a Society: Back Door to Equality*. Hampshire, England and Burlington, VT: Ashgate Publishing Limited, 2008.

- Dhaka-based human rights organization Ain O Salish Kendra counted 14 suicides among Bangladesh’s women and girls during the first four months of 2010 due to the emotional torment caused by eve-teasing.

**Source:** <http://www.askbd.org/web/index.php>

like,” shouts an anonymous young male voice. As other men chuckle, the same voice begs, “Please, tell me where you’re going. If you tell me, you won’t be sorry. You need a real man to...”

An older, gruffer voice interrupts: “A real man to carry her books? Lady, forget these little boys,” he points to the others standing on the sidewalk. “I’m the one you need. Forget the bus. I’ll give you a ride you’ll always remember!” As he starts to unbuckle his belt, the other men holler and clap. “Lady, you know you want it.” As others egg him on, he touches Tamarai’s neck and then moves his hand to her breast.

Afraid but angry, Tamarai whips her head around, drops her belongings and grabs the groping hand, “Don’t touch me, you worthless piece of dirt! And the rest of you, do you think real men act this way? You’re filthy, all of you!”

Fumbling to pick up her notebooks, she is startled by another touch—a slight tap on her arm. “Miss, may I help you? What’s the problem?” Before Tamarai regains her composure, the police officer turns to the men: “Why are you all standing here? You have nothing to do but bother ladies at bus stops?”

As the men retreat, the officer warns, “If you enjoy taunting women on the street, you should play this game at the police station. District Chief Latika Saran will be more than glad to hear how you talk to women. Better yet, why not tease me from a jail cell? That’s where you’ll be if I catch you bothering anyone again!”

Relieved, Tamarai declares, “I appreciate your help, Officer. I’m so used to these men gaping at me and other women. They make lewd comments and vulgar gestures, but no one ever touched me. They didn’t dare! Until today.”

“Officer Deva Kakar, I’m just doing my job.” Reassuring Tamarai, the police woman says, “The issue isn’t whether these guys touch you. Even before laying a finger on you, they had crossed the line. Eve-teasing is a crime. And what a horrible name for this behavior. I can’t stand it!”

## **Questions for Group Discussion**

(Approximately 1 hour, 15 minutes)

### **The Interaction between Tamarai and the Men on the Street**

(Approximately 25 minutes)

- Does the men’s behavior towards Tamarai constitute violence? Why or why not?
- Are they violating Tamarai’s human rights? If so, which rights are they violating?
- How do these men define and project their masculinity in relation to Tamarai? Why do the men not realize that Tamarai is afraid of them, even though she reacts with anger?
- Does she respond to the men appropriately? What does she do to make the situation worse or better?
- Does Tamarai have other options in responding to this situation? If so, what are they? If not, why not?

### **Officer Kakar’s Intervention**

(Approximately 20 minutes)

- What does Officer Kakar do right and/or wrong in interacting with Tamarai and the men?
- Officer Kakar affirms that “eve-teasing” is illegal, but then calls this term “horrible,” saying she “can’t stand it.” Why does she feel so strongly about this term?
- Do you believe the fact that Officer Kakar is a woman helps her handle this case of sexual harassment? Does the fact that her superior, District Chief Saran, is a woman help Officer Kakar deal with this situation? Why or why not?



## For Further Thought

(Approximately 30 minutes)

- Do you perceive a relationship between harassment of women—whether at home or in a public place—and bullying? If so, why? If not, why not?
- If your community has passed a law against sexual harassment in public places, is this law effectively enforced? Why or why not?
- If your community has not passed such a law, why do think this is the case?
- Would you support passage/enforcement of a law against bullying as a tool to prevent and punish sexual harassment in public places? Or do you believe a separate law is needed to combat sexual harassment? What is the reasoning for your choice?
- Do you think police officers would benefit from gender-sensitivity training aimed at improving their knowledge violence against women and girls? If you answered “yes,” would you favor training for both male and female police officers? Why or why not? What issues should this training emphasize?
- If you answered “no,” what disadvantages do you see to gender-sensitivity training?

## Learning Exercises

(Approximately 2 hours, 15 minutes)

### Exercise 1 Brainstorming for Structural Solutions to Harassment

(Approximately 1 hour)

1. Have the workshop participants break into three small groups for a 15-minute brainstorming session. Ask each to select a spokesperson who will report to the full group.
2. Instruct the groups to think of one or two ideas for structural approaches to address sexual harassment in public spaces in our community—ways to tackle the problem that involve the government and/or various institutions and segments of society.

***Tips for Facilitator:*** *If the groups are having difficulty coming up with ideas, offer examples of structural approaches—anti-harassment laws, special police units combating harassment, gender-segregated public transportation, etc.*

*Use a large flip pad or chalk board to write down a brief description of each group’s proposal and the vote tallies requested in Step 5 below.*

3. Reconvene the workshop participants. Keeping each spokesperson to no more than 10 minutes, have them share their groups' proposals.
4. Ask the participants to weigh the advantages and disadvantages of these proposed solutions given our local culture, economic realities, geography, access to information and communications technology, political system, etc.
5. Take a vote for the participants to choose the best proposal for our community.

## **Exercise 2 Modeling Success Stories in the Campaign Against Harassment**

(Approximately 1 hour, 15 minutes)

1. Distribute factsheets to the workshop participants on two real initiatives that address the problem of public harassment: India's Blank Noise Project and Egypt's HarassMap.

***Tip for Facilitator:*** If the participants enjoy internet access, have them visit the websites for the initiatives: <http://blog.blanknoise.org/> and <http://harassmap.org/>.

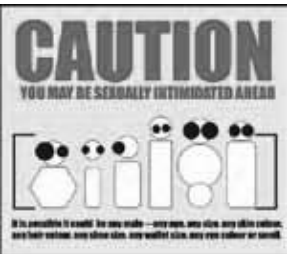
2. Review the factsheets with the participants for 10 to 15 minutes. Then divide them into two groups, asking each to select a spokesperson who will report to the full workshop.
3. Instruct each group to devise a plan for implementing one of these initiatives. Have each group consider which aspects of the initiative, if any, should be changed for it to work well in their community.
4. Reconvene the workshop participants. Have the two spokespeople for the groups outline the revisions, if any, made to each initiative and the reasons for these changes.
5. As a full group, ask if any of the participants would take up actual implementation of one of these initiatives as a longer-term project beyond the workshop.

**Factsheet 1 Using Community Art “Interventions” to Fight Sexual Harassment in India—“The Blank Noise Project”<sup>1</sup>**

<http://blog.blanknoise.org/>

- Begun in 2003 as a student project at Bangalore’s Srishti School of Art Design and Technology, the Blank Noise Project confronts sexual harassment in India’s public spaces by enlisting community members in participatory art. Using the internet to publicize its efforts, the Project has spread to India’s major cities.
- With posters, role-playing, chant marches and other art forms, Blank Noise addresses victims, perpetrators and witnesses, seeking to make harassment socially unacceptable and to rebut the myth that women invite eve-teasing by their choice of dress.
- Calling their anti-harassment techniques “interventions,” volunteers have launched numerous initiatives such as:

**Examples of submissions to the “Make Your Street Sign” campaign posted to the Project’s blog**



The small print on the bottom of the sign reads, “It is possible. It could be any male, any size, any skin colour, any hair colour, any shoe size, any wallet size, any eye colour and smell.”



The small print on the top right side of the sign reads, “one night stand.”

- **Did You Ask for It?** – Blank Noise asks women to donate clothes they wore when they were harassed and a note recounting the episode and the feelings it evoked—to mail the items to the Bangalore studio or have volunteers retrieve them. With 1,000 pieces of clothing collected, Blank Noise will put them in large installations on city streets. The installations, a public testimony to eve-teasing, will dispel the idea that immodest dress causes harassment.
- **Make Your Street Sign** – This 2009 campaign invited participants to design street signs protesting harassment. Blank Noise received the signs in web-friendly formats to post on the Project’s blog; three were chosen for testing in the public space.
- **Unwanted** – This initiative entails women photographing perpetrators of harassment to post on the Blank Noise website. Catching men reverses power relations in public spaces where male control is assumed. Photos also show how quickly a perpetrator acts, making harassment hard to prove.
- **Night Walks** – This intervention involves women coming together to explore the cities’ streets at night. Participants run along the streets or stop to eat at roadside dhabas, enjoying the public space in a way and at a time generally deemed taboo.

<sup>1</sup> For more details, visit <http://blog.blanknoise.org/2007/09/interventions-and-techniques.html>.

**Factsheet 2 Using Technology to Battle Sexual Harassment in Egypt—“HarassMap”<sup>2</sup>**

**<http://harassmap.org/>**

- HarassMap (HM), created in 2010, is an initiative using a mobile phone-reporting system to combat sexual harassment in Cairo. Its aims are to: draw attention to this behavior, make it socially unacceptable and restore safety to public spaces.
- Testifying to the need for this initiative, 83% of Egyptian women reported being harassed in a 2008 survey by the Egyptian Center for Human Rights.
- HM’s team consists of experts on sexual harassment with experience in the private, public and civil society sectors. Based mostly on volunteers’ efforts, HM draws as well on the donated services of private businesses and collaborates with NGOs, government and UNIFEM. In fact, HM has been invited to partner with UNIFEM’s Safe City Initiative.
- HM receives grants and sponsorships from partners and generate revenues from text messages, which are reinvested to sustain the project and enhance its reach by marketing.
- HM aims to engender Action, Assistance, Awareness and Advocacy.
  - **Action** is to report harassment via SMS. Women send messages to HM’s number or post to its blog to explain what transpired and where. HM’s team verifies the reports, mapping them on a public website, [www.harassmap.org](http://www.harassmap.org).
  - **Assistance** is to offer information and facilitate the police’s response. HM gives instructions on filing a police report, legal aid, psychological help and self-defense classes while informing police officers of high-harassment areas where they are needed.
  - **Awareness** comes from HM’s marketing, instructional materials and group activities—stickers with the SMS number, self-defense videos and peaceful gatherings at harassment hot spots.
  - **Advocacy** is to share the map and documentation with NGOs, government agencies and others engaged in anti-harassment campaigns.
- HM is powered by Ushahidi.com. Ushahidi, meaning “testimony” in Swahili, is a website launched to map reports of post-election violence in Kenya in early 2008.



**Poster for the launch event of the partnership between HarassMap and UNIFEM’s Safe Cities Initiative on 22 November 2010 at Cairo University**

<sup>2</sup> For more details, read the HarassMap Executive Summary at [http://blog.harassmap.org/wp-content/uploads/2010/08/harassmap\\_executive\\_summary.pdf](http://blog.harassmap.org/wp-content/uploads/2010/08/harassmap_executive_summary.pdf).

## **SESSION 9:**

### **Case Study—Sexual Harassment in the Workplace**

(Workshop session, approximately 3 hours, 30 minutes)

Toktokan enters the conference room greeted by smiles from her supervisor Alexi and the company's director Murat. She has secured a new client for the communications firm; they are about to recognize her achievement at the weekly staff meeting. "Our colleague, Ms. Aitmatova, has worked tirelessly to bring on a client with significant needs; he wants a campaign implemented throughout Kyrgyzstan," Alexi declares. Toktokan feels her boss put his hand on her shoulder, as if to emphasize his praise to the staff. When he leaves his hand there for more than a couple minutes, she adjusts her chair slightly. His hand sliding off her shoulder, Toktokan hopes he did not notice her discomfort.

Days after the staff meeting, Toktokan eagerly tackles her projects, forgetting the awkward moment with Alexi until one afternoon when he bumps into her in the hallway. His body brushing against hers, Alexi whispers, "Pardon me, but I'm so lucky to be near a lovely lady."

"Why are you whispering?" Toktokan asks.

"I must keep our secret." Alexi awaits her reaction. "And I don't want to disturb others..."

"What secret? Do we have a secret project?" Toktokan tries to control her irritation.

"I'm joking. Yes, a secret project. Don't be so serious. Nobody laughs in this office. If I can't joke with my favorite employee..." Alexi searches for words to justify his flirtation.

"Well, no harm done." As Toktokan excuses his behavior to avoid discussion, Alexi reminds her of their 4:00 pm meeting with Murat. "Where do we meet?" She hopes to have the site changed by pretending not to recall where they are meeting.

An hour later, Toktokan goes to Alexi's office. "Hello sir. Are you ready to discuss our new projects? Shall we wait for Murat?" She sits down across from her boss.

"He took a call. We can go ahead. Please close the door. I don't want anyone to learn about these projects." Alexi replies.

Toktokan finds Alexi's insistence that others not know about the projects odd because he already referred to the new client's requests at last week's staff meeting. Nevertheless, she walks toward the door to shut it. Suddenly, she feels Alexi's body pressing her against the door. "Now let's discuss our secret. We'll need to work late after everyone else leaves—to make the client happy. Not only

## Did You Know That...?

Kyrgyzstan's 2003 Law on State Guarantees for Ensuring Gender Equality prohibits employers' sexual harassment and retaliation against an employee making such a claim.

**Source:** <http://www.legislationline.org/>; search by topic and country.

The International Labor Organization (ILO) defines sexual harassment as "a sex-based behavior that is unwelcome and offensive to its recipient." This behavior may be:

- **Physical** – Violence, touching, unnecessary close proximity.
- **Verbal** – Comments and questions about appearance, life-style and sexual orientation; offensive phone calls.
- **Non-verbal** – Whistling, sexually suggestive gestures, display of sexual materials.

The ILO also identifies two forms of harassment:

- **Hostile working environment**  
The harasser's conduct creates conditions to intimidate or humiliate the victim.
- **Quid pro quo** – The employer makes continued employment or a job benefit such as a pay increase contingent on the victim's acquiescence to demands for some form of sexual behavior.

**Source:** "Sexual Harassment at Work Fact Sheet."  
<http://www.ilo.org/wcmsp5/groups/public/>

in this office and there are laws. Alexi may think he's exempt from regulations the rest of us have to follow, but he is sadly mistaken."

will he be satisfied, but so will I. Then you'll be promoted. A smart lady like you knows how to please any man."

Toktokan instinctively raises her hand to slap him, but he does not back down. Struggling to break free, she pries the door open and runs down the hallway to her office. Her colleagues are gone for the day. Locking her door, she waits to hear Alexi's footsteps. Once he leaves the building, she feels safe enough to slip a note under the human resource manager's office door. "I need to talk with you as soon as possible. It's urgent!"

The next morning, after a sleepless night, Toktokan knocks on Karine's door. "Did you see my note? May I speak with you? Please..." She describes Alexi's behavior in detail, remembering his words verbatim.

"I'm pleased that you came to me, Toktokan. Rest assured that whatever you say to me is confidential unless and until you give me permission to share it. You know, I did notice how Alexi left his hand on your shoulder at the meeting, and..."

Interrupting, Toktokan asks tearfully, "Permission to share what I'm telling you with whom? Why? What do you think I should do? You believe me, don't you? If I tell Murat what happened, he won't believe me. He and Alexi are friends. Besides, Alexi doesn't think he did anything wrong! He'll lie to say I made the first move. He'll get me fired."

"Please get a hold of yourself, Toktokan. You're shaking." Karine hands her a tissue box. "I do believe you and will stand by you. We have to figure out what your options are. We have rules

Toktokan is relieved that Karine does not doubt her account of Alexi's behavior. "So what do you suggest? Short of resigning so I never have to see Alexi again..."

"That's not the option I suggest. First, I want you to draft a memo recounting Alexi's behavior as you did for me. The memo will help me organize the facts, and writing it may be therapeutic for you. Then you must decide how you want to pursue this matter. You can submit the memo for me to keep under lock and key for future reference. If Alexi ever bothers you or anyone else, your memo would help establish a pattern of misconduct. Or you could go further, filing a formal complaint, which means involving Murat. He has to authorize any investigation. Alexi then has the right to defend himself."

Toktokan listens attentively. "May I have a couple days to consider what to do next?" Her voice cracks with desperation. "And what about Alexi? Do I have to keep working under his supervision? Please tell me I don't have to."

Karine seeks to reassure Toktokan: "Let me see what I can do to have you reassigned to another team, at least temporarily. For now, I need you to write that memo, and I'll make sure Alexi has enough work to keep him busy and away from you until you decide your next step. Just remember that any decision will have consequences we may not anticipate."

## **Questions for Group Discussion**

(Approximately 1 hour, 15 minutes)

### **The Interaction between Toktokan and Alexi**

(Approximately 20 minutes)

- Does Alexi's behavior towards Toktokan constitute violence? Why or why not?
- Is Alexi violating Toktokan's human rights? If so, which rights is he violating?
- Does she react appropriately to his behavior? What does she do to make the situation worse or better?
- Does Toktokan have other options in responding to this situation? If so, what are they? If not, why not?

### **The Interaction between Toktokan and Karine**

(Approximately 30 minutes)

- As the human resources manager, what are Karine's responsibilities vis-à-vis the staff in general and with regards to Toktokan and Alexi in particular?
- What does Karine do right and/or wrong in her interaction with Toktokan?
- As she talks to Toktokan, does Karine sufficiently take Alexi's rights into consideration?

- Do you believe the fact that Karine is a woman helps her deal with Toktokan's situation? Why or why not?
- Do you think Karine should take steps to enforce a no-tolerance policy toward harassment vis-à-vis the entire staff? If so, why? If not, why not?
- If you answered "yes" to the previous question, which of these measures do you expect would be most effective among the staff?
  - Convening a staff meeting to discuss the company's rules and/or the country's laws against harassment;
  - Composing a memo to explain these rules and/or laws;
  - Requiring all staff members to take a brief course on preventing harassment; or
  - \_\_\_\_\_ *Please offer your own adjectives.*

**For Further Thought**

(Approximately 25 minutes)

- If your employer has explicitly stated rules against sexual harassment, what are the penalties for misconduct? Are these rules effectively enforced? Why or why not?
- If your employer does not have such rules, why do think this is the case? Do you believe s/he should state these rules—in an employee handbook, on a bulletin board, at meetings and/or in another manner? Why or why not?
- What would you do to persuade your employer to formulate and publicize rules against harassment?
- If you think your employer does not need to state such rules, what disadvantages do you envision in doing so?

**Learning Exercises**

(Approximately 2 hours, 15 minutes)

**Exercise 1 Defining Sexual Harassment in the Workplace—  
Behavior, Location, Relationship**

(Approximately 45 minutes)

1. Have the workshop participants break into three small groups for a 15-minute discussion of the conditions defining workplace sexual harassment. Ask each group to select a spokesperson who will report to the full workshop.
2. Assign each group one of the three conditions that may define harassment, asking them to address the following questions in their discussion:



- **Group A – Behavior**

Some behaviors are more easily identified as harassment than others. For example, are able to distinguish between a compliment and an inappropriate comment? Do the following comments constitute harassment? Why or why not?

- “I like your new hair style. It makes you look so young.”
- “Your new hair style makes you look so young but also more womanly and softer.”

- **Group B – Relationship**

Does the relationship between the harasser and the victim matter in defining harassment? Does the objectionable conduct have to be from the victim’s supervisor or another superior? What if it is from a colleague of equal status? From a client or a service supplier to your employer? From a professor toward a student?

- **Group C – Location**

Does the location of the objectionable conduct matter in defining workplace harassment? Does the conduct have to take place at the place of employment? What if the conduct occurs in a social situation? For example, at a lunch or dinner gathering in the home of a colleague?

3. Reconvene the participants. Have each spokesperson share her/his group’s answers to these questions, highlighting agreements and differences between group members.

***Tip for Facilitator:*** Use a large flip pad or chalk board to write down the groups’ answers and their definition of workplace sexual harassment requested in Step 4 below.

4. Based on each group’s answers to these questions, have the participants forge a consensus on a definition of workplace sexual harassment that includes these three elements—the type of behavior, the relationship between the two individuals involved and the site where the conduct occurs. Instruct the participants to keep this definition to no more than four sentences.

## **Exercise 2 Designing an Anti-harassment Sign for the Workplace**

(Approximately 45 minutes)

***Tip for Facilitator:*** If poster board and colored magic markers are available—OR computers loaded with graphics software—consider having the workshop participants use these tools to design their signs.

1. Remind the workshop participants of the Blank Noise Project’s “Make Your Street Sign” campaign discussed in Session 8. Turn back to page 70 to revisit examples of signs submitted for this 2009 campaign.
2. Now imagine that the participants have been tasked by an employer—a health clinic (or hospital ward)—to design a sign for the workplace aimed at reinforcing the no-tolerance policy towards sexual harassment.
3. Select a volunteer to take instructions from the other workshop participants on designing the sign.

***Tip for Facilitator:*** Help the participants in the design process, particularly if they are having difficulty with this task, by prompting them with questions. For example:

- Should the sign feature graphics and words?
  - Or should it feature only one or the other?
  - If the sign does feature words, what should it say?
  - What colors should the sign be? What size and shape should it be?
4. Once the volunteer has completed the sign, have the workshop participants discuss whether their group’s artistic production captures the employer’s needs. That is, does the sign reflect the characteristics of the health clinic (or hospital ward) for which it is designed? If so, how and why? If not, why not, and how would you revise the sign for it to meet the employer’s needs better?

### **Exercise 3 Role-playing: Penalizing and/or Teaching the Harasser**

(Approximately 45 minutes)

1. Select three volunteers from the workshop participants to role-play the interactions between Toktokan and Alexi and between her and Karine. Have these volunteers act out the dialogue presented in the scenario for this session.
2. Once the volunteers have finished acting out the scenario, have the participants imagine that Toktokan has given the human resources manager permission to talk with Alexi about his behavior. Have the participants take about 15 minutes to consider how they think the conversation between Karine and Alexi would unfold.
3. With the participants’ direction, have the volunteers who played the roles of Karine and Alexi act out this conversation. Because there is no written text for this conversation, the volunteers will have to improvise.

4. After these two volunteers have acted out Karine's and Alexi's conversation, have the workshop participants consider whether...:

- Karine's words reflected Toktokan's need to redress the situation so that she may perform her duties in a fully professional environment;
- Karine acted with fairness towards Alexi; and
- Karine emphasized: (a) penalizing Alexi for sexual harassment, (b) teaching him why and how he should change his behavior, or (c) a mix of both punishment and education in addressing his conduct.

# SESSION 10:

## Case Study—Rape and Sexual Assault

(Workshop session, approximately 3 hours, 30 minutes)

Yolaine wades into the small crowd gathering in this corner of Champs de Mars tent city, her voice trembling. “I’m Yolaine Leauclaire. Thank you for allowing me to speak. I never come to your weekly neighborhood meetings because I have no time. I care for my grandmother and niece since she lost her mother in the earthquake.<sup>1</sup> I work at the local clinic. I want to rebuild my life—not attend meetings. But I can’t stay quiet. One night last week, two hooded men crawled through a tear in our tent. As they dragged little Clarisse outside, I woke up. They threatened to kill us, but I wasn’t going to surrender my niece. I keep two knives under a pile of fire wood. When I saw one man ripping Clarisse’s clothes off, I grabbed my knives and frantically screamed ‘I’ll cut you.’ I must have scared these guys because they ran away. I guess we’re lucky given what could have happened.”

Yolaine hears a few women echoing her words in agreement: “Lucky for the little girl spared that fate!” “Oh yes, lucky...” She is about to describe the impact of the foiled attack on her family when an elderly woman steps forward, “Miss Leauclaire, you said you work at the clinic. Do you tend to assault victims? Does anyone at the clinic keep track of how many of us in Champs de Mars have been raped since the earthquake?”

Before Yolaine can respond, a male voice interjects, “May I please introduce myself? I’m Janjak Toussaint. I’m an attorney, and I’m here with representatives of women’s groups to discuss this epidemic of sexual violence. Miss Leauclaire’s account reminds us of the need to speak up so that law enforcement officials can prevent assaults and capture these criminals.”

The elderly woman looks askance at the lawyer. “Mr. Toussaint, my name is Lourdes Ochan. I’ve worked with women’s organizations for decades. Why do you believe law enforcement officials are able or willing to catch anyone? Corrupt politicians from the capital to the smallest village! What’s the use of speaking up?”

---

<sup>1</sup> On 12 January 2010, a 7.0-magnitude earthquake struck Haiti. Deaths were estimated at a high of 225,000. Left homeless were roughly 2.1 million people; most still live in tent cities. Source: Daniell, James. CATDAT Damaging Earthquakes Database 2010—The Year in Review. Karlsruhe, Germany: CATDAT, Integrated Historical Global Catastrophe Database, and CEDIM (Center for Disaster Management and Risk Reduction Technology), 2011.

## Did You Know That...?

Rape was a “crime against morals” in Haiti until 2005, when Executive Decree 60 reclassified it as a “crime against a person” punished by a 10-year prison term, longer if the victim is under 16 years old. In practice, punishment is more lenient and may be a small payment by the perpetrator to the victim.

**Source:** *Government of Haiti. Le décret modifiant le régime des agressions sexuelles et éliminant en la matière les discriminations contre la femme [Decree changing the regulation of sexual aggressions and eliminating forms of discrimination against women]. Decree No. 60 of August 11, 2005. Journal Officiel de la République d’Haïti. August 11, 2005.*

Rape victims suffer symptoms of immediate psychological trauma—Acute Stress Disorder:

- problems concentrating due to intense anxiety;
- disruptions in eating and sleeping patterns;
- flashbacks to the attack;
- difficulty recalling parts of the attack;
- aversion to the attack site and to social life; and
- disassociation—feeling detached from the world.

Roughly half of survivors endure symptoms long after the attack, which become Post-traumatic Stress Disorder (PTSD).

**Source:** Bryant, Richard A.; Sackville, Tanya; Dang, Suzanne T.; Moulds, Michelle; and Guthrie, Rachel. “Treating Acute Stress Disorder: An Evaluation of Cognitive Behavior Therapy and Supportive Counseling Techniques.” *The American Journal of Psychiatry*. Vol. 156, No. 11, November 1999.

“I’m with the Bureau des Avocats Internationaux, and I collaborate with members of non-governmental organizations like KOFAVIV and SOFA, among others.<sup>2</sup> Life in these tent cities seems hopeless,” Mr. Toussaint concedes, “but we can’t give up on creating safety amid this rubble. The BAI can push the police to apprehend suspects only if you speak...”

Yolaine interrupts: “I spoke up to warn other women of who’s out there, not because I think the police will help. The attackers had hoods. Even if the police weren’t corrupt, they can’t catch unidentifiable men! Coming forward is hard. There’s so much shame for the victim. Every survivor must do what might give her some peace, Mr. Toussaint, whether she reports the rape or not.”

The attorney is determined to convey his message: “Allow me to explain what the BAI does in alliance with these women’s organizations. When you report an assault, we record the case in detail. We help victims obtain the medical certificates needed to prove rape and to begin the legal process.<sup>3</sup> We lobby our politicians and MINUSTAH<sup>4</sup> to provide more lighting in the camps and to expand the presence of UN patrols and newly trained Haitian police. I can’t guarantee that speaking up will lead to an assailant’s prosecution. Yet the BAI now represents over 50 victims; 10 cases are moving through the legal system with investigations ongoing and suspects in jail. We’re going ahead with the other cases. We see that justice is possible despite the obstacles. So we try our best.”

Yolaine listens attentively to Mr. Toussaint, but Ms. Ochan's teary eyes betray her sorrow. "Young man, you can't fathom how agonizing it was for a proud, old woman to be questioned by police officers when I reported being raped. They acted like I was the criminal, but I subjected myself to this treatment hoping they would search under every piece of broken concrete to catch the attacker. I haven't heard from them since..."

"Ms. Ochan, I admire your courage in sharing your experience with all of us." Inspired by her frankness, Mr. Toussaint declares, "You're correct. I can't grasp what you must have felt, but circumstances compel me to try my best. You see, six months ago my own mother was raped and killed for resisting her attackers. Since my sister and I spoke to the authorities, we live under constant threat. I always have to look behind me, but like you, I'm still here and speaking up wherever and whenever someone can hear me."

---

2 The Bureau des Avocats Internationaux (BAI) is the Port-au-Prince affiliate of the Boston, Massachusetts-based Institute for Justice & Democracy in Haiti (IJDH). Since 1995, the BAI has sought justice for Haiti's poor by combining traditional legal strategies with empowerment of victims' organizations and advocacy at the grassroots and international levels. KOFIV—“Komisyon Fanm Viktim pou Viktim” in Creole, or Commission of Women Victims for Victims—was founded by women raped during the military dictatorship of 1991-1994 to assist survivors of sexual violence with medical intervention, legal aid and counseling among other services. SOFA—“Solidarité Fanm Aysiyen,” or Solidarity with Haitian Women—emerged in 1991 to work on four issues, one of which is the elimination of gender-based violence. For more details about these organizations, visit their websites: [http://ijdh.org/who\\_we\\_are/bai](http://ijdh.org/who_we_are/bai), and <http://kofiv.org/>. SOFA's website has been removed from the internet; for information about the organization, visit <http://www.oxfamsol.be/fr/Solidarite-Fanm-Aysiyen-SOFA.html>.

3 Victims are required to obtain a “Medical Certificate for Sexual Aggression” from a physician within 72 hours of the assault as the proof needed for law enforcement officials to begin investigating a case of rape.

4 MINUSTAH is the United Nations Mission for the Stabilization of Haiti—in French, Mission des Nations Unies pour la Stabilisation en Haiti. Established in 2004 by the UN Security Council, it aimed to support the Transitional Government in restoring rule of law and public order. As conditions in Haiti have changed, the Security Council has adjusted MINUSTAH's mandate. Since the 2010 earthquake, troops have bolstered recovery and reconstruction efforts and helped with resettling displaced persons. For more details, see <http://www.un.org/en/peacekeeping/missions/minustah/mandate.shtml>.

## Questions for Group Discussion

(Approximately 1 hour)

### Yolaine's Response to the Attackers

(Approximately 15 minutes)

- Which of Clarisse's human rights have the attackers violated? Have they also violated Yolaine's and her grandmother's human rights? If so, how have so? If not, why not?

- What does Yolaine do right and/or wrong in reacting to the attackers? Is threatening them with knives a wise idea? Why or why not?
- Does she have other options in protecting her family and especially her niece? If so, what are they? If not, why not?
- Given that the attackers wore hoods, can Yolaine describe these men to the police in some other way? If so, how? If not, why not?

## **Mr. Toussaint's Interaction with Yolaine and Ms. Ochan**

(Approximately 20 minutes)

- How would you characterize Mr. Toussaint's approach to the meeting? Is he persuasive about the need for women to speak up in cases of rape? Why or why not?
- In your opinion, does he sufficiently explain how he and the Bureau des Avocats Internationaux cooperate with women's organizations?
- Do you believe the fact that Mr. Toussaint is a man compromises his ability to understand and discuss the epidemic of rape in the tent cities? Why or why not? Might his gender actually help him in this regard?
- Do you agree with Yolaine's contention that "Every survivor must do what might give her some peace...whether she reports the rape or not"? Why or why not?
- In your view, is Ms. Ochan's cynicism about the police justified? Why or why not? Is her impatience with the lawyer justified? Why or why not?
- How does the rape and murder of Mr. Toussaint's mother motivate him to do his job effectively? How does the loss of his mother hinder him from doing his job?

## **For Further Thought**

(Approximately 25 minutes)

- How has the 2010 earthquake made Haiti's women and girls more vulnerable to rape? Do natural disasters necessarily increase their vulnerability? Why or why not?
- What other situations make rape more likely, and what do they all have in common?
- Can a woman's clothing and/or behavior incite a man to rape? Why or why not?
- What factors might make a woman living in Haiti's tent cities reluctant or willing to report being raped? What might make any woman reluctant or willing to report a rape?
- How does our country legally define the crime of rape? Does this definition facilitate or complicate the prosecution of rape? How does our legal system punish perpetrators of rape? Is this punishment appropriate to the crime? Why or why not?

## Learning Exercises

(Approximately 2 hours, 30 minutes)

### Exercise 1 Defining Rape in Criminal Law

(Approximately 45 minutes)

1. Ask the participants to define rape for the purposes of formulating our jurisdiction's criminal law.

***Tips for Facilitator:*** Acknowledging the graphic nature of the questions posed in Step 2, particularly regarding component A “behavior,” may reduce the participants’ discomfort and reluctance to specify acts that may be termed rape.

*Recording the participants’ answers to the questions below on a large flip pad or chalk board may be helpful.*

2. Now instruct the participants to forge a consensus around answers to these questions and to think of their answers as component parts of the definition they are formulating. Allow them roughly 10 minutes to discuss each component part.

- **Component A – Behavior**

What kind of behavior constitutes rape? Is rape defined solely as sexual intercourse forced by the perpetrator on the victim? Are there other specific acts that may be classified as rape?

- **Component B – The Victim and Perpetrator**

For an act to be legally identified as rape, what kind of coercion must the perpetrator exercise? Must he physically overpower the victim, or is the threat of bodily harm sufficient to constitute coercion? Must the victim explicitly deny consent to the perpetrator and/or physically resist him to prove the occurrence of rape? Does the victim’s age or mental and physical capacity matter? Does coerced sexual intercourse in the context of marriage by a husband against a wife qualify as rape?

- **Component C – Punishment**

What is the appropriate punishment for rape? Should law enforcement officials have a range of punishments from which to choose depending on how the crime was committed and against whom? For example, should the punishment be more/less severe if the perpetrator did/did not brandish a weapon, if he did/did not inflict bodily harm on the victim, or if he did/did not attack a child? Should the perpetrator pay the victim restitution? Can a perpetrator be rehabilitated and reintegrated into society?



3. Now that the participants have addressed these questions, select a volunteer and give her/him roughly 5 minutes to articulate the workshop’s legal definition of rape in 4 to 7 sentences by putting together these component parts.
4. Once the volunteer has finished speaking, conclude by asking the workshop participants about the exercise itself—how easy or difficult they found it, which questions they could or could not answer, whether they were able to forge a consensus and what feelings were evoked as they discussed the component parts of their legal definition of rape.

**Exercise 2 Educating Men and Boys to Prevent Rape and Sexual Assault**

(Approximately 1 hour)

1. Ask the workshop participants to imagine that they are seeking funds from various organizations to test a 3-week curriculum that educates men and/or boys to prevent rape and sexual assault.
2. Explain to the participants that they must make four key decisions about how to proceed. Guide them through their decisions, allotting the amount of time indicated below to choose from the options here.

***Tip for Facilitator:** Posting the decision areas and subsequent options on a large flip pad or chalk board may be helpful*

**• Target Audience – Who is the key to preventing rape?**

(15 minutes)

- Boys ages 9-12
- Men in law enforcement professions
- Teenagers 13-17
- Men in healthcare professions
- Adult males 18+
- Fathers of sons
- \_\_\_\_\_ Please offer your own adjectives.

**• Educator – Who is best for the task of educating this audience?**

(15 minutes)

- A university professor
- A member of the clergy/person of faith
- A school teacher

- A physician
  - A rape survivor
  - A police officer
  - A sports team coach
  - \_\_\_\_\_ Please offer your own adjectives.
- **Themes – Which 3 themes should you convey in the workshops?**

(15 minutes)

- Definitions of masculinity and manhood
- The psychological impact of rape on the victim
- The risk for victim and perpetrator of HIV/AIDS and sexually transmitted diseases
- The need to train women and girls to protect themselves—how men can help
- A woman’s rights within her marriage—the right to refuse sex with her husband
- The legal consequences of rape for the perpetrator
- Ways to create safer public spaces for women and girls—from more lighting on streets to a greater police presence
- The meaning of a woman’s words—saying “no” to a man’s advances means “no”
- \_\_\_\_\_ Please offer your own adjectives.

**Four key decisions for the participants to make...**

- **Setting – Where should the workshops take place? – 5 minutes**
- At the instructor’s home
  - In a classroom
  - In a house of worship
  - At an outdoor camp facility
  - In an office conference room
  - In a virtual space, an online chat room
  - \_\_\_\_\_ Please offer your own adjectives.

4. Once the participants have agreed on the target audience, educator, themes and setting for the curriculum, select a volunteer to summarize these decisions in 4 to 5 sentences which will serve as the introduction to any verbal or written request for funding from organizations that may support educational efforts to eliminate rape and sexual assault.

### **Exercise 3 Taking Precautions against “Stranger Rape”**

(Approximately 45minutes)

1. Ask the workshop participants whether in their society, women feel at greater risk of “stranger rape”—a random attack by an unknown assailant—or rape by an acquaintance, relative, husband, etc. and the reasons for feeling as such. Engage them in a group discussion for roughly 10 minutes.
2. Have the workshop participants break into three groups for a 15-minute brainstorming session. Ask each to select a spokesperson who will report to the full group.
3. Instruct the groups to come up with a list of 3 to 5 precautionary steps that a woman may take to decrease her risk of stranger rape—steps that perhaps the women participants themselves take, or that the men participants advise their female family members and friends take.

***Tips for Facilitator:*** Help the participants, particularly if they are having difficulty with this task, by providing a couple examples such as: (1) Walk only in well-lit areas of town if you are out in the evening. (2) Never enter an elevator if an unknown man is on board.

*Use a large flip pad or chalk board to write down the groups’ lists so they can compare their suggestions.*

4. Reconvene the workshop participants. Keeping each spokesperson to no more than 5 minutes, have them share their groups’ lists of precautions.
5. After the spokespeople are done, ask the entire group: Does taking these steps restrict women’s freedom of movement or independence? If so, is sacrificing some freedom an acceptable price for reducing the risk of stranger rape? Why or why not?

# SESSION 11:

## Case Study—Hate Crimes Against Lesbians

(Workshop session, approximately 3 hours)

Hey! You over there? Why are you hanging out on this corner? Don't you know this neighborhood isn't safe at night?"

"I'm not hanging out. Leave me alone." Cashandra shouts, trying to hide her fear.

"Did you hear me? This is no place for a girl alone." As the young man approaches, Cashandra instinctively steps back, avoiding his eyes. "Sorry I scared you. Are you alright? My name's Esiah Marcus. I'm a street outreach worker with Detroit's Ruth Ellis Center."<sup>1</sup>

She lifts her head, revealing a gash near one eye. "I'm Cashandra Dubois. I'm okay."

"Who did this to you? Maybe I can help." Esiah hands her a flyer from the Ruth Ellis Center and reaches into his pocket for his cell phone: "Let's at least call your parents so they know what's..."

Cashandra cuts him off. "What? They don't care. My Dad threw me out last week when I told him..."

"..That you're gay?" Esiah guesses.

Curious how Esiah knows, she goes on: "When the news got out, some guys at school began bothering me, waiting after class and yelling, 'You're so hot. Don't waste it, girl. We'll show you what you're missing. Let's see what you got!'"

Esiah peppers Cashandra with questions. "So are they the ones who hurt you? How many are there? What are their names? Do the school's administrators know these guys are harassing you?"

"I've tried to ignore them. I don't need trouble. I've been sleeping in the school gym and showering in the locker room in the morning." Cashandra confesses. "If I tell a teacher or the principal, I'll have no place to stay."

---

<sup>1</sup> The [Ruth Ellis Center](http://www.ruthelliscenter.org/) in Detroit, Michigan celebrates activist Ruth Ellis' life and is one of only four organizations in the United State devoted to homeless lesbian, gay, bisexual and transgender (LGBT) youths and young adults. The organization's services include a drop-in center, a street outreach program, a cyber-access center, transitional living arrangements and an emergency-housing shelter. See <http://www.ruthelliscenter.org/>.

## Did You Know That...?

The US Federal Bureau of Investigation (FBI) collects data on crimes showing “evidence of prejudice based on race, religion, sexual orientation, or ethnicity.” In 2009, hate crimes numbered 7,789, with 18.5 percent or 1,436 based on sexual orientation:

- 798 cases – anti-male homosexual bias
- 216 – anti-female homosexual bias
- 376 – anti-homosexual bias in general
- 25 – anti-bisexual bias
- 21 – anti-heterosexual bias

**Source:** “Hate Crime Statistics, 2009.” [http://www2.fbi.gov/ucr/hc2009/data/table\\_01.html](http://www2.fbi.gov/ucr/hc2009/data/table_01.html).

As of 2010, seven countries defined homosexuality as a capital crime: Iran, Mauritania, Saudi Arabia, Sudan (now only North Sudan), Yemen, Nigeria’s 12 northern states and southern Somalia. Other countries, such as Afghanistan since 2001, have taken the death penalty off the books, but reactionary social forces still execute lesbians and gays as officials turn a blind eye.

**Source:** Ottosson, Daniel. *State-sponsored Homophobia: A world survey of laws prohibiting same sex activity between consenting adults*. Stockholm, Sweden: Södertöm University, for International Lesbian, Gay, Bisexual, Trans and Intersex Association, 2010.



**Ruth Ellis in Detroit in the 1950s, exact year unknown.**



**Source:** [http://www.trueknowledge.com/q/facts\\_about\\_ruth\\_ellis](http://www.trueknowledge.com/q/facts_about_ruth_ellis)

Staring at the fresh bruises on her neck, Esiah clenches his fists; for a moment he cannot help imagining how a beating would teach her tormentors a lesson. Taking a deep breath, he relaxes his grip. “Cashandra, I think you need to tell someone. Why should they get away with hurting you? We’ll press charges. Detroit cops take a tough line on anti-gay violence.”

“These guys aren’t afraid of cops. Look what they did to me!” Cashandra touches her cheek. “They were there after class today, but this time, they shoved me. As they tried to rip off my skirt, I screamed. But one guy covered my mouth; another slammed me against the wall. He whipped out a knife, slashed my cheek and threatened me. ‘This is your last chance to show us what you got before we cut you open. Your cheek was just practice.’ I was scared they’d rape me. I don’t know how I did it, but I pushed them off me and ran.”

“These thugs wanted to frighten you so you wouldn’t tell the police!” Esiah exclaimed.

“I know you want to help, but please don’t get the police or anyone else involved. They’ll only make the situation worse.” Cashandra pleads between sobs.

Esiah flashes back to the first time he confronted anti-gay violence. Recalling his trauma, he realizes Cashandra is not ready to take action against her tormentors. “Okay. Handle the situation how you want, but I can’t leave you here with no place to go. How about we go to the Ruth Ellis Center? You can check it out and stay there until you figure out what to do next.”

“What’s this center all about?” Cashandra asks.

“It’s a facility for homeless gay young adults, somewhere to feel safe. On the way there, I’ll explain who Ruth Ellis is and tell you more about the place.”<sup>2</sup> Esiah extends his hand to Cashandra. Somewhat calmer, she nods in agreement and takes his hand.

---

2 African-American Ruth Ellis was born in Illinois in 1899 and lived to be 101. Known as the oldest American lesbian, she moved to Detroit in 1937 where she ran a print shop and lived openly with her girlfriend. Their home was a place for gay men and lesbians to socialize when other venues were unavailable. An activist against racism, sexism and homophobia, Ellis is an icon among civil rights advocates. She died in 2000. For more about Ellis, see Keith Boykin, “Ruth Ellis’ Tale of Two Cities: A Modern Fairy Tale in Black & White,” <http://www.keithboykin.com/author/ruth1.html>; and Yvonne Welbon, “Honoring Our Foremothers, Ruth Ellis: The Oldest ‘Out’ Lesbian Known,” [http://www.sistersinthelife.com/ruthellis/ruth\\_ellis.html](http://www.sistersinthelife.com/ruthellis/ruth_ellis.html).

## Questions for Group Discussion

(Approximately 1 hour)

### The Confrontation between Cashandra and the Young Men at School

(Approximately 20 minutes)

- Do the young men’s actions constitute violence against Cashandra? Why or why not?
- Are they violating Cashandra’s human rights? If so, which rights are they violating? Is anyone else violating her human rights? If so, who and which rights?
- Did the men commit a hate crime—that is, motivated by prejudice based on ethnicity, race, religion, gender identity or sexual orientation? Why or why not?
- Does Cashandra respond to these men appropriately? How does she make the situation worse or better?
- Does she have other options in dealing with them? If so, what are they? If not, why not?

## **Esiah's Outreach to Cashandra**

(Approximately 15 minutes)

- What does Esiah do right and/or wrong in his approach toward Cashandra? As a street outreach worker, what are Esiah's responsibilities toward her? Do you think he fulfills these responsibilities? Why or why not?
- Esiah briefly imagines "how a beating would teach her tormentors a lesson..." Do you think this option is feasible or desirable to deal with anti-gay violence? Why or why not?
- Should Cashandra tell anyone about what the young men did to her? Why or why not?
- Should Esiah act on his own to report the violence against Cashandra to the police, or should he heed her request? What good or bad outcomes may result in either case?
- Do you think the fact that Esiah is gay helps him understand Cashandra's situation and particularly her desire not to tell anyone?

## **For Further Thought**

(Approximately 25 minutes)

- How do you distinguish a hate crime from other crimes? How does a hate crime's impact on the victim differ? How is a hate crime's perpetrator distinct?
- Has our country passed legislation to prohibit intimidation of and physical violence against lesbians and gays? If so, what does this law say?
- What is the punishment for breaking the law? If someone is guilty of intimidation or physical violence against an individual based on her/his sexual orientation or gender identity, is that perpetrator punished differently than one whose targets are random?
- If our country has not passed such a law, why do you think this is the case?
- What aspects of our country's culture, political system and/or socio-economic conditions spur intimidation of and physical violence against lesbians? What aspects discourage this behavior and even foster acceptance of same-sex relationships?
- In your view, why might some heterosexual males feel angry about and even threatened by same-sex relationships in general and by lesbians in particular?

## **Learning Exercises**

(Approximately 2 hours)

### **Exercise 1 Understanding Women's Gender Identity and Sexual Orientation—Facts or Myths**

(Approximately 40 minutes)

1. Read the 8 statements under step 3 to the workshop participants.

2. Ask whether each statement is a fact or a myth. If the participants disagree, count how many say it is true or false. Take roughly 20 minutes for these first two steps.

**Tip for Facilitator:** *Posting the statements on a large flip pad or chalk board along with the workshop participants' responses may be helpful.*

3. Once the participants have decided the validity of the statements, use the remaining 20 minutes to discuss whether they are correct in each case and why.
- A woman's gender identity is defined solely by her anatomy and ability to give birth.  
☐ True/Fact      ☐ False/Myth
  - An individual's gender consists of socially constructed, learned behavior; so women's gender roles may vary between cultures and historical eras.  
☐ True/Fact      ☐ False/Myth
  - Lesbians exist in all cultures, even in those that prohibit same-sex relationships.  
☐ True/Fact      ☐ False/Myth
  - Being a lesbian is a mental illness that is curable if her family finds her husband.  
☐ True/Fact      ☐ False/Myth
  - Lesbians have never participated in the women's human rights movement.  
☐ True/Fact      ☐ False/Myth
  - Heterosexual women are not necessarily better at household chores than lesbians.  
☐ True/Fact      ☐ False/Myth
  - Lesbians cannot contract HIV/AIDS as none of their behavior can spread the virus.  
☐ True/Fact      ☐ False/Myth
  - Love between two women is never as deep as between a woman and man.  
☐ True/Fact      ☐ False/Myth

**Facilitator's Answer Key:** *False/Myth, True/Fact, True/Fact, False/Myth, False/Myth, True/Fact, False/Myth, False/Myth.*



## **Exercise 2 Introducing the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity**

(Approximately 40 minutes)

1. Read to the workshop participants the paragraphs below about the Yogyakarta Principles.

The International Commission of Jurists and various experts met in 2006 in Yogyakarta, Indonesia, to draft principles asserting the human rights of lesbian, gay, bisexual and transgender (LGBT) individuals. Launched at the 2007 UN Human Rights Council, the Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity lack the force of international law but include “states’ obligations”—steps to protect LGBT individuals’ rights already enshrined in the 1948 Universal Declaration of Human Rights and other international legal documents:

- recognition before the law
- personal security
- free expression and association
- movement and asylum
- non-discrimination in housing, education, employment and healthcare
- participation in family and cultural life
- work as a human rights defender
- accountability and redress

Unanimously adopted by the human rights experts, the principles reflect a nascent consensus about using legal instruments to ensure rights for individuals of all gender identities or sexual orientations. Represented at Yogyakarta were 25 countries: Argentina, Australia, Austria, Botswana, Brazil, Bulgaria, Canada, China, Costa Rica, Finland, India, Indonesia, Ireland, Kenya, Moldova, Nepal, New Zealand, Pakistan, Poland, Serbia, South Africa, Thailand, Turkey, United Kingdom and United States.

2. Select three volunteers to read out loud the following texts from the Yogyakarta Principles while pointing out that for those participants who are interested, this entire document is featured in Appendix 7 on page 179.

- **Principle 1, The Right to the Universal Enjoyment of Human Rights**
- **Principle 5, The Right to Security of the Person**
- **Principle 10, The Right to Freedom from Torture and Cruel, Inhuman and Degrading Treatment or Punishment**

**Tip for Facilitator:** Posting the texts below on a large flip pad or chalk board may be helpful. The flip pad or chalk board may then be used to record suggestions about measures needed to implement these principles as requested in Step 3.

## Texts from the Yogyakarta Principles...

- **Principle 1, The Right to the Universal Enjoyment of Human Rights**

All human beings are born free and equal in dignity and rights. Human beings of all sexual orientations and gender identities are entitled to the full enjoyment of all human rights.

- **Principle 5, The Right to Security of the Person**

Everyone, regardless of sexual orientation or gender identity, has the right to security of the person and to protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual or group.

- **Principle 10, The Right to Freedom from Torture and Cruel, Inhuman and Degrading Treatment or Punishment**

Everyone has the right to be free from torture and from cruel, inhuman or degrading treatment or punishment, including for reasons relating to sexual orientation or gender identity.

3. After the volunteers have finished reading these texts, have the participants brainstorm and forge a consensus on five measures, or “states’ obligations,” they would propose to our local and/or national governments to protect these rights for LGBT individuals.

## Exercise 3 Outlawing Hate Crimes Against Lesbians

(Approximately 40 minutes)

1. Imagine the workshop participants are charged with the responsibility of drafting a law to criminalize violence against lesbians. To meet this charge, they must decide:

- **What type of behavior constitutes violence;**
- **How to identify lesbians as the intended target of violence and not the victim of a “random crime”—what kind of evidence is needed to prove the perpetrator’s motives;**
- **How to punish the perpetrator of such violence; and**
- **What protections can be afforded to the victim(s) of violence.**

2. Have the participants break into four groups, each tackling one of the issues in a 10-minute brainstorming session. Ask each group to select a spokesperson who will report to the full workshop.

***Tip for Facilitator:*** Posting the groups' decisions as requested in Step 3 on a large flip pad or chalk board may be helpful. The volunteer may also want to post her/his synthesis to formulate the workshop's new hate crime law as requested in Step 4.

3. Reconvene the participants. Have the spokesperson summarize her/his group's decision regarding the issue at hand in no more than two sentences.
4. Once all four spokespeople have shared their groups' decisions, select one volunteer to connect and synthesize the statements about the type of behavior, the intended victim, the perpetrator's punishment and protection for the victim, with the aim of articulating the workshop's proposed hate crime law.

# SESSION 12:

## Case Study—Prostitution

(Workshop session, approximately 3 hours, 30 minutes)

Sheila Simpkins, Penny Hall and Tara Adcock have much in common: They were all prostitutes who walked Nashville, Tennessee's meanest streets. They suffered childhoods of sexual abuse and abandonment, turning to alcohol and drugs to escape the memories and the realities of poverty and homelessness. The cycle of addiction, prostitution and violence had trapped them—until they arrived at Magdalene and Thistle Farms.<sup>1</sup>

In 1997, Episcopal priest Becca Stevens, a Nashville native and survivor of child abuse, created a program for women wanting to leave prostitution. Magdalene offers an innovative approach to rehabilitation: two years of free housing, intensive therapy and employment in a self-sustaining small business.

Stevens stresses the powerlessness prostitutes confront, believing they do not start selling sex on their own and cannot stop on their own: "I have never met a woman coming off the streets ... who chose prostitution as their preferred career at the age of 6, 7, 8 and 9."

Living without supervision, residents personify Steven's motto "Love heals." Cultivating a community is vital to success. She asserts that love empowers the women to "forgive" their abusers, support one another and "live differently."



Source: <http://www.thistlefarms.org/>

Since Magdalene's founding, Stevens has raised some \$12 million in private funds. Graduating over 150 residents, her program is an exemplar for those seeking to assist women leaving prostitution and other violence.

A unique component of Magdalene is Thistle Farms, where residents make and sell bath oils, lotions and candles wrapped in paper crafted from thistle flowers they pick on roadsides and in fields. The products heal others and the entrepreneurs who make them.

<sup>1</sup> This case study is based on journalist Jacki Lyden's coverage of Magdalene and Thistle Farms and her interviews with founder Becca Stevens and the program's residents, featured in a three-part series aired on National Public Radio (NPR) on 25, 26 and 27 April 2011. WLP appreciates the permission of Ms. Lyden, NPR, Ms. Stevens and her colleagues at Magdalene and Thistle Farms to draw on and cite their materials. To listen to the NPR series, visit: "For Prostitutes, An Alternative To The Streets," April 25, 2011, <http://www.npr.org/2011/04/25/135633315/magdalene-program>; "Relapse And Recovery: A Tale Of Two Prostitutes," April 26, 2011, <http://www.npr.org/2011/04/26/135702065/relapse-and-recovery-a-tale-of-two-prostitutes>; and "A Business That Helps Women Bloom in Recovery," April 27, 2011, <http://www.npr.org/2011/04/27/135702451/a-business-that-helps-prostitutes-bloom-in-recovery>.

## Did You Know That...?

Prostitution preys on the vulnerable and poor. Brothel owners and pimps promise women and girls decent wages. Reality differs starkly. A prostitute typically earns:

- US \$1 per hour in South Africa;
- \$10-\$30 per hour in Singapore, depending on whether she works on her own, for a pimp or in a legally registered brothel; and
- \$25 per hour in Chicago.

**Source:** *"The States Behind Prostitution."* Online Schools. <http://www.onlineschools.org/blog/stats-on-prostitution/>; and Frey, Erika. "Singapore's open system." *Bangkok Post*. 31 October 2008. <http://www.bangkokpost.com/news/investigation/singapores-open-secret>.

An arguably disturbing new trend in post-industrial economies is educated, middle class women engaging in sex commerce they deem unsullied by brothels, pimps and life on the streets. The perception of sex as ethically neutral facilitates this trend as does home internet use which makes the transaction seem private.

**Source:** Bernstein, Elizabeth. *Temporarily Yours: Intimacy, Authenticity and the Commerce of Sex*. Chicago, Illinois: The University of Chicago Press, 2007.

Anti-prostitution programs tend to focus more on eliminating the supply of sex for sale than on deterring buyers' demand. One example of a controversial deterrence policy implemented in Canada, England, the United States and Zimbabwe is to "name and shame" buyers—announcing men's names and/or posting their photos on websites, television, radio and dailies.

**Source:** Willoughby, Michelle. *Demand Deterrence: International Initiatives to Eliminate Demands for the Sex Trade*. Chicago, Illinois: Chicago Alliance Against Sexual Exploitation (CAASE), July 2008.

Working at Thistle Farms allows the women to gain experience in manufacturing, packaging, marketing and administration. They earn income, realize their own strengths and emerge with self-respect. As 47-year-old former prostitute and recovering addict Penny Hall admits, "I never thought I'd be at a place making healing oil."

The thistle is a well chosen metaphor for the lives of women putting prostitution behind them. For Hall it is "...a rough weed, like we are, when we're out there on the streets. We was [were] rough and tough, went through hell and back, got into situations and we just survived the cold and the drought like the thistle does. It don't [doesn't] need no [any] water. It comes up out of the concrete, and it transforms into a beautiful flower."

Stevens wants the thistle to symbolize the transformation Magdalene's residents undergo enduring years of violence but then blossoming into women who eschew street life to survive and thrive: "It grows in the places that are abandoned and ... forgotten, and it also has a history of survival by brutality. But it also has this beautiful deep purple center."

Magdalene has a long waiting list. Law enforcement officials may recommend Becca Stevens' program to women charged with prostitution. Others are brought in by their friends on the street. Two years ago, Sheila Simpkins took Tara Adcock to Magdalene from prison. Women have to work hard towards recovery, as Sheila and Tara did. Yet some relapse. Tara returned to alcohol and drugs, leaving Magdalene to work in a hotel chain. Descending into a life of crime, she is in prison awaiting a grand jury hearing on charges of criminal homicide.

The program is not about magic or miracles; it cannot guarantee success. Roughly 75 percent graduate to recreate their lives free of prostitution and addiction. Because Stevens does not accept federal money, she can define Magdalene's rules; relapse is thus considered part of recovery. Tara's friend Sheila is now married with children and, at 41, works as the assistant resident manager of Magdalene's housing program. Yet she is humbled by the possibility of relapse: "I'm not saying relapse is mandatory, but guess what? It happens. It does. It happens all the time. It's not about falling. It's about picking yourself up."

## Questions for Group Discussion

(Approximately 1 hour, 15 minutes)

### The Success of Magdalene and Thistle Farms

(Approximately 35 minutes)

- Society's conventional wisdom has been that prostitution is a "victimless crime." Why is this contention wrong? Why does this myth persist? Who benefits from perpetuating it?
- What personal characteristics and life circumstances do the women at Magdalene and Thistle Farms have in common? What factors led them to prostitution?
- Do you believe, as Magdalene founder Becca Stevens does, that women do not enter prostitution on their own and cannot leave it on their own? Why or why not?
- Do you agree with the premise espoused at Magdalene that relapse is part of recovery from prostitution and/or addiction? Why or why not? What are the strengths and/or weaknesses of this approach to recovery? Do you think there are additional measures that may be taken to reduce instances of relapse?
- In your opinion, which aspect of this program is most important in facilitating a woman's exit from prostitution and transition to a life free of crime and danger?
  - Magdalene's free-of-charge services—housing and counseling
  - The opportunity for skills-training and economic empowerment at Thistle Farms
  - The symbolism of the thistle and the healing body products made from this flower

- The reciprocal support and solidarity of women who have lived similar experiences
  - Magdalene's philosophy, "Love heals"
  - Becca Stevens' ingenuity in establishing Magdalene and Thistle Farms
  - Becca Stevens' faith as an Episcopal priest
  - Becca Stevens' own experience with gender-based violence
  - \_\_\_\_\_ *Please offer your own adjectives.*
- In your opinion, what are the personal attributes, circumstances and/or events that lead a woman to leave prostitution or to reject any form of gender-based violence?

### For Further Thought

(Approximately 40 minutes)

- Has our country passed a law against prostitution? Does the law criminalize the behavior of the prostitute, the brothel owner or pimp and/or the customer? Is the law effectively enforced? What is the punishment for breaking the law?
- If our country has not passed a law, why do you think this is the case?
- What aspects of our country's culture, political system and/or socio-economic conditions facilitate prostitution? What aspects inhibit or discourage it?
- What if any health services are available for prostitutes in our society—care for victims of violence, birth control and/or prevention and treatment for sexually transmitted diseases? Who provides the service—state agencies, non-governmental organizations, private hospitals and/or individual volunteers with relevant expertise?
- If such health services are not offered, why do think this is so? What are the advantages and/or disadvantages of affording prostitutes these services? Which actor(s) in our society should offer such healthcare?
- What if any rehabilitation services are available to women trying to leave prostitution—low-cost housing, education and skills training, job placement and/or counseling by mental health professionals? If these resources are available, who provides them?
- If these services do not exist, why do you think this is so? What are the advantages and/or disadvantages of having these resources? Who should offer these services?



**Source:** *The Voices of Thistle Farms.*  
<http://www.thistlefarms.blogspot.com/>

## Learning Exercises

(Approximately 2 hours, 15 minutes)

### Exercise 1 Defining One's Beliefs, Taking Action

(Approximately 45 minutes)

1. Read the paragraph below to the workshop participants.

As we have seen, the Magdalene Community's and Thistle Farms' success in rehabilitating survivors of prostitution and addiction is based on a set of core beliefs operationalized by Becca Stevens and the program's residents. Among these beliefs are:

- the healing power of love;
- faith in God or a spiritual force greater than oneself
- living as and in a community;
- women's empowerment and self-development; and
- the need to change a culture that buys and sells women.

By putting these beliefs into action, these women seek to create a better world not just for themselves but also for society at large.

***Tip for Facilitator:*** Posting these points on a large flip pad or chalk board may be helpful.

2. Now have the participants break into three groups for a discussion of the themes under Step 3. Ask each group to select a spokesperson who will report to the full workshop.
3. Assign each group one theme to address, instructing the participants to forge a consensus in roughly 25 minutes around their responses to the questions below.

- **Group A – Universality**

Do you think the Magdalene Community's and Thistle Farms' **core beliefs are universally applicable?** If so, which ones? Or do you think **these beliefs are exclusive to the cultural, political and socio-economic context** in which the programs were founded?

- **Group B – Practicality**

Assume at least some of the programs' core beliefs are universal for the sake of addressing these questions. **Which beliefs can be most easily applied in your society in an effort to rehabilitate prostitutes or other survivors of violence? Which beliefs would you seek to put into action, and why?**



**Group C – Responsibility**

- Who is best able to operationalize these beliefs* for a program to repair prostitutes’ lives and reintegrate them into society? *Who would you trust to do so*—the clergy, a women’s organization, law enforcement officials, healthcare professionals or...?
4. Reconvene the workshop participants to give each spokesperson roughly 5 minutes to share how her/his group addressed the assigned issue and questions.
  5. End by discussing whether sharing their groups’ responses with each other enables the participants to envision a program they could establish for women leaving prostitution and/or other violence to create new lives.

**Exercise 2 Cultivating Women’s Business Skills**

(Approximately 45 minutes)

1. Imagine the workshop participants are tasked with formulating a plan for women leaving prostitution or other violence to launch a business that will empower the women and offer a product and/or service—much like women have done at Thistle Farms.
2. Have the participants break into two groups for a 25-minute brainstorming session. Ask each group to select a spokesperson who will report to the full workshop.
3. Explain to the first group that they are responsible for developing the outline of this business plan aimed at addressing as many of the questions below as possible.
  - **Product and/or service** – What will this business create and sell to consumers?
  - **Target consumers** – Whose needs will be met by this product and/or service?
  - **Initial investments** – What kind of funding and non-monetary resources are required to establish this business?
  - **Investors** – Who would provide these funds and other resources? Will you contact wealthy donors, women’s organizations, other businesses or...?
  - **Name** – What will you name your business and the product line and/or service it offers? What factors matter to you in deciding on a name—how short or long it is, how easy it is to remember, whether it captures women’s trials and triumphs or...?



**Making body products at Thistle Farms.**  
Source: Stephen Alvarez for NPR. <http://www.npr.org/2011/04/27/135702451/a-business-that-helps-prostitutes-bloom-in-recovery>.

- **Women's economic empowerment and self-development** – How will the business help women leave prostitution and/or other violence? What skills, talents and strengths will they cultivate?

**Tip for Facilitator:** *This first group may wish to write the outline of their business plan on a large flip pad or chalk board so as to keep their thoughts organized and facilitate their spokesperson's presentation to the second group.*

4. Instruct the second group that they are to serve as a committee of potential investors representing diverse interests in their community and considering whether to offer start-up funding for this business. As such, they must decide what information they need from these entrepreneurs, listing the questions they wish to ask.
5. When the two groups are done brainstorming, give the first group's spokesperson roughly 5 to 10 minutes present their business plan.
6. After the spokesperson has finished her/his presentation, open the discussion to the second group for roughly 10 minutes, allowing the investors to pose questions about the plan as they decide whether to provide start-up funding. The spokesperson or any of the entrepreneurs may address these questions.
7. Ask the investors to suggest any last-minute improvements to the business plan. Then have them vote on whether they will invest in the business, stating in a few sentences why or why not.

### **Exercise 3 Educating Men-in-the-making to Eliminate Demand for Prostitution**

(Approximately 45 minutes)

1. Imagine the workshop participants are charged with supervising a camp for boys ages 11 to 16. Parents send their sons to this two-week camp to enjoy outdoor activities (hiking, swimming, sports, etc.), cultivate friendships and participate in a workshop series about gender roles. One theme in the series is how men do and should interact with women—at home, in the workplace and in the public arena at large.
2. In this context, the camp's supervisors will discuss the subject of how to eliminate demand for prostitution. Seeking a balance between frankness and sensitivity, the supervisors must choose three from this list of 12 themes to tackle in this discussion. Giving the participants roughly 25 to 30 minutes, have them vote on each theme to decide which three they find most relevant and useful in educating the campers.

***Tip for Facilitator:*** *Posting these themes and the vote tallies requested in Step 3 on a large flip pad or chalk board may be helpful.*

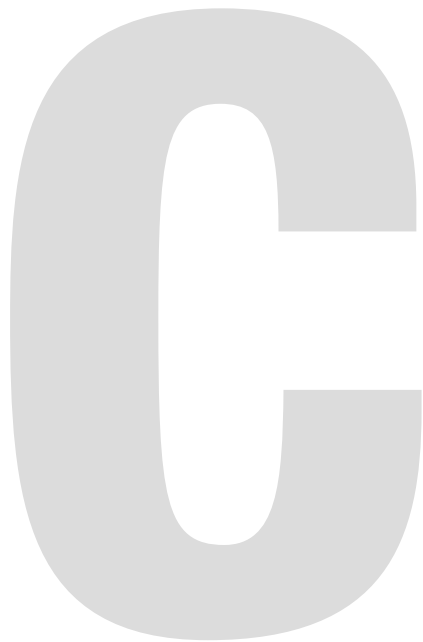
- Definitions of masculinity and femininity
  - Reasons men turn to prostitutes—both as sellers and buyers of women providing sexual services
  - The significance of virginity—both female and male
  - Society's courtship rituals
  - Reasons women turn to prostitution
  - The interaction of the boys' parents with one another
  - Challenges faced by girls ages 11-16 in society
  - The effectiveness of laws against prostitution
  - Reasons a woman may be attracted to a man
  - Media's messages to young people about sexuality especially the role of television and the internet
  - The relationship between love and sex
  - The dangers posed to both women and men by prostitution
3. Tally the participants' votes to identify and rank the three themes they deemed most relevant and useful in educating the campers about eliminating demand for prostitution.
  4. Once the votes are tallied, ask a volunteer to synthesize in a few sentences the top three themes chosen by the participants and the reasons for wanting to convey this message to boys 11-16—that is, men-in-the-making.

## WORKSHOP SESSIONS

### SECTION C

---

# **Violence by the State, Across Borders and in the Global Arena**



# SESSION 13:

## Case Study—Trafficking for Sex Slavery

(Workshop session, approximately 3 hours, 30 minutes)

Neha speaks proudly to an American reporter about her work at Maiti Nepal—an organization protecting girls and women from various forms of exploitation, especially sex trafficking. “I go to Kathmandu’s poorest neighborhoods to arrange awareness camps so families can learn about the dangers of trafficking. I tell them from first-hand experience.”

### Did You Know That...?

- The 2010 U.S. Department of State’s annual Trafficking in Persons Report analyzed the extent of this problem and policies to address it in 177 countries. For the first time, the report held the United States to the standards applied to other countries—assessing its efforts at prevention, protection and prosecution.
- The Trafficking in Persons Report has for years identified Nepal as a source of girls and women sold in other countries for sex and labor. Besides India, common destinations for Nepal’s trafficking victims are Kuwait, Saudi Arabia and the UAE.

**Source:** *Trafficking in Persons Report 2010*. Washington, DC: U.S. Department of State, 2010. <http://www.state.gov/g/tip/rls/tiprpt/2010/>

- Since its founding in 1993, Maiti Nepal has rescued and rehabilitated more than 12,000 Nepalese women and girls by cooperating with the police to raid brothels, patrolling the border with India and offering shelter and support services.

**Source:** Ruffins,Ebonne. “Rescuing girls from sex slavery.” 30 April 2010. <http://www.cnn.com/2010/LIVING/04/29/cnnheroes.koirala.nepal/>

“You’re so passionate about this work. If you’re comfortable sharing, please describe your experience.” Natalia has travelled to Nepal to capture this story for More magazine.

“Talking about my life is hard,” Neha sighs. “Yet I’m determined to reach as many girls as possible to prevent them from being sold. Then my life will be worth something.” Agreeing, Natalia nods as Neha begins. “Seven years ago, when I was 10, my father became too sick to work. So my parents gave me to a shop keeper. They had known him since I was born and said he was ‘like family.’ He offered to care for me and pay me a small sum to tidy his store. I’m the last of six kids, and my parents couldn’t afford to raise me.”

“What did you think about the shop keeper’s new role in your life?” Natalia asks.

“I didn’t grasp what was happening. I woke up the next day in his car on the way to Lucknow where we went to a dimly lit building. We met the building owner as several pretty, young girls walked in and out of small rooms. He didn’t tell me he’d leave after talking to the owner. He slipped out as the girls came to chat with me. I wondered where he was, but for a while, I was glad to make new friends.” Neha swallows tears.

Natalia considers taking a break for the teenager to regain her composure, but Neha's tenacity surprises the reporter. "Of course, I never saw the shop keeper again. Like my new friends, I had become property for sale. Eight-year-old girls are slaves in India's brothels. The owners get rich while police and politicians look the other way for a bribe or a free turn with one of the girls." Neha's sadness turns into anger as she continues.

I was with at least 15 men a day. "Some want just sex; others try to destroy you. I've been beaten up so many times by customers. I can't even repeat the horrible names they called me."

"Well, I won't insist that you repeat those names or other painful details. The real question is how you survived. How did you end up at Maiti?" Natalia's curiosity is piqued.

"Maiti's founder, Anuradha Koirala, collaborates with India's government, including law enforcement, to rescue trafficking victims. I was fortunate; the police could have gone to any brothel the day I was rescued, but they came to that one in Lucknow three years ago. Getting back to Nepal was hard; I was so disoriented and scared. Yet Maiti's network tries to make returning as safe as possible. So, you see..."

The reporter interrupts, "Clearly, Maiti's role in your escape can't be overstated, but what about you, Neha? Where did you draw the strength from to survive—not just in Lucknow, but once you got back here?"

"Once I was in the rehabilitation home, I began thinking about how I've survived this ordeal. My family wants nothing to do with me since Maiti contacted my father, as if I had chosen to sell my body. I'm on my own. For now, I can't look back. Figuring out how I survived means looking back; I'm not ready for that." Neha's voice trails off.

Natalia is once again surprised: "How can you say you aren't ready? Do you realize how strong you are in recounting your experience? As a journalist, I'm supposed to stay detached when reporting a story. But how can I be? You're such an inspiration, Neha."

"Thank you Miss Natalia. You're too kind. One day, I'll be more ready to face all of it, not just what happened but also how I felt. My peers at Maiti have reassured me that time and perseverance heals wounds. I believe them because they have the same scars. I've observed what Miss Anuradha did to recover from her wounds. She's my inspiration."

Natalia opens a second notebook to keep writing. "What has she done to inspire you?"

"Miss Anuradha decided to fight against the abuse of women after leaving a violent relationship herself. As a grade-school teacher, she took part of her wages to start a small shop, hiring victims of domestic violence and trafficking.

Eventually, growing demand for help led her to establish Maiti Nepal in 1993. She wants to prevent violence whenever possible but also to protect and rehabilitate survivors. Soon, she focused mostly on trafficking because it's a huge problem here. She used her experience to help others."

Before the reporter can ask her last question, Neha declares, "Miss Anuradha is my hero, and I know the other ladies at Maiti feel the same way. Not only that, your TV station, CNN, named her 2010 Hero of the Year! Now the world will know how she helped so many of us, and everyone will have to pay attention."

Natalia concludes, "I hope to meet Ms. Koirala while I'm in Kathmandu. Right now, I'm so pleased I've had the opportunity to meet you, Neha. Thank you for your time and willingness to share. You're so poised and articulate for such a young person. In the battle against trafficking, you're a hero in your own right. I'm certain *More's* readers will agree, and I'll do my best to make sure everyone has to pay attention."

## Questions for Group Discussion

(Approximately 1 hour, 15 minutes)

### Neha and the Transaction of Sex Slavery and Trafficking

(Approximately 25 minutes)

- Does the behavior of Neha's parents and/or that of the shop keeper constitute violence? Why or why not?
- Are Neha's human rights violated in the interaction between her parents and the shop keeper? If so, which rights are violated? If not, why not?
- Who else commits violence against Neha and the other girls at the Lucknow brothel?
- What role do Indian police officers and politicians play vis-à-vis trafficking victims?

### Natalia's Interview with Neha

(Approximately 25 minutes)

- *More* is an American magazine targeting women readers in their late 30s and older by focusing on their lifestyles, personal concerns, and career choices as well as fashion and beauty. Given the magazine's target audience and contents, what are Natalia's responsibilities as a reporter covering Neha's story in particular and the issues of sex slavery and trafficking in general?
- What does Natalia do right and/or wrong in her interview with Neha?
- Considering the magazine offers lighter fare than, for example, a newspaper, what are the advantages and/or disadvantages of featuring this article in a publication like *More*?

- In view of *More's* readers, Natalia's tight deadline and the publisher's small travel budget for reporters, who is the better interview subject—Anuradha Koirala or Neha?
- What should be the tone and objective(s) of Natalia's article for *More*? What points should she stress? How can she make the article informative and relatable to the target reader?

**For Further Thought**

(Approximately 25 minutes)

- If you were writing an article about sex slavery and trafficking for a locally published women's magazine, what themes and facts do you think would be necessary to present to our country's readers?
- Other than trafficking survivors and anti-trafficking activists, who would you interview for your article, if you could talk to only one other group? Why this particular group?
- law enforcement officials;
- political leaders;
- pimps and brothel owners who enslave and traffic girls and women;
- men who frequent the brothels; or
- \_\_\_\_\_ *Please offer your own adjectives.*

**Learning Exercises**

(Approximately 2 hours, 15 minutes)

**Exercise 1 Using Art to Raise Awareness about Trafficking**

(Approximately 45 minutes)

1. Imagine that local leaders ask the workshop participants to launch an awareness campaign among parents and school teachers about the dangers of trafficking. They want the participants to use the arts to convey the message.
2. Have the workshop participants break into three groups for a 20-minute brainstorming session. Ask each to select a spokesperson who will report to the full workshop.
3. Instruct the groups to come up with one idea about how to use a given art form to educate the target audience. Assign one group to focus on how to use dance and other forms of motion, another group on music and the third group on the graphic arts.



***Tips for Facilitator:*** Prompt the participants with questions to help them formulate the brief outlines of their campaign. For example:

- *Should the campaign enlist famous performers—dancers, musicians, etc.?*
- *Or should it use the talents of citizens or even of survivors of violence?*
- *What would be the advantages and/or disadvantages of using music?*
- *Which of the graphic arts would be most eye-catching for such a campaign—graffiti, drawings, photography, or...?*

*Use a large flip pad or chalk board to write down a brief description of each group's proposal and the vote tallies requested in Step 4 below.*

4. Reconvene the workshop participants. Have each spokesperson share her/his group's ideas in no more than 10 minutes, stressing how their approach will draw attention and supporters to the campaign.
5. Have the participants weigh the main advantages and disadvantages of these proposed campaigns. Take a vote to determine which one would be most feasible and effective in reaching parents and school teachers.

## **Exercise 2 Naming Your Organization**

(Approximately 45 minutes)

1. Read the paragraph below to the workshop participants.

Any organization aiming to remedy a grave social problem should have a name that resonates with the constituency it serves. "Maiti Nepal" is an example. The word "maiti" denotes the family into which a girl is born; it strikes an emotional chord, particularly for a married woman who gives up any right to her parents or their property. A famous Nepalese song says, "Maiti ghar timro haina paryi ghar jao," meaning "this is not your home; you belong to an outsider (her husband)." Maiti Nepal enables women and girls, married or not, to claim a home where they are protected and their human rights are respected.

2. Give the workshop participants 15 minutes to brainstorm for the name of an anti-trafficking organization in our community. Have each participant write down the name and one to two sentences stating the reason behind it on a piece of paper submitted to the facilitator.



**Tip for Facilitator:** Have paper handy to give the participants. Use a large flip pad or chalk board to record the names and vote tallies for all to see.

3. Once all the names are collected, read each one and the reason behind it, **but without** revealing which participant suggested it.
4. Have the participants vote on whether they consider each name suitable for the organization as the facilitator keeps track of the tallies.
5. Once all the names are read, tell the participants which one earned the most votes.
6. Ask two volunteers who voted for the winning name to explain why they think it would resonate with our community and especially among those the organization serves.

### Exercise 3 Publicizing the Good Works of Heroes

(Approximately 45 minutes)

1. Read the following paragraph to the workshop participants, or select a volunteer to do so.

CNN Worldwide honored Maiti's founder, Anuradha Koirala, as its 2010 "Hero of the Year" with the plaque of recognition and \$25,000.00 to invest in her anti-trafficking efforts. CNN requested nominations for "Hero" candidates and then votes for the nominees on its website. Koirala's supporters launched a Facebook campaign on her behalf. The televised award ceremony featured celebrities such as actress Demi Moore, who introduced Koirala.<sup>1</sup>

2. Imagine the participants are tasked with honoring an individual and/or organization combating sex slavery and trafficking in our society. Radio is the most accessible, affordable media for this purpose.

---

<sup>1</sup> The choice of Demi Moore was fitting; she and her former husband, actor Ashton Kutcher, launched the Demi & Ashton Foundation, known as DNA, in 2010 to raise awareness of trafficking, dispel cultural stereotypes that perpetuate this abuse and rehabilitate victims. For information on this organization, visit <http://www.demiandashton.com/>.

3. With the example of CNN's "Hero of the Year" award in mind, have the participants brainstorm for 20 to 25 minutes to decide:

- who and/or what organization to honor;
- how to use radio programming to recognize this individual and/or organization; and
- which audience they want to reach by honoring this person and/or organization.



Source: <http://www.cnn.com>

4. Once the participants have agreed on these three points, select a volunteer to present a summary of the workshop's proposal to the full group, taking no more than 10 minutes.

***Tip for Facilitator:*** *If sex slavery and trafficking are not common in our community, choose another form of violence against women and girls to perform Exercise 3.*

# SESSION 14:

## Case Study—Rape as a Weapon of War

(Workshop session, approximately 2 hours, 30 minutes)

***Tips for Facilitator:*** *The structure of this session departs from that in the manual so far. This case study focuses not on a specific practitioner’s response to a form of gender-based violence, but rather on the contemporary history and magnitude of the complex global phenomenon of wartime sexual violence, particularly rape.*

*The interaction between workshop participants during this session is thus based on solely on the questions for discussion which seek to underscore the facts outlined here and to inspire further exploration of the causes and consequences of this violence as well as possible solutions.*

*Feedback on the structure of this session should be encouraged, including suggestions about factual accounts of known practitioners in diverse professions who have responded to wartime rape, the addition or omission of discussion questions and the development of possible learning exercises.*

### Did you know that...?

- Wartime sexual violence against women and girls has existed since antiquity and is understood to include forced undressing, molestation, mutilation, prostitution, forced marriage and rape. As females were considered men’s property, soldiers treated women and girls as the spoils of war to be seized in conquest.
- The 1863 “Instructions for the Government of Armies of the United States in the Field” contained one of the first modern official prohibitions against rape in war, stating rules of engagement for soldiers in the U.S. Civil War. This document explicitly proscribed rape or other abuse of women in occupied territories under penalty of death and was the basis for subsequent U.S. rules of engagement.
- Efforts to develop rules of war conduct, including prohibitions against sexual violence, were mostly ignored by the world’s armies until the 20th century which, nevertheless, is replete with cases of rape during hostilities. In August 1914, German forces invaded Belgium, raping and murdering women and leaving their naked bodies publicly visible. Britain, France and the United States used news of assaults on Belgian women’s “honor” to stir up anti-German fervor during World War I. Yet they failed to prosecute rape, due to lack of coordination, even after deeming it a war crime.

- During World War II (1937-45), Japan's army forced some 200,000 women, mostly Chinese, Filipinas and Koreans, to work in military brothels as "comfort women." Not until a half century later did Japan start paying reparations to these women.
- In 1945, during preparations for the Nuremburg and Tokyo trials, the Allied Control Council passed a law to include rape among "crimes against humanity" as defined in the charters of the International Military Tribunals for Germany and Japan. Yet despite evidence of mass rape by World War II soldiers, the Nuremburg Tribunal produced no convictions for sexual violence; and only three men were found guilty of rape in the Tokyo trials.
- Sexual violence is not exclusive to wars between states and is in fact common to hostilities within states. During the 1971 fight between "East" and "West" Pakistan, the Bangladeshi War of Liberation, thousands of Bengali women were kidnapped, raped and forced into military brothels. Bangladeshi sources put the number at 200,000. Not denying the rapes, Pakistani sources put the number in the tens of thousands.
- Peruvian security forces used rape as a tactical weapon at the height of its battle against the Shining Path insurgents from 1980 to 1992. Rapes during interrogations were aimed at securing information from women through intimidation; assaults during security sweeps were meant to punish suspected sympathizers with the insurgency.
- When Yugoslavia descended into civil war, rape became a weapon of genocide. Between 1992 and 1995, Serbian soldiers raped an estimated 20,000 to 50,000 Bosnian women. In a society where children inherit their father's ethnicity, the goal was to create Serbian children. Serbs also targeted Croatian, Kosovar Albanian and Roma women. In 2001 the International Criminal Tribunal for the Former Yugoslavia found three wartime Serbian leaders guilty of rape, torture and enslavement—the first time rape and sexual slavery were internationally recognized as crimes against humanity.
- From April to June 1994, some 250,000 to 500,000 Rwandese Tutsi females were raped mostly by Hutu militia men seeking to impregnate their victims. In 1998, the International Criminal Tribunal for Rwanda reached a seminal decision—rape was used systematically to destroy the Tutsis as a weapon in the crime of genocide.
- In a 2002 survey by Physicians for Human Rights in Sierra Leone, 13 percent of households reported experiencing some form of sexual violence during the civil war (1991-1999). Among rape victims, 33 percent said they were gang-raped. The Truth and Reconciliation Commission of Sierra Leone found that armed groups acted indiscriminately against women of all ages, ethnic groups and social classes.
- In the Democratic Republic of Congo, use of rape as a weapon has persisted since war erupted in 1998, with an estimated 200,000 survivors in the country today. Sexual assaults by militias and Congo's armed forces continue in the eastern provinces despite the peace process begun in 2003. Even with the UN troop presence, more than 500 rapes were reported in August 2010, prompting the UN Assistant Secretary-General for Peacekeeping Operations to apologize for failing to protect the population.

- Amnesty International, Human Rights Watch, the International Criminal Court, Médecins Sans Frontières (Doctors Without Borders), Medica Mondiale and other organizations have collected evidence of wartime sexual violence in Chad, Chechnya, Colombia, Côte d'Ivoire, Darfur, Kenya and Sudan, among other recent war zones.
- Witnessing the prevalence of sexual violence as a weapon, the UN Security Council passed Resolutions 1820 and 1888 in 2008 and 2009, respectively. (These two resolutions are featured in Appendices 2 and 3 on pages 145 and 155, respectively.) Resolution 1820 calls on warring parties to protect civilians from sexual violence, enforce military discipline, uphold command responsibility and prosecute perpetrators. It requires UN entities to ensure peacekeeping forces are trained to safeguard civilians, directs the UN Peacebuilding Commission to examine the impact of war-related sexual violence and calls for an action plan from the Secretary-General to address sexual violence in an integrated and systematic manner throughout the UN system.
- Resulting from the Secretary-General's report on an action plan, Resolution 1888 affords the UN system the tools to combat wartime sexual violence: the designation of a Special Representative of the Secretary-General, creation of a task team of judicial experts to help post-war societies prevent impunity, appointment of women protection advisors in UN peacekeeping missions, monitoring and reporting mechanisms and an annual report naming parties suspected of committing sexual violence.

**Source:** *Afraid and Forgotten: Lawlessness, Rape, and Impunity in Western Côte d'Ivoire*. New York, NY: Human Rights Watch, 2010; Askin, Kelly Dawn. *War Crimes Against Women: Prosecution in International War Crimes Tribunals*. The Hague, Netherlands: Martinus Nijhoff Publishers, 1997; Brownmiller, Susan. *Against Our Will: Men, Women, and Rape*. New York, NY: Ballantine Books, 1993 ed.; de Brouwer, Anne-Marie. *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR*. Tilburg University, Netherlands: Intersentia, 2005; Gingerich, Tara, J.D., M.A. and Leaning, Jennifer, M.D., S.M.H. *The Use of Rape as a Weapon of War in the Conflict in Darfur, Sudan*. Boston, MA: Program on Humanitarian Crises, Harvard School of Public Health, October 2004; Goetz, Anne-Marie and Jenkins, Rob. "Sexual Violence as a War Tactic—Security Council Resolution 1888: Next Steps." *UN Chronicle*. Vol. 47, No. 1, 2010; "Physicians for Human Rights Study Documents High Rate of Sexual Violence in Sierra Leone; Special Court Must Hold Perpetrators Accountable for Abuses." Cambridge, MA and Washington, DC: Press release on January 23, 2002; Tanaka, Yuki. *Japan's Comfort Women: Sexual Slavery and prostitution during World War II and the US occupation*. London, UK and New York, NY: Routledge, 2002; "The Guns are in the Bushes": *Continuing Abuses in Liberia*. New York, NY: Human Rights Watch, January 2004; and Wood, Elisabeth Jean. "Variation in Sexual Violence during War." *Politics & Society*. Vol. 34, No. 3, September 2006.



**A poster campaign against rape by Search for Common Ground-Democratic Republic of the Congo in collaboration with other local and international organizations. Translation from Swahili:**  
**Top: "Who of these women deserved to be raped?"**  
**Bottom: "Nothing, and no one, can justify rape."**

**Source:** <http://www.sfcg.org/programmes/drcongo/SGBV-poster-campaign.html>.



**A billboard in Monrovia, Liberia—part of a campaign against sexual violence after mass rape during two civil wars (1989-1996, 1999-2003).**

**Source:** <http://www.rescue.org/photo-essays/empowering-women-liberia>.

## Questions for Group Discussion

(Approximately 2 hours, 30 minutes)

- Were you familiar with any of these or other cases of wartime sexual violence? If so, how did you come to know about them?
- As you read about these cases, how do you feel?
  - Inspired to fight for women's and girls' human rights.
  - Sad due to this problem's scope.
  - Angry that this crime has persisted around the world throughout history.
  - Ambivalent because my community has never endured rape in war.
  - Hopeful because the UN and other organizations are helping victims.
  - Fearful because females are at risk of wartime rape in my community.
  - \_\_\_\_\_ *Please offer your own adjectives.*
- Why do the estimates of women and girls assaulted during conflicts vary so greatly? For example, "...Serbian soldiers raped an estimated 20,000 to 50,000 Bosnian women..." Why is documenting wartime sexual violence so difficult?
- What challenges do survivors face when reporting rape or other sexual violence during peacetime? How do conditions of war intensify these challenges?
- Is a society's experience of mass rape during war related to women's and girls' status in peace? If so, how? If not, why not?
- What aspects of armed conflict allow for, even encourage, sexual violence? Do you think certain elements of war make rape inevitable? Or is wartime rape preventable?
- What are the similarities and differences between rapes committed during peacetime and during hostilities? How are perpetrators' motives the same or distinct? How is the impact on victims the same or distinct? How should these similarities and differences shape efforts to prevent and punish rape and to help survivors?
- What is the definition of impunity? Who in government and/or society is/should be responsible for preventing the use of rape as a weapon in armed conflict? Who is/should be responsible for punishing armed forces that use rape as a weapon?
- Who in government and/or society is/should be responsible for assisting survivors of wartime sexual violence?
- What are the likely obstacles to the implementation of Security Council Resolutions 1820 and 1888? What opportunities do these resolutions offer to governments and private organizations seeking to prevent sexual violence during conflict and to produce a more gender equal society after hostilities have ceased?

# SESSION 15:

## Case Study—The Roles and Rights of Women and Girls in Peacemaking and Post-War Reconstruction, UN Security Council Resolution 1325

(Workshop session, approximately 3 hours)

**Tips for Facilitator:** *The structure of this session, like the previous one, departs from others in the manual. With regard to Session 15, this case study focuses not on a specific practitioner's engagement in conflict resolution and/or post-war reconstruction, but rather on the creativity, experiences, perspectives and skills that women give to their peacemaking and peacekeeping activities.*

*The interaction between workshop participants during this session is thus based solely on the questions for discussion which seek to underscore the facts outlined here and to inspire further exploration of how women may be brought into these activities and particularly into official peace negotiations and post-war decision-making about all aspects of reconstruction.*

*Feedback on the structure of this session should be encouraged, including suggestions about factual accounts of known practitioners in diverse professions who exemplify women's peace and/or post-war activism, the addition or omission of discussion questions and the development of possible learning exercises.*

### Did you know that...?

- Women have been historically excluded from official efforts to end wars. Their absence from "Track 1" diplomacy is conspicuous; between 1992 and 2009, just over 2 per cent of signatories to 21 major peace agreements were women. Yet women have not stayed silent on matters of war and peace, focusing on "Track 2," or citizen diplomacy, and "Track 3," or grassroots activism. Their goal: to create cultures and structures which discourage conflict and foster gender-inclusive peace and security.
- United Nations Security Council Resolution 1325, passed unanimously in 2000, demands that: states "...ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict," and warring parties "...protect women and girls from gender-based violence,



particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.” (The complete text of this resolution is featured in Appendix 4 on page 161.) This resolution reflects the realizations that females are disproportionately victimized during war, but also that women are not merely victims, because they can and should contribute to conflict resolution—as they have done before.

- Recent history, before and after the passage of Resolution 1325, testifies to women’s ingenuity in pursuing peace. Mairead Corrigan and Betty Williams became peace activists in Northern Ireland on 10 August 1976. That day, Corrigan’s sister lost her three children when they were run over by a car in West Belfast. The driver was a Provisional Irish Republican Army operator fatally shot by British troops while fleeing; his car careened out of control. Betty Williams saw the tragedy and accused the IRA of firing at the British patrol and provoking the incident. So she initiated a peace petition among Protestants and Catholics, and organized a march of some 200 women. The march passed by Corrigan’s home and she joined it. Thus was born a women-led, non-violent movement, the Community of Peace People, which kept the pressure on warring parties until they negotiated the status of Northern Ireland in 1998. The Peace People remain active in healing Catholic-Protestant divisions to this day.
- Women have struggled to bring peace to Israelis and Palestinians, based on a two-state solution. The Coalition of Women for Peace, created in 2000, is an umbrella organization for nine Israeli women’s groups. Among its founders is Women in Black, launched after the Palestinian uprising’s outbreak in 1988 as Israeli women dressed in black held vigils, carrying signs that said “End the Occupation.” Despite continued Palestinian-Israel conflict, WIB inspired similar groups around the world.
- Women in Black in India started in 1992 after Hindu fundamentalists tore down the Babri Mosque and violence exploded, with women as the main victims. WIB in Bangalore have held weekly silent vigils on the streets, in squares and at Gandhi Peace Park. WIB in the Philippines emerged in 1995 as the Asian Women’s Human Rights Council and Lila Pilipina, a group of former comfort women, gathered at Japan’s embassy in Manila to demand reparations from Tokyo for the army’s crime of sexual slavery during World War II.
- Women take a practical approach to the problems of war as exemplified Somalia’s Halima Abdi Arush, an education inspector who lost her husband in her country’s civil strife. In 1991, she founded IIDA Women Development Organization to help internally displaced people. With civilians caught in the warlords’ crossfire, Arush focused on disarmament. In 1998, she urged warlords to give up their weapons in exchange for vocational training. That year, over 150 militia men re-entered civilian life with new jobs and their rifles were melted. This program lasted until 2003.



- Women may begin by tackling discrete problems, but when their peace activism gains momentum, they are emboldened to confront those responsible for making war, as the path taken by Liberian Leymah Gbowee illustrates:
  - When her country's first civil war (1989-1996) ended, Gbowee volunteered as a social worker with her church's Trauma Healing and Reconciliation Program in Monrovia. This experience was her entrée into peace activism; she counseled war victims and met colleagues concerned about the impact of hostilities on civilians.
  - When the second civil war (1999-2003) erupted, Gbowee was fully engaged in the Women in Peacebuilding Program, WIPNET, of the West Africa Network for Peacebuilding, WANEP. Working across ethnic and religious lines, she emerged as the leader of the Women of Liberia Mass Action for Peace, a peace movement that started with local women praying and singing in a fish market.
  - Defying President Charles Taylor's orders, Gbowee mobilized Christian and Muslim women to hold non-violent protests; they went on a "sex strike" and occupied a soccer field on the route Taylor traveled to and from his office, with the women in white T-shirts with the WIPNET logo.
  - When Taylor granted them a hearing on 23 April 2003, Gbowee addressed him with more than 2,000 women massed outside the executive mansion. She faced Taylor but aimed her words at the only female official present: "We are tired of war. We are tired of running. We are tired of begging for bulgur wheat. We are tired of our children being raped. We are now taking this stand, to secure the future of our children. Because we believe, as custodians of society, tomorrow our children will ask us, 'Mama, what was your role during the crisis?'" The women extracted a promise from Taylor to attend peace talks in Ghana.
  - Gbowee led a women's delegation to Accra in June 2003 to put pressure on the warring factions during the peace talks. Initially, the women sat outside the hotel where negotiators met. As the talks dragged into late July, Gbowee entered the hotel and gave lead mediator, former Nigerian President Abdulsalami Abubakar, a message saying that the women would sit in the hallway with their arms interlocked to hold the delegates "hostage" until they reached an agreement. Sympathetic to the women, Abubakar told the men, "The peace hall has been seized by General Leymah and her troops." When the negotiators tried to leave, Gbowee and the women threatened to tear off their clothes, embarrassing the men with the possibility of seeing married and elderly women intentionally undress—a "curse" in African culture. So with Abubakar's support, the women sat outside the negotiating room as the peace talks took on a serious tone. Liberia's second civil war ended on 18 August 2003 with the signing of the Accra Comprehensive Peace Agreement.
- Even as women's grassroots activism has been decisive in halting armed hostilities, application of Security Council Resolution 1325 has been uneven at best. Women have not yet been included in Track 1 negotiations; they have a small but growing presence in the civilian, military and police staff of peacekeeping missions; and 34 countries have national action plans for

- the implementation of the resolution: Austria, Belgium, Bosnia-Herzegovina, Canada, Chile, Côte d'Ivoire, Croatia, Democratic Republic of Congo, Denmark, Estonia, Finland, France, Georgia, Guinea, Guinea-Bissau, Iceland, Italy, Liberia, Nepal, the Netherlands, Norway, Philippines, Portugal, Rwanda, Senegal, Serbia, Sierra Leone, Slovenia, Spain, Sweden, Switzerland, Uganda, United Kingdom and United States.
- In 2009, UN Secretary-General Ban Ki-moon launched a campaign to increase the number of women peacekeepers to 20 percent in police units and 10 percent in military contingents by 2014. That same year, the UN Security Council passed Resolution 1889 to strengthen the mandate for women's inclusion at every stage and in every level of conflict resolution. (The complete text of this resolution is featured in Appendix 1 on page 139.) Among its provisions are the requirements that the Secretary-General take a prominent role in monitoring the progress of efforts to ensure women's place at the negotiating table and within peacekeeping missions, and that s/he submit to the Security Council a set of indicators for use by UN agencies, other international organizations and states to track implementation of Resolution 1325.

**Source:** "About 1325: National Action Plans." <http://www.peacewomen.org/pages/about-1325/national-action-plans-naps>. Coalition of Women for Peace website. [http://www.coalitionofwomen.org/?page\\_id=2020&lang=en](http://www.coalitionofwomen.org/?page_id=2020&lang=en); Gbowee, Leymah. *With Mothers, Carol. Mighty Be Our Powers: How Sisterhood, Prayer, and Sex Changed a Nation at War*. New York, NY: Beast Books, 2011; Jama, Faiza. "Somali women and peacebuilding." <http://www.c-r.org/our-work/accord/somalia/somali-women-peacebuilding.php>; *Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities*. Geneva, Switzerland: Centre for Humanitarian Dialogue, March 2011; Porter, Elisabeth. *Peacebuilding: Women in International Perspective*. Abingdon, Oxon, UK and New York, NY: Routledge, 2007; Roble, Muhyadin Ahmed. "Profile: Dr Halima Ismail Ibrahim and IIDA—A Woman's Organization Empowers Women, Improves Lives Despite War." *Somali Report*. March 9, 2011. <http://www.somaliareport.com/index.php/post/205>; *Women in Black* website. <http://www.womeninblack.org/en/history>; "United Nations Peacekeeping: Women in peacekeeping." <http://www.un.org/en/peacekeeping/issues/women/womeninpk.shtml>; and "Women UN peacekeepers—more needed." 20 May 2010. <http://www.irinnews.org/report.aspx?Reportid=89194>.

## Questions for Group Discussion

(Approximately 2 hour, 30 minutes)

- Were you familiar with any of these or other cases of women engaged in peace activism before and after the passage of UN Security Council Resolution 1325? If so, how did you come to know about them?
- As you read about these cases, how do you feel?
  - Inspired to work for peace in my community/country/around the world.
  - Sad because war cannot be eliminated—it will always be part of political life.
  - Angry that women are excluded from official negotiations to resolve armed conflict.
  - Hopeful because the UN and member states are committed to including women in peacemaking and peacekeeping endeavors.
  - \_\_\_\_\_ Please offer your own response.

- How do you define war? On what is your understanding of war based? On accounts from the media, books, films, etc.? On accounts from family members and/friends who have experienced war? On your own firsthand experience?
- Why are women and girls disproportionately harmed during war? Amid all the violence, does war present women with any openings to improve their social and political status, to strive for gender equality and/or to engage in activism?
- How do you define peace? How are wars typically ended? Who decides that armed hostilities should stop? And how is peace usually achieved and then maintained?
- Why are women engaged mostly in peacemaking among the citizenry and at the grassroots level? Why are they absent from official negotiations?
- What insights, experiences and skills do women bring to peacemaking? Do women have comparative advantages and/or disadvantages vis-à-vis men in tackling the challenges of peacemaking?
- What would peace look like if women were involved in the official negotiations to end wars? What issues do you think women would address if they were at the negotiating table? What impact might women's presence have in negotiating the terms of post-war reconstruction and governance?
- Do you know whether our country has ever contributed civilian, military and/or police personnel to UN peacekeeping missions around the world? If it has, do you know whether women were among these personnel?
- Have UN peacekeepers ever served in our country? If so, have women been among those sent here by the UN? If women were among the peacekeeping personnel, do you know what countries they were from?
- Why is involving women in peacekeeping missions important? What insights, experiences and skills do they bring to the task of peacekeeping? Do women have comparative advantages and/or disadvantages vis-à-vis men in performing this task?
- What are the obstacles to implementing Security Council Resolution 1325? What opportunities does the resolution offer to states and private organizations seeking to build and maintain gender-inclusive peace and security?
- Is our country among those with a national action plan for the implementation of Resolution 1325? If so, are you aware of the provisions of this plan? If our country does not yet have a national action plan, why do you think this is the case?
- If you were formulating our country's national action plan, what provisions would you include? And how would you ensure its implementation?

# SESSION 16:

## Conclusions, Evaluation of the Experience and Recommendations

(Workshop session, approximately 2 hours)

**Note for Facilitator:** *This session does not feature a case study. Instead, it offers the workshop participants the opportunity to:*

- *draw conclusions about the causes and consequences of violence against women and girls as well as endeavors that address the problem; and*
- *evaluate the manual, workshops and facilitator—offering feedback that will be used to improve the learning experience for future participants.*

*The participants will share their thoughts by performing two learning exercises and completing the evaluation form below.*

### Learning Exercises

(Approximately 1 hour, 15 minutes)

#### Exercise 1 Envisioning a Community Free of Violence Against Women and Girls

(Approximately 45 minutes)

1. Have the workshop participants imagine a community free of violence against women and girls in the home, in public spaces and across state borders. Give them roughly 30 minutes to forge a consensus around their vision of this community in terms of its culture and values, its political system and the interaction between women and men, using the questions below to guide their imaginations.

**Tip for Facilitator:** *Posting these themes and questions on a large flip pad or chalk board may be helpful.*

- **Culture and Values**

What does this community's culture look, sound and feel like? Who are the producers of this culture and these values? Who are the heroines and heroes of this community? What are this community's most important values?

- **Political System**

What type of political system is most conducive to creating and sustaining this community? What role do women play in this political system?

- **Interaction between Women and Men**

How do this community's women and men interact in the home? In the spheres of culture and faith? In the workplace? In the political arena? In international relations?

3. Select a volunteer from the participants to summarize this discussion in 3 to 5 minutes, stating the group's vision of their community free of violence against women and girls.
4. Conclude by asking each participant to propose in one sentence a step s/he would take to move our society closer to the group's vision of a community free of violence against women and girls.

## **Exercise 2 Sharing What We Learned from One Another**

(Approximately 30 minutes)

1. Write the names of each workshop participant and yourself on small pieces of paper to be folded in half and put in a bowl.
2. Have everyone, including yourself, pick a name from the bowl. If someone draws her/ his own name, have her/him put it back in the bowl and pick another name.
3. Give the participants 5 to 7 minutes to think about the most significant lesson learned from the individuals whose names they picked. This lesson may be about preventing violence against women and girls, tackling this problem as a practitioner, rebuilding one's life as a survivor of violence and/or working in the field of women's human rights. Or this lesson may be something entirely different.
4. Ask each participant to reveal the name s/he picked and the lesson s/he learned from this individual.

# Completing the Evaluation Form and Offering Recommendations

(Approximately 45 minutes)

Please evaluate your experience with the manual, the workshop sessions and the facilitator by checking the box that best indicates your response next to each statement. Your responses in this evaluation form and your recommendations below will be reviewed and used to adjust and improve future workshop programs. Your evaluation form is anonymous unless you choose to write your name on it.

5 = Excellent, 4 = Good, 3 = Satisfactory, 2 = Needs to improve, 1 = Poor, NA = Not applicable

The Manual	
1. The manual provides an informative introduction to the causes and consequences of violence against women and girls and practitioners' efforts to redress this problem.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
2. The manual presents a relevant educational model for both practitioners of diverse professions and laypeople seeking to understand the problem of violence against women and girls.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
3. The manual offers a constructive framework for practitioners to brainstorm for measures and policies that prevent violence against women and girls and/or enable survivors to rebuild their lives.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
4. The manual's contents and structure enable the workshop participant and facilitator to focus on the issues surrounding violence against women and girls that are most important to me and my society.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
The Workshop Sessions	
5. Participating in the workshop sessions made me think about issues that regularly arise in my professional and personal life.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
6. Participating in the sessions gave me a forum to share my professional and personal experiences in addressing the causes and consequences of violence against women and girls.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
7. Participating in the sessions allowed me to learn from the experiences and suggestions of others who are working to remedy the problem of violence against women and girls.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
8. Participating in the sessions motivated me to consider what I can do to prevent violence against women and girls and to empower survivors to rebuild their lives.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>
9. Participating in the sessions afforded me the opportunity to cultivate a network of colleagues and friends with whom I can comfortably share my professional and personal concerns as I work to address the issue of violence against women and girls.	<div><div>5</div><div>4</div><div>3</div><div>2</div><div>1</div><div>NA</div></div>

10. Participating in the sessions afforded me the opportunity to cultivate a network of colleagues and friends with whom I may collaborate in future endeavors and projects to prevent violence against women and girls and to empower survivors to rebuild their lives.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
11. Examining the case studies from around the world and answering the “questions for discussion” helped me grasp the many challenges women and girls confront as victims and survivors of violence living in various cultural, logistical, political and socio-economic contexts.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
12. Performing the learning exercises was a useful way to assess the feasibility of potential solutions to the problem of violence against women and girls across diverse cultural, logistical, political and socio-economic circumstances.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
13. I believe that both women and men may benefit from participating in this workshop.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
14. I would recommend to my colleagues, friends and/or family members that they participate in these workshop sessions.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
<b>The Facilitator</b>	
15. The facilitator is deeply knowledgeable about the subject of violence against women and girls—its causes, its consequences and efforts to solve the problem.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
16. The facilitator enabled the workshop participants to understand the causes and consequences of violence against women and girls and practitioner’s efforts to tackle the problem.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
17. The facilitator conducted the workshop at a reasonable pace—quickly enough to capture and keep my interest and attention, but slowly enough to follow and benefit from the sessions’ case studies, “questions for discussion” and learning exercises.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
18. The facilitator created an environment of trust in which I could speak with ease about sensitive professional and personal concerns.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
19. The facilitator was willing to share her own professional and personal experiences and concerns to stimulate discussion.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>
20. The facilitator welcomed the participants’ recommendations about issues that were relevant for consideration and adapted the workshop sessions to their needs.	<div>5</div> <div>4</div> <div>3</div> <div>2</div> <div>1</div> <div>NA</div>



In the space below, please comment on any aspect of your experience with **the manual** that you liked and/or disliked. What recommendations would you offer to make the manual more interesting, relevant and useful for you and others in our community? Please feel free to discuss examples of potential remedies to the problem of violence against women and girls that you are familiar with and may be included in the case studies, suggestions for learning exercises, themes you would like added and any other items you wish to see in the manual.

**Comments:**

[illegible]

In the space below, please comment on any aspect of your experience with **workshop sessions** that you liked and/or disliked. What recommendations would you offer to make the sessions more interesting, relevant and useful for you and others in our community? Please feel free to propose alternative ways to organize the individual sessions and/or the workshop as a whole and to suggest content for discussion not presently included in the sessions. You may also wish to assess the desirability of using other tools in addition to the manual to conduct the workshops for example, documents relevant to the subject under discussion, works of art and literature, personal stories, field trips, media technology, etc.

**Comments:**

[illegible]

In the space below, please comment on any aspect of your experience with **the workshop facilitator** that you liked and/or disliked. What recommendations would you offer to this facilitator to help her/him make future workshops more interesting, relevant and useful to participants? Please feel free to consider what s/he could do to engender the participants' trust in her/him and between each other, to strike a tone appropriate to the sensitivity of the subject matter, to make the workshops livelier, etc.

**Comments:**

[illegible]

# FOR FURTHER READING

## The UN Mandate for the Elimination of Violence against Women: Standards, Instruments and Guidelines for Its Effective Use

By Yakın Ertürk<sup>1</sup>

### Introduction: International Human Rights Mechanisms

Ending violence against women has become an overall policy for the United Nations (UN). However, within the Special Procedures of the Human Rights Council (HRC),<sup>2</sup> a Special Rapporteur on violence against women, its causes and consequences (SRVAW) is specifically mandated to examine and monitor issues related to violation of women's rights.<sup>3</sup> The Special Procedures constitute an important dimension of the human rights system, and they include special rapporteurs, representatives of the Secretary General (SG), independent experts and working groups,<sup>4</sup> all playing a critical role in promoting human rights and rapidly responding to allegations of rights violations. Special Procedures mandates are the most directly accessible of the international human rights mechanisms. They are designed to monitor and report publicly on human rights with respect to thematic issues (thematic mandates) or on the human rights situation in a particular country (country mandates), including during times of crisis. At the end of 2010, there were 41 Special Procedures mandates (33 thematic mandates and eight mandates relating to countries or territories) with a total of 55 mandate holders.

Special Procedures mandate holders are independent experts serving on a voluntary basis in their personal capacity. They are not UN staff members and do not receive compensation. They are selected from among candidates with diverse backgrounds, are from different countries and are appointed for a maximum term of 6 years. Each SR mandate holder is legally classified as an "expert on mission" as per the 1946 Convention on Privileges and Immunities of the UN.

---

1. Professor of Sociology and member of the European Committee for the Prevention of Torture (CPT).

2. In June 2006, the Human Rights Council replaced the Commission on Human Rights which was established under the Economic and Social Council (ECOSOC) in 1946.

3. In 2010, after years of lobbying by the global women's movement, the Working Group on the issue of discrimination against women in law and in practice was established, thus strengthening the Special Procedures with respect to the rights of women.

4. The different titles given to the mandates are simply a result of negotiation. While most of the incumbents of the mandates are selected by the HRC, some are appointed by the UN Secretary General. For details on the mandates and mandate holders, see <http://www.ohchr.org>, *United Nations Special Procedures—Facts and Figures 2010*

Most are serviced by the Special Procedures Division of the Office of the High Commissioner for Human Rights (OHCHR) in Geneva.<sup>5</sup>

While the mandates of the Special Procedures mechanisms may vary, the work usually involves fact-finding country visits, annual thematic reports relevant to the mandate, press releases on specific matters of concern and communications on alleged violation of human rights to the government concerned. Reports concerning activities of mandate holders are submitted to the Human Rights Council and/or to the GA annually.<sup>6</sup>

Reports of Special Procedures mandate holders are an invaluable source for civil society advocacy and lobbying, awareness-raising about injustices and discriminatory practices around the world, holding governments accountable for human rights violations or inaction with respect to specific circumstances, promoting policy change in particular areas of concern and in contributing to relevant academic debates. The complaints or communications mechanism of the Special Procedures, when effectively used, is particularly significant in allowing individuals and groups to seek redress for the human rights violations they experience.<sup>7</sup>

This unique mechanism is not sufficiently known and utilized by victims and human rights defenders, particularly with respect to violations of women's rights. This essay aims to provide an overview of the SRVAW mandate and provide some guidelines with respect to its effective use in enhancing the efforts to combat violence against women (VAW).

## **The Mandate of the Special Rapporteur on Violence against Women, Its Causes and Consequences**

In 1993, following the Conference on Human Rights in Vienna, which recognized that VAW is a human rights violation, the General Assembly (GA) adopted the Declaration on the Elimination of Violence against Women.<sup>8</sup> After a decade of lobbying, this was a hard-won victory for the global women's movement. Although the Declaration is not a binding document, it is the first and only international document defining VAW and identifying state obligation towards its elimination.<sup>9</sup> According to the Declaration:

---

5 The post of the High Commissioner was created by the General Assembly in 1993.

6 Reports may be accessed at <http://www.ohchr.org>.

7. Despite its critical role in promoting and protecting human rights, the work of Special Procedures mandates are constrained by lack of resources, of follow up mechanisms and of cooperation from states.

8 Until recently, VAW was regarded as a private matter not deserving of public scrutiny. As a result, despite attempts during the drafting of CEDAW in the 1970s, VAW could not be included among its articles. Adoption of General Recommendation 19 in 1992 by the CEDAW Committee, which defines VAW as a form of discrimination, subsequently filled this gap. In 1973, VAW was officially accepted as a human rights violation by the Vienna Conference, and the GA adopted the Declaration on the Elimination of VAW that same year.

9 The 1993 Declaration remains the only global normative framework with respect to VAW. There are, however, binding regional instruments. In this respect, the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence, opened for signature on 11 May 2011 in Istanbul, is noteworthy due to its potential universal applicability.

...(T)he term “violence against women” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (Article 1).

States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should ... exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons (Article 4c).

On 4 March 1994, the UN Commission on Human Rights with its resolution 1994/45 established the post of Special Rapporteur (SR) on violence against women, its causes and consequences to oversee the implementation of the Declaration and undertake overall monitoring of women’s rights in public and private spheres of life in all Member States of the UN.<sup>10</sup> Although the primary responsibility of ensuring the human rights of all persons lies with the States, the SR also addresses non-state actors and responds to allegations of violations committed by private individuals and increasingly by international organizations and corporations.<sup>11</sup>

The SRVAW is required to perform three main tasks: (i) conduct official fact-finding country visits; (ii) prepare annual reports on in-depth analysis of relevant thematic issues; and (iii) receive and transmit confidential communications. The role of local and global non-governmental organizations is critical for the SR in fulfilling each of these responsibilities. In this respect, civil society actors provide information on the human rights situation in a particular country, share research and analysis, hold direct consultations with the SR,<sup>12</sup> disseminate her work and advocate and lobby for the implementations of the rapporteur’s recommendations. There is mutual benefit in the engagement between the SR and civil society actors. NGOs and academics, while contributing to the mandate, can also utilize the human rights protection the mandate provides.

Among the responsibilities of the SR, the communications procedure is of particular importance. It provides for the SR’s direct intervention in a credible allegation of a human rights violation. Despite its unique potential, this mechanism is not exploited fully by women. To familiarize victims of violence and human rights defenders working in the field of women’s rights of its

10 Three experts have since held the office of the SRVAW: Radhika Coomaraswamy, a Sri Lankan lawyer (June 1994-July 2003); Yakin Ertürk, a Turkish sociologist (August 2003-August 2009); and Rashida Manjoo, a South African lawyer, who presently holds the mandate.

11 See for example the SR’s report on the Democratic Republic of Congo, where she addressed the violations of rights allegedly by UN peacekeeping troops (A/HRC/7/6/Add4).

12 Consultations with regional NGOs have become an integral part of the SR’s work. NGOs provide important input into the SR’s work by highlighting regional and national specificities. They also allow civil society actors to become familiarized with opportunities the mandate offers in advancing their national and regional initiatives. The consultations in the Asia Pacific region, organized by APWLD, have become a routine aspect of the rapporteur’s annual activities. Occasional consultations have also been undertaken with NGOs in other regions.

potential and methods of use, this essay continues with a closer focus on the communications procedure.

## **Communications Mechanism**

Under this procedure, the SRVAW is able to receive individual complaints on violence against women, its causes and consequences from individuals, non-governmental organizations, including women's organizations, intergovernmental and treaty bodies, specialized agencies, other special rapporteurs responsible for various human rights questions and governments. The SR can respond effectively to such information.

In determining the admissibility of the complaint, the SR refers to the definition of VAW as contained in the UN Declaration on the Elimination of Violence against Women. In this respect, a broad understanding of violence beyond "harm done" informs the SR's approach. In this sense, the SR's work is not only reactive but more so preventive.

Upon receipt of reliable and credible information regarding allegations of VAW, the SR transmits urgent appeals and/or allegation letters to the relevant State, seeking clarification, verification and action for redress. Allegations may concern the experience of one or more individuals or a general prevailing situation, legislation, policy or practice condoning and/or perpetrating violence against women.

The transmission of allegations to a particular country could be the beginning of a constructive dialogue with the State concerned about enhancing women's human rights, and provides an opportunity for redress for violation of human rights that may otherwise remain invisible and unspoken. The complaint mechanism of the SRVAW differs significantly from that under the CEDAW Optional Protocol and that of CSW. Unlike the former, access to the mechanism of the SRVAW is not contingent either on ratification of any treaty or reservation in respect thereto, or on the requirement to exhaust domestic remedies before submitting a complaint. Likewise, unlike the latter, the SR is able to intervene directly in the case itself rather than merely deriving patterns and trends from the complaints received. As such, the SRVAW mandate serves as a mechanism of last resort for accountability and protection for women.

Depending upon the nature of the complaint, the SR may send either an urgent appeal or an allegation letter.

## **Urgent Appeals**

Urgent transmissions may be sent by the Special Rapporteur to concerned governments when reliable and credible information is received concerning cases which involve an imminent threat, or fear of threat, to a woman's right to personal integrity or to her life. When transmitting urgent actions, the SR appeals to the government concerned to ensure effective protection of those under threat or at risk of violence.

## Allegation Letters

For those communications that do not require urgent action but relate to violations that already occurred and/or to general patterns of violations—including the legal framework and its application with regard to violence against women — the SR may send allegation letters requiring governments to clarify the substance of the allegations received.

## Submission of a Complaint

The SRVAW has provided a standard reporting form for submitting allegations, which may be accessed at <http://www2.ohchr.org/english/issues/women/rapporteur>. Although it is not essential that the form is used in transmitting the complaint, it is important to provide as much information as possible. If the government concerned is a party to human rights treaties (CEDAW or others), it would be helpful to indicate the specific rights as per the treaty that have been violated.

Complaints regarding a specific case when submitted by a third party must ensure the consent of the victim. This is important because while the petitioner's identity is kept confidential, the victim's identity must be disclosed in order for the government to react on the case. If the complaint is regarding a policy, law or practice which affects women in general or women in a specific group, “who,” “how,” and “why” need to be explained clearly. Submissions that involve violations committed by private individuals or groups (rather than government officials) need to indicate how the State failed to exercise due diligence to prevent, investigate, punish, and ensure compensation for the violations. In this respect the following information may be included: whether there is a law which addresses the violation; if there is, what deficiencies are in the law or its practice; the practice of registration of complaints or their investigation and prosecution, etc.

Submissions may contain documentation of the case, such as copies of medical records, newspaper articles, copies of law articles or judicial decisions, statements by government authorities regarding policies, views about the case or similar cases, statements of lawyers, doctors or other experts concerning the case, photographs and/or other relevant documents. The complaint with its attachments should be sent to [vaw@ohchr.org](mailto:vaw@ohchr.org).

## Communications Report

Both urgent appeals and letters of allegation remain confidential until published country by country in a summary form along with any replies received from the concerned State in the SR's annual Communications report to the HRC.<sup>13</sup> These reports can be used by the petitioners to follow up on their case or for general human rights advocacy by human rights defenders. Communications reports are also an important source of information for researchers as they also reveal trends

<sup>13</sup> In 2010 mandate-holders decided to prepare a joint communications report containing all communications, including urgent appeals and allegation letters to States, and the full responses of States. Given the significant percentage of joint communications, 66 percent, the decision will significantly avoid duplication of communications being published in individual mandate-holders' reports.



and types of cases with respect to women's human rights violations that are brought before an international mechanism as well as protection gaps.

The SRVAW in a number of their Communications reports have provided an overview of the complaints communicated. For example, according to the 2009 (A/HRC/11/6/Add.1) report SR transmitted 93 communications to 34 Member States, 80 of which were sent jointly with other mandate holders of the HRC. The largest number of joint communications was sent together with the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. This, as noted by the SR in the report, indicates that the reporting of the forms of human rights violations experienced by women converge with that of more conventional forms of violations, therefore, not representative of the full range of human rights violations women encounter particularly in the private sphere.

## Concluding Remarks

The recognition of violence against women as a human rights issue, has had a transformative impact on human rights theory and practice in three areas: (i) expansion of human rights beyond the conventional understandings of violations perpetuated mainly by State actors in the public sphere; (ii) inclusion in the doctrine of State responsibility the actions of private individuals; and (iii) introduction of new species of crimes, such as domestic violence, marital rape, etc. within the criminal justice systems.<sup>14</sup>

Within this process the mandate of the Special Rapporteur on violence against women is a powerful monitoring tool accessible directly by victims of violence. As stated above, this potential of the mandate is underused. The number of communications transmitted by the SRVAW annually is far below that of the more conventional human rights mandates such as human rights defenders or torture, each act on over 300 complaints a year. Even the complaints that are filed tend to concern mainstream human rights violations. A number of factors no doubt account for both the average number of complaints transmitted as well as the type of complaints received by the VAW mandate, including; lack of familiarity with international mechanisms; the legalistic and distant nature of human rights mechanisms; the fact that women are still reluctant to make public the violations of rights they experience; women's rights activism and human rights activism rarely converge, which keeps women marginal to the existing human rights monitoring framework; among others.

---

14 Yakin Ertürk, "The Due Diligence Standard: What Does It Entail for Women's Rights?" in Carin Benninger-Budel, ed., *Due Diligence and Its Application to Protect Women from Violence*. Leiden: Martinus Nijhoff Publishers, 2008.

While some interventions of the SRVAW will have a positive consequence on individual cases, they will not necessarily oblige states to change laws and practices particularly where the case involves issues related to citizenship, asylum and the like. In the final analysis, it must be borne in mind that for the international human rights system to produce the expected results member states must be willing to cooperate and for national and international civil society to follow up on the cases submitted and demand accountability from governments and other concerned bodies. “However, reports on a country’s compliance—or lack thereof—with human rights norms shine a spotlight on human rights abuses and can shame a country into altering its practices.”<sup>15</sup> The communications mechanism is a unique and powerful instrument that brings hidden issues to the public discourse, which will subsequently be the motor of change in a society. Hence, there is more work to be done for women to fully exploit its potential.

## Combating Violence against Women: Examples from Latin America

*By Jacqueline Pitanguy*<sup>16</sup>

### The Multidimensional Phenomenon of Violence against Women

Violence against women (VAW) is a multi-dimensional and pervasive phenomenon in societies worldwide and requires a broad and holistic approach to be understood, prevented and punished. Practitioners from diverse disciplines should be encouraged to analyze its causes and consequences for victims, perpetrators and society at large. Grasping why violence occurs and what its impact is demands the attention and insights of women’s human rights activists, legal and medical professionals, media producers and journalists, policy makers, religious leaders and social scientists among others.

A major obstacle to a woman’s full entitlement and exercise of her human rights lies in the cultural values and religious beliefs that infuse hierarchical symbolic representations of male and female in most societies. These values and beliefs place women as subordinate to men and legitimate unequal gender relations, which women themselves ironically perpetuate due to these same and other constraints. This social perception of women is the matrix for all forms of discrimination and violence against them, providing a rationale for lesser access to equal family and civil laws, to reproductive health, to protection against domestic and sexual violence, to education, to labor, to equal pay for equal work, to property rights and to political power.

The form of VAW may differ according to a woman’s place of residence, race and ethnicity, religion, socio-economic conditions and age among other factors, all of which are in turn affected by a country’s political organization—namely, the extent to which institutions are democratic and civil liberties are respected. Practitioners must bear in mind the complex relationship between all these

15. Lenora M. Lapidus, “The Role of International Bodies in Influencing U.S. Policy to End Violence Against Women,” *Fordham Law Review*, Vol. 77, No. 2, November 2008.

16. Founder and executive director of CEPIA—Ciudadanía, Estudio, Pesquisa, Informação e Ação [Citizenship, Study, Research, Information, Action]—a Brazilian non-governmental organization advancing women’s human rights.

variables because the most visible and brutal forms of violence—physical aggression, sexual violations and murder—occur on a continuum of unequal gender relations marking the life cycle of a woman.

In Latin American countries and particularly Brazil, practitioners, spearheaded by women's rights activists, have made strides in combating VAW, though there remains much work to do. This brief review illuminates uneven progress in four areas: the state of gender relations within the family, women's participation in the political arena, efforts to prevent maternal mortality and the fight against domestic violence.

### **Women's Rights within the Family—Creating Equality at Home**

Though popular culture in many Latin American countries portrays women as “queens” and “chiefs” at home, family laws have historically ascribed to them a secondary role relative to men in decisions concerning marriage, children, property and the like. To eliminate this subordination necessitates changing discriminatory civil and penal codes and re-interpreting laws that are misinterpreted and misused to discriminate against women.

In Brazil, revising the civil code of 1916, which defined men as the head of the family, was a major goal on activists' agenda during the latter half of the twentieth century. Among the instruments used in the long-term struggle to redefine family gender roles in legal terms were advocacy campaigns, academic discussions, pro bono work by lawyers, publications and films—all underscoring the gap between the reality of women's roles in society and laws that are unfit to regulate contemporary family relations. In 1982, the government signed CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women, but with reservations to those articles related to family relations.

A crucial turning point in this struggle was the passage in 1988 of the new Citizen's Constitution which promulgated equal rights and responsibilities for men and women within marriage. Feminists' activism was vital to its passage, as they referred to CEDAW's provisions stipulating that signatories would take measures to eliminate unequal gender relations within the family, to legitimize their demands for change in Brazil's laws. The effect of the Constitution was to abolish the country's reservations to CEDAW. The fight for equality and human rights within the private realm of the home culminated in the implementation of the 2003 civil code which refers to the rights of a “person” rather than to those of a “man” and to “family authority” rather than to “paternal authority.”

### **The Right to Political Participation—Running for Office, Electing Women**

Shifting away from the private sphere, the presence of women in public life varies significantly from one country to another in Latin America. However, within every society, women are newcomers to the political arena as contrasted with men who have always been there. This exclusion of women from political power has been defined and denounced as a form of VAW by activists in many Latin American countries who have fought for quotas in electoral campaigns.

Dilma Rousseff's election in October 2010 as Brazil's first female president has been a major step towards the deconstruction of stereotypes depicting women as out of place in the political arena. Even before Rousseff's election, women's rights activists, along with a few politicians and the Ministry for Women's Affairs, launched a campaign called "More Women in Power."

Brazil is still one of the countries in Latin America with the lowest proportion of women in the National Congress. A major achievement was the 1997 quota law according to which at least 25 percent of the candidates on electoral lists had to be women; in 2000, this proportion was raised to 30 percent. Yet political parties often do not fulfill their quotas, and when they do, they do not whole-heartedly support women's candidacies because the law provides no serious sanctions for not achieving the correct numbers. Other Latin American countries such as Argentina and Chile have a high proportion of women in their parliaments, and both have also had women presidents.

### **The Right to Health—Preventing Maternal Mortality**

Throughout Latin America, viewing VAW from the perspective of women's right to health has opened up greater possibilities for understanding this problem, preventing its occurrence, treating victims' physical and psychological injuries, punishing perpetrators and reintegrating survivors (and, when appropriate, perpetrators) into society. Acts of violence by their very nature deny a victim's right to health. Women's lesser access to financial resources and to the levers of decision-making power in both the private and public domains compound this human rights violation.

A striking example of the inextricable link between VAW and the violation of one's right to health is maternal mortality—defined as a woman's death during pregnancy or up to 42 days after its termination due to causes related to pregnancy or to the infant's birth. According to the World Health Organization, maternal mortality may be avoided in 92 percent of cases. Its major causes such as high blood pressure, infection, hemorrhaging and unsafe abortion do not require costly investments in medical technology. Rather, addressing these causes requires awareness and political will; the absence of both reflects women's de facto status as second-class citizens.

Although Latin America's rate of maternal mortality is still very high—an estimated 28,000 women die every year, it has decreased in many regional countries, including Brazil, in recent decades. Advancements in health services, nutrition, education, sanitation and income distribution as well as urbanization have contributed to this progress. More significant, however, is the advocacy work of women in the national and international arenas who have raised the visibility of maternal mortality and demanded that relevant practitioners implement measures to prevent it.

In Brazil, activists have demanded better data that would enable them to investigate and publicize the causes of maternal mortality. Women's activism has

stimulated governments' political will to provide access to family planning, safe abortions and pre-natal and post-delivery care.

The establishment of committees on maternal mortality in many Latin American countries since the 1980s exemplifies the results of advocacy work by women's rights activists vis-à-vis the public health sector. In Brazil, the first such committee was installed in 1987 to coincide with an important political moment affirming women's rights in the country's democratization process and the new constitution's promulgation a year later.

Today, these committees exist in every state and in many municipalities. Composed of representatives of public health agencies, medical and nursing associations, and schools as well as women's rights organizations, their main objectives are to: evaluate the accuracy of data on maternal mortality, identify major problems in healthcare services, investigate suspicious deaths and propose solutions. These committees play a key role in defining the magnitude of maternal mortality and in rendering governments accountable to confront this form of VAW.

### **The Right to Bodily Integrity—Living Free of Domestic Violence**

Women's rights activists in Latin American countries have engaged in dialogue and debate with their governments and especially the legal-judicial sectors to end the impunity with which men perpetrate domestic and sexual violence against women. Article 1 of the 1993 UN Declaration on the Elimination of Violence Against Women states that VAW is "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life." In practice, the social recognition that certain behaviors, customs and laws are violent towards women depends upon the gender power relations of a given society.

As in other regions of the world, domestic and sexual violence pose a particularly difficult challenge to those in Latin America seeking to combat VAW because these abuses tend to occur repeatedly over an extended time period at home between the same aggressor and victim. In Brazil, women's rights activists pioneered the Special Policy Stations to Attend Women Victims of Domestic Violence, DEAM. The first DEAM was inaugurated in 1985, establishing a pedagogical example for police officers who had before then generally not viewed VAW as a crime. Activists, working with the National Council for the Rights of Women created in 1985, also pressed for a constitutional provision affirming that the state has a duty to prohibit violence within the family, challenging the age-old conceptualization of domestic violence as essentially a private matter. This provision offered a normative framework for laws and public policies in relation to women's security and access to justice.

In 1994, Latin American activists supported the establishment of the Inter-American Convention to Prevent, Punish and End Violence against Women, better known as Belem do Para Convention, after the Brazilian city where it was

signed. This document has inspired various national laws against VAW such as the 2006 Brazilian Law named for Maria da Penha, a victim of her husband's domestic violence who took her case to the Inter-American Court of Human Rights. Other Latin American countries have also passed specific legislation on VAW, recognizing that universal laws are applied differently to men and women.

In short, women's rights activists in Latin America have broken the silence surrounding VAW and continue to shine the light on its various forms—on the daily humiliations and aggressions suffered by women who have been victims and have emerged as the main agents of their own liberation.



# APPENDICES

## APPENDIX 1:

---

# UN Security Council Resolution 1889





# UN Security Council Resolution 1889

**S/RES/1889 (2009)**

**Adopted by the Security Council at its 6196th  
meeting on 5 October 2009**

*The Security Council,*

*Reaffirming* its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325 (2000), 1612 (2005), 1674 (2006), 1820 (2008), 1882 (2009), 1888 (2009) and all relevant Statements of its Presidents,

*Guided* by the purposes and principles of the Charter of the United Nations, and bearing in mind the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

*Recalling* the resolve expressed in the 2005 United Nations General Assembly World Summit Outcome Document (A/RES/60/1) to eliminate all forms of violence against women and girls, the obligations of States Parties to the Convention on the Elimination of All Forms of Discrimination Against Women and the Optional Protocol thereto, the Convention on the Rights of the Child and the Optional Protocols thereto, *recalling also* the commitments contained in the Beijing Declaration and Platform for Action as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-First Century” (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

*Having considered* the report of the Secretary General (S/2009/465) of 16 September 2009 and stressing that the present resolution does not seek to make any legal determination as to whether situations that are referred to in the Secretary-General’s report are or are not armed conflicts within the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudice the legal status of the non-State parties involved in these situations,

*Welcoming* the efforts of Member States in implementing its resolution 1325 (2000) at the national level, including the development of national action plans, and encouraging Member States to continue to pursue such implementation,

*Reiterating* the need for the full, equal and effective participation of women at all stages of peace processes given their vital role in the prevention and resolution of conflict and peacebuilding, reaffirming the key role women can play in re-establishing the fabric of recovering society and stressing the need for their involvement in the development and implementation of post-conflict strategies in order to take into account their perspectives and needs,

*Expressing* deep concern about the under-representation of women at all stages of peace processes, particularly the very low numbers of women in formal roles in mediation processes and stressing the need to ensure that women are appropriately appointed at decision-making levels, as high level mediators, and within the composition of the mediators' teams,

*Remaining* deeply concerned about the persistent obstacles to women's full involvement in the prevention and resolution of conflicts and participation in post-conflict public life, as a result of violence and intimidation, lack of security and lack of rule of law, cultural discrimination and stigmatization, including the rise of extremist or fanatical views on women, and socio-economic factors including the lack of access to education, and in this respect, *recognizing* that the marginalization of women can delay or undermine the achievement of durable peace, security and reconciliation,

*Recognizing* the particular needs of women and girls in post-conflict situations, including, inter alia, physical security, health services including reproductive and mental health, ways to ensure their livelihoods, land and property rights, employment, as well as their participation in decision making and post-conflict planning, particularly at early stages of post-conflict peacebuilding,

*Noting* that despite progress, obstacles to strengthening women's participation in conflict prevention, conflict resolution and peacebuilding remain, *expressing concern* that women's capacity to engage in public decision making and economic recovery often does not receive adequate recognition or financing in post-conflict situations, and *underlining* that funding for women's early recovery needs is vital to increase women's empowerment, which can contribute to effective post-conflict peacebuilding,

*Noting* that women in situations of armed conflict and post-conflict situations continue to be often considered as victims and not as actors in addressing and resolving situations of armed conflict and *stressing* the need to focus not only on protection of women but also on their empowerment in peacebuilding,

*Recognizing* that an understanding of the impact of situations of armed conflict on women and girls, including as refugees and internally displaced persons, adequate and rapid response to their particular needs, and effective institutional arrangements to guarantee their protection and full participation in the peace process, particularly at early stages of post-conflict peacebuilding, can significantly contribute to the maintenance and promotion of international peace and security,

*Welcoming* the United Nations initiative to develop a system similar to that pioneered by the United Nations Development Programme to allow decision makers to track gender-related allocations in United Nations Development Group Multi-Donor Trust Funds,

*Welcoming* the efforts of the Secretary-General to appoint more women to senior United Nations positions, particularly in field missions, as a tangible step towards providing United Nations leadership on implementation of its resolution 1325 (2000),

*Welcoming* the upcoming establishment of a United Nations Steering Committee to enhance visibility and strengthen coordination within the United Nations system regarding the preparations for the 10th anniversary of resolution 1325 (2000),

*Encouraging* relevant actors to organize events during 2009-2010 at the global, regional and national levels to increase awareness about resolution 1325 (2000), including ministerial events, to renew commitments to “Women and peace and security”, and to identify ways to address remaining and new challenges in implementing resolution 1325 (2000) in the future,

1. *Urges* Member States, international and regional organisations to take further measures to improve women’s participation during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including by enhancing their engagement in political and economic decision making at early stages of recovery processes, through inter alia promoting women’s leadership and capacity to engage in aid management and planning, supporting women’s organizations, and countering negative societal attitudes about women’s capacity to participate equally;
2. *Reiterates* its call for all parties in armed conflicts to respect fully international law applicable to the rights and protection of women and girls;
3. *Strongly condemns* all violations of applicable international law committed against women and girls in situations of armed conflicts and post-conflict situations, demands all parties to conflicts to cease such acts with immediate effect, and *emphasizes* the responsibility of all States to put an end to impunity and to prosecute those responsible for all forms of violence committed against women and girls in armed conflicts, including rape and other sexual violence;
4. *Calls upon* the Secretary-General to develop a strategy, including through appropriate training, to increase the number of women appointed to pursue good offices on his behalf, particularly as Special Representatives and Special Envoys, and to take measures to increase women’s participation in United Nations political, peacebuilding and peacekeeping missions;
5. *Requests* the Secretary-General to ensure that all country reports to the Security Council provide information on the impact of situations of armed conflict on women and girls, their particular needs in post-conflict situations and obstacles to attaining those needs;
6. *Requests* the Secretary-General to ensure that relevant United Nations bodies, in cooperation with Member States and civil society, collect data on, analyze and systematically assess particular needs of women and girls in post-conflict situations, including, inter alia, information on their needs for physical security and participation in decision making and post-conflict planning, in order to improve system-wide response to those needs;
7. *Expresses* its intention, when establishing and renewing the mandates of

United Nations missions, to include provisions on the promotion of gender equality and the empowerment of women in post-conflict situations, and *requests* the Secretary-General to continue, as appropriate, to appoint gender advisors and/or women-protection advisors to United Nations missions and asks them, in cooperation with United Nations Country Teams, to render technical assistance and improved coordination efforts to address recovery needs of women and girls in post-conflict situations;

8. *Urges* Member States to ensure gender mainstreaming in all post-conflict peacebuilding and recovery processes and sectors;
9. *Urges* Member States, United Nations bodies, donors and civil society to ensure that women's empowerment is taken into account during post-conflict needs assessments and planning, and factored into subsequent funding disbursements and programme activities, including through developing transparent analysis and tracking of funds allocated for addressing women's needs in the post-conflict phase;
10. *Encourages* Member States in post-conflict situations, in consultation with civil society, including women's organizations, to specify in detail women and girls' needs and priorities and design concrete strategies, in accordance with their legal systems, to address those needs and priorities, which cover inter alia support for greater physical security and better socio-economic conditions, through education, income generating activities, access to basic services, in particular health services, including sexual and reproductive health and reproductive rights and mental health, gender-responsive law enforcement and access to justice, as well as enhancing capacity to engage in public decision making at all levels;
11. *Urges* Member States, United Nations bodies and civil society, including non-governmental organizations, to take all feasible measures to ensure women and girls' equal access to education in post-conflict situations, given the vital role of education in the promotion of women's participation in post-conflict decision making;
12. *Calls upon* all parties to armed conflicts to respect the civilian and humanitarian character of refugee camps and settlements, and ensure the protection of all civilians inhabiting such camps, in particular women and girls, from all forms of violence, including rape and other sexual violence, and to ensure full, unimpeded and secure humanitarian access to them;
13. *Calls upon* all those involved in the planning for disarmament, demobilization and reintegration to take into account particular needs of women and girls associated with armed forces and armed groups and their children, and provide for their full access to these programmes;
14. *Encourages* the Peacebuilding Commission and Peacebuilding Support Office to continue to ensure systematic attention to and mobilisation of resources for advancing gender equality and women's empowerment as an integral part of post-conflict peacebuilding, and to encourage the full participation of women in this process;

15. *Request* the Secretary-General, in his agenda for action to improve the United Nations' peacebuilding efforts, to take account of the need to improve the participation of women in political and economic decision making from the earliest stages of the peacebuilding process;
16. *Requests* the Secretary-General to ensure full transparency, cooperation and coordination of efforts between the Special Representative of the Secretary-General on Children and Armed Conflict and the Special Representative of the Secretary-General on sexual violence and armed conflict whose appointment has been requested by its resolution 1888 (2009);
17. *Requests* the Secretary-General to submit to the Security Council within 6 months, for consideration, a set of indicators for use at the global level to track implementation of its resolution 1325 (2000), which could serve as a common basis for reporting by relevant United Nations entities, other international and regional organizations, and Member States, on the implementation of resolution 1325 (2000) in 2010 and beyond;
18. *Requests* the Secretary-General, within the report requested in S/PRST/2007/40, to also include a review of progress in the implementation of its resolution 1325 (2000), an assessment of the processes by which the Security Council receives, analyses and takes action on information pertinent to resolution 1325 (2000), recommendations on further measures to improve coordination across the United Nations system, and with Member States and civil society to deliver implementation, and data on women's participation in United Nations missions;
19. *Requests* the Secretary-General to submit a report to the Security Council within 12 months on addressing women's participation and inclusion in peacebuilding and planning in the aftermath of conflict, taking into consideration the views of the Peacebuilding Commission and to include, inter alia:
  - (a) Analysis on the particular needs of women and girls in post-conflict situations,
  - (a) Challenges to women's participation in conflict resolution and peacebuilding and gender mainstreaming in all early post-conflict planning, financing and recovery processes,
  - (a) Measures to support national capacity in planning for and financing responses to the needs of women and girls in post-conflict situations,
  - (a) Recommendations for improving international and national responses to the needs of women and girls in post-conflict situations, including the development of effective financial and institutional arrangements to guarantee women's full and equal participation in the peacebuilding process,
20. *Decides* to remain actively seized of the matter.

# APPENDICES

## APPENDIX 2:

---

# UN Security Council Resolution 1888

2

# **UN Security Council Resolution 1888**

**S/RES/1888 (2009)**

**Adopted by the Security Council at its 6195<sup>th</sup> meeting on 30 September 2009 (Reissued for technical reasons on 22 June 2010)**

*The Security Council,*

*Reaffirming* its commitment to the continuing and full implementation of resolutions 1325 (2000), 1612 (2005), 1674 (2006), 1820 (2008) and 1882 (2009) and all relevant statements of its President,

*Welcoming* the report of the Secretary-General of 16 July 2009 (S/2009/362), but remaining deeply concerned over the lack of progress on the issue of sexual violence in situations of armed conflict in particular against women and children, notably against girls, and noting as documented in the Secretary-General's report that sexual violence occurs in armed conflicts throughout the world,

*Reiterating deep concern* that, despite its repeated condemnation of violence against women and children including all forms of sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic or widespread,

*Recalling* the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the Twenty-First Century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

*Reaffirming* the obligations of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol thereto, the Convention on the Rights of the Child and the Optional Protocols thereto, and urging states that have not yet done so to consider ratifying or acceding to them,

*Recalling* that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk,

*Recalling* the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other

egregious crimes perpetrated against civilians, and in this regard, noting with concern that only limited numbers of perpetrators of sexual violence have been brought to justice, while recognizing that in conflict and in post-conflict situations national justice systems may be significantly weakened,

*Reaffirming* that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses, *drawing attention* to the full range of justice and reconciliation mechanisms to be considered, including national, international and “mixed” criminal courts and tribunals and truth and reconciliation commissions, and *noting* that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims,

*Recalling* the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court and the statutes of the ad hoc international criminal tribunals,

*Stressing* the necessity for all States and non-State parties to conflicts to comply fully with their obligations under applicable international law, including the prohibition on all forms of sexual violence,

*Recognizing* the need for civilian and military leaders, consistent with the principle of command responsibility, to demonstrate commitment and political will to prevent sexual violence and to combat impunity and enforce accountability, and that inaction can send a message that the incidence of sexual violence in conflicts is tolerated,

*Emphasizing* the importance of addressing sexual violence issues from the outset of peace processes and mediation efforts, in order to protect populations at risk and promote full stability, in particular in the areas of pre-ceasefire humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, Disarmament, Demobilization and Reintegration (DDR), Security Sector Reform (SSR) arrangements, justice and reparations, post-conflict recovery and development,

*Noting with concern* the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence, and the lack of women as Chief or Lead peace mediators in United Nations-sponsored peace talks,

*Recognizing* that the promotion and empowerment of women and that support for women’s organizations and networks are essential in the consolidation of peace to promote the equal and full participation of women and *encouraging* Member States, donors, and civil society, including non-governmental organizations, to provide support in this respect,

*Welcoming* the inclusion of women in peacekeeping missions in civil, military and police functions, and recognizing that women and children affected by armed conflict may feel more secure working with and reporting abuse to women in peacekeeping missions, and that the presence of women



peacekeepers may encourage local women to participate in the national armed and security forces, thereby helping to build a security sector that is accessible and responsive to all, especially women,

*Welcoming* the efforts of the Department of Peacekeeping Operations to develop gender guidelines for military personnel in peacekeeping operations to facilitate the implementation of resolutions 1325 (2000) and 1820 (2008), and operational guidance to assist civilian, military and police components of peacekeeping missions to effectively implement resolution 1820 (2008),

*Having considered* the report of the Secretary-General of 16 July 2009 (S/2009/362) and *stressing* that the present resolution does not seek to make any legal determination as to whether situations that are referred to in the Secretary-General's report are or are not armed conflicts within the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudge the legal status of the non-State parties involved in these situations,

*Recalling* the Council's decision in resolution 1882 of 4 August 2009 (S/RES/1882) to expand the Annexed list in the Secretary General's annual report on Children and Armed Conflict of parties in situations of armed conflict engaged in the recruitment or use of children in violation of international law to also include those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence against children, in situations of armed conflict,

*Noting* the role currently assigned to the Office of the Special Adviser on Gender Issues to monitor implementation of resolution 1325 and to promote gender mainstreaming within the United Nations system, women's empowerment and gender equality, and expressing the importance of effective coordination within the United Nations system in these areas,

*Recognizing* that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law,

*Reaffirming* that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

*Reiterating* its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to continue to address the widespread impact of armed conflict on civilians, including with regard to sexual violence,

1. *Reaffirms* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security; *affirms* in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security; and *expresses its readiness*, when considering situations on the agenda of the Council,

to take, where necessary, appropriate steps to address widespread or systematic sexual violence in situations of armed conflict;

2. *Reiterates* its demand for the complete cessation by all parties to armed conflict of all acts of sexual violence with immediate effect;
3. *Demands* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, including measures such as, inter alia, enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence and vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual violence;
4. *Requests* that the United Nations Secretary-General appoint a Special Representative to provide coherent and strategic leadership, to work effectively to strengthen existing United Nations coordination mechanisms, and to engage in advocacy efforts, inter alia with governments, including military and judicial representatives, as well as with all parties to armed conflict and civil society, in order to address, at both headquarters and country level, sexual violence in armed conflict, while promoting cooperation and coordination of efforts among all relevant stakeholders, primarily through the inter-agency initiative “United Nations Action Against Sexual Violence in Conflict”;
5. *Encourages* the entities comprising UN Action Against Sexual Violence in Conflict, as well as other relevant parts of the United Nations system, to support the work of the aforementioned Special Representative of the Secretary-General and to continue and enhance cooperation and information sharing among all relevant stakeholders in order to reinforce coordination and avoid overlap at the headquarters and country levels and improve system-wide response;
6. *Urges* States to undertake comprehensive legal and judicial reforms, as appropriate, in conformity with international law, without delay and with a view to bringing perpetrators of sexual violence in conflicts to justice and to ensuring that survivors have access to justice, are treated with dignity throughout the justice process and are protected and receive redress for their suffering;
7. *Urges* all parties to a conflict to ensure that all reports of sexual violence committed by civilians or by military personnel are thoroughly investigated and the alleged perpetrators brought to justice, and that civilian superiors and military commanders, in accordance with international humanitarian law, use their authority and powers to prevent sexual violence, including by combating impunity;
8. *Calls upon* the Secretary-General to identify and take the appropriate measures to deploy rapidly a team of experts to situations of particular

concern with respect to sexual violence in armed conflict, working through the United Nations presence on the ground and with the consent of the host government, to assist national authorities to strengthen the rule of law, and recommends making use of existing human resources within the

United Nations system and voluntary contributions, drawing upon requisite expertise, as appropriate, in the rule of law, civilian and military judicial systems, mediation, criminal investigation, security sector reform, witness protection, fair trial standards, and public outreach; to, inter alia:

- (a) Work closely with national legal and judicial officials and other personnel in the relevant governments' civilian and military justice systems to address impunity, including by the strengthening of national capacity, and drawing attention to the full range of justice mechanisms to be considered;
  - (b) Identify gaps in national response and encourage a holistic national approach to address sexual violence in armed conflict, including by enhancing criminal accountability, responsiveness to victims, and judicial capacity;
  - (c) Make recommendations to coordinate domestic and international efforts and resources to reinforce the government's ability to address sexual violence in armed conflict;
  - (d) Work with the United Nations Mission, Country Team, and the aforementioned Special Representative of the Secretary-General as appropriate towards the full implementation of the measures called for by resolution 1820 (2008);
9. *Encourages* States, relevant United Nations entities and civil society, as appropriate, to provide assistance in close cooperation with national authorities to build national capacity in the judicial and law enforcement systems in situations of particular concern with respect to sexual violence in armed conflict;
10. *Reiterates its intention*, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of sexual violence; and *calls* upon all peacekeeping and other relevant United Nations missions and United Nations bodies, in particular the Working Group on Children and Armed Conflict, to share with relevant United Nations Security Council sanctions committees, including through relevant United Nations Security Council Sanction Committees' monitoring groups and groups of experts, all pertinent information about sexual violence;
11. *Expresses its intention* to ensure that resolutions to establish or renew peacekeeping mandates contain provisions, as appropriate, on the prevention of, and response to, sexual violence, with corresponding reporting requirements to the Council;
12. *Decides* to include specific provisions, as appropriate, for the protection of women and children from rape and other sexual violence in the mandates

of United Nations peacekeeping operations, including, on a case-by-case basis, the identification of women's protection advisers (WPAs) among gender advisers and human rights protection units, and requests the Secretary-General to ensure that the need for, and the number and roles of WPAs are systematically assessed during the preparation of each United Nations peacekeeping operation;

13. *Encourages* States, with the support of the international community, to increase access to health care, psychosocial support, legal assistance and socioeconomic reintegration services for victims of sexual violence, in particular in rural areas;
14. *Expresses* its intention to make better usage of periodical field visits to conflict areas, through the organization of interactive meetings with the local women and women's organizations in the field about the concerns and needs of women in areas of armed conflict;
15. *Encourages* leaders at the national and local level, including traditional leaders where they exist and religious leaders, to play a more active role in sensitizing communities on sexual violence to avoid marginalization and stigmatization of victims, to assist with their social reintegration, and to combat a culture of impunity for these crimes;
16. *Urges* the Secretary General, Member States and the heads of regional organizations to take measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding;
17. *Urges* that issues of sexual violence be included in all United Nations-sponsored peace negotiation agendas, and *also urges* inclusion of sexual violence issues from the outset of peace processes in such situations, in particular in the areas of pre-ceasefires, humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, DDR and SSR arrangements, vetting of armed and security forces, justice, reparations, and recovery/development;
18. *Reaffirms* the role of the Peacebuilding Commission in promoting inclusive gender-based approaches to reducing instability in post-conflict situations, noting the important role of women in rebuilding society, and *urges* the Peacebuilding Commission to encourage all parties in the countries on its agenda to incorporate and implement measures to reduce sexual violence in post-conflict strategies;
19. *Encourages* Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations, and to provide all military and police personnel with adequate training to carry out their responsibilities;
20. *Requests* the Secretary-General to ensure that technical support is provided to troop and police contributing countries, in order to include guidance for military and police personnel on addressing sexual violence in predeployment and induction training;

21. *Requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations; and *urges* troop and police contributing countries to take appropriate preventative action, including predeployment and in-theater awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;
22. *Requests* that the Secretary-General continue to direct all relevant United Nations entities to take specific measures to ensure systematic mainstreaming of gender issues within their respective institutions, including by ensuring allocation of adequate financial and human resources within all relevant offices and departments and on the ground, as well as to strengthen, within their respective mandates, their cooperation and coordination when addressing the issue of sexual violence in armed conflict;
23. *Urges* relevant Special Representatives and the Emergency Relief Coordinator of the Secretary-General, with strategic and technical support from the UN Action network, to work with Member States to develop joint Government-United Nations Comprehensive Strategies to Combat Sexual Violence, in consultation with all relevant stakeholders, and to regularly provide updates on this in their standard reporting to Headquarters;
24. *Requests* that the Secretary-General ensure more systematic reporting on incidents of trends, emerging patterns of attack, and early warning indicators of the use of sexual violence in armed conflict in all relevant reports to the Council, and *encourages* the Special Representatives of the Secretary-General, the Emergency Relief Coordinator, the High Commissioner for Human Rights, the Special Rapporteur on Violence against Women, and the Chairperson(s) of UN Action to provide, in coordination with the aforementioned Special Representative, additional briefings and documentation on sexual violence in armed conflict to the Council;
25. *Requests* the Secretary-General to include, where appropriate, in his regular reports on individual peacekeeping operations, information on steps taken to implement measures to protect civilians, particularly women and children, against sexual violence;
26. *Requests* the Secretary-General, taking into account the proposals contained in his report as well as any other relevant elements, to devise urgently and preferably within three months, specific proposals on ways to ensure monitoring and reporting in a more effective and efficient way within the existing United Nations system on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, utilizing expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable

information on gaps in United Nations entities response, for consideration in taking appropriate action;

27. *Requests* that the Secretary-General continue to submit annual reports to the Council on the implementation of Resolution 1820 (2008) and to submit his next report by September of 2010 on the implementation of this resolution and Resolution 1820 (2008) to include, inter alia:
  - (a) a detailed coordination and strategy plan on the timely and ethical collection of information;
  - (b) updates on efforts by United Nations Mission focal points on sexual violence to work closely with the Resident Coordinator/Humanitarian Coordinator (RC/HC), the United Nations Country Team, and, where appropriate, the aforementioned Special Representative and/or the Team of Experts, to address sexual violence;
  - (c) information regarding parties to armed conflict that are credibly suspected of committing patterns of rape or other forms of sexual violence, in situations that are on the Council's agenda;
28. *Decides* to review, taking into account the process established by General Assembly resolution 63/311 regarding a United Nations composite gender entity, the mandates of the Special Representative requested in operative paragraph 4 and the Team of Experts in operative paragraph 8 within two years, and as appropriate thereafter;
29. *Decides* to remain actively seized of the matter.



# APPENDICES

## APPENDIX 3:

---

# UN Security Council Resolution 1820

3



# UN Security Council Resolution 1820

S/RES/1820 (2008)

Adopted by the Security Council at its 5916th meeting on 19 June 2008

*The Security Council,*

*Reaffirming* its commitment to the continuing and full implementation of resolution 1325 (2000), 1612 (2005) and 1674 (2006) and recalling the Statements of its president of 31 October 2001 (Security Council/PRST/2001/31), 31 October 2002 (Security Council/PRST/2002/32), 28 October 2004 (Security Council/PRST/2004/40), 27 October 2005 (Security Council/PRST/2005/52), 8 November 2006 (Security Council/PRST/ 2006/42), 7 March 2007 (Security Council/PRST/2007/5), and 24 October 2007 (Security Council/PRST/2007/40);

*Guided by* the purposes and principles of the Charter of the United Nations,

*Reaffirming also* the resolve expressed in the 2005 World Summit Outcome Document to eliminate all forms of violence against women and girls, including by ending impunity and by ensuring the protection of civilians, in particular women and girls, during and after armed conflicts, in accordance with the obligations States have undertaken under international humanitarian law and international human rights law;

*Recalling* the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-first Century” (A/S-23/10/Rev.1), in particular those concerning sexual violence and women in situations of armed conflict;

*Reaffirming also* the obligations of States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol thereto, the Convention on the Rights of the Child and the Optional Protocols thereto, and *urging* states that have not yet done so to consider ratifying or acceding to them,

*Noting* that civilians account for the vast majority of those adversely affected by armed conflict; that women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group; and that sexual violence perpetrated in this manner may in some instances persist after the cessation of hostilities;

*Recalling* its condemnation in the strongest terms of all sexual and other forms of violence committed against civilians in armed conflict, in particular women and children;

*Reiterating* deep concern that, despite its repeated condemnation of violence against women and children in situations of armed conflict, including sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict

for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic and widespread, reaching appalling levels of brutality,

*Recalling* the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court and the statutes of the ad hoc international criminal tribunals,

*Reaffirming* the important role of women in the prevention and resolution of conflicts and in peacebuilding, and *stressing* the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision making with regard to conflict prevention and resolution,

*Deeply concerned* also about the persistent obstacles and challenges to women's participation and full involvement in the prevention and resolution of conflicts as a result of violence, intimidation and discrimination, which erode women's capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peacebuilding,

*Recognizing* that States bear primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law,

*Reaffirming* that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

*Welcoming* the ongoing coordination of efforts within the United Nations system, marked by the inter-agency initiative "United Nations Action against Sexual Violence in Conflict," to create awareness about sexual violence in armed conflicts and post-conflict situations and, ultimately, to put an end to it,

1. *Stresses* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, *affirms* in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and *expresses its readiness*, when considering situations on the agenda of the Council, to, where necessary, adopt appropriate steps to address widespread or systematic sexual violence;

2. *Demands* the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians with immediate effect;
3. *Demands* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include, inter alia, enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, and evacuation of women and children under imminent threat of sexual violence to safety; and *requests* the Secretary-General, where appropriate, to encourage dialogue to address this issue in the context of broader discussions of conflict resolution between appropriate UN officials and the parties to the conflict, taking into account, inter alia, the views expressed by women of affected local communities;
4. *Notes* that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide, *stresses the need for* the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, and *calls upon* Member States to comply with their obligations for prosecuting persons responsible for such acts, to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and *stresses* the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation;
5. *Affirms its intention*, when establishing and renewing state-specific sanctions regimes, to take into consideration the appropriateness of targeted and graduated measures against parties to situations of armed conflict who commit rape and other forms of sexual violence against women and girls in situations of armed conflict;
6. *Requests* the Secretary-General, in consultation with the Security Council, the Special Committee on Peacekeeping Operations and its Working Group and relevant States, as appropriate, to develop and implement appropriate training programs for all peacekeeping and humanitarian personnel deployed by the United Nations in the context of missions as mandated by the Council to help them better prevent, recognize and respond to sexual violence and other forms of violence against civilians;
7. *Requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations; and *urges* troop and police contributing countries to take appropriate preventative action,

including pre-deployment and in-theater awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

8. *Encourages* troop and police contributing countries, in consultation with the Secretary-General, to consider steps they could take to heighten awareness and the responsiveness of their personnel participating in UN peacekeeping operations to protect civilians, including women and children, and prevent sexual violence against women and girls in conflict and post-conflict situations, including wherever possible the deployment of a higher percentage of women peacekeepers or police;
9. *Requests* the Secretary-General to develop effective guidelines and strategies to enhance the ability of relevant UN peacekeeping operations, consistent with their mandates, to protect civilians, including women and girls, from all forms of sexual violence and to systematically include in his written reports to the Council on conflict situations his observations concerning the protection of women and girls and recommendations in this regard;
10. *Requests* the Secretary-General and relevant United Nations agencies, inter alia, through consultation with women and women-led organizations as appropriate, to develop effective mechanisms for providing protection from violence, including in particular sexual violence, to women and girls in and around UN managed refugee and internally displaced persons camps, as well as in all disarmament, demobilization, and reintegration processes, and in justice and security sector reform efforts assisted by the United Nations;
11. *Stresses* the important role the Peacebuilding Commission can play by including in its advice and recommendations for post-conflict peacebuilding strategies, where appropriate, ways to address sexual violence committed during and in the aftermath of armed conflict, and in ensuring consultation and effective representation of women's civil society in its country-specific configurations, as part of its wider approach to gender issues;
12. *Urges* the Secretary-General and his Special Envoys to invite women to participate in discussions pertinent to the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding, and encourages all parties to such talks to facilitate the equal and full participation of women at decision-making levels;
13. *Urges* all parties concerned, including Member States, United Nations entities and financial institutions, to support the development and strengthening of the capacities of national institutions, in particular of judicial and health systems, and of local civil society networks in order to provide sustainable assistance to victims of sexual violence in armed conflict and post-conflict situations;

14. *Urges* appropriate regional and sub-regional bodies in particular to consider developing and implementing policies, activities, and advocacy for the benefit of women and girls affected by sexual violence in armed conflict;
15. *Also requests* the Secretary-General to submit a report to the Council by 30 June 2009 on the implementation of this resolution in the context of situations which are on the agenda of the Council, utilizing information from available United Nations sources, including country teams, peacekeeping operations, and other United Nations personnel, which would include, inter alia, information on situations of armed conflict in which sexual violence has been widely or systematically employed against civilians; analysis of the prevalence and trends of sexual violence in situations of armed conflict; proposals for strategies to minimize the susceptibility of women and girls to such violence; benchmarks for measuring progress in preventing and addressing sexual violence; appropriate input from United Nations implementing partners in the field; information on his plans for facilitating the collection of timely, objective, accurate, and reliable information on the use of sexual violence in situations of armed conflict, including through improved coordination of UN activities on the ground and at Headquarters; and information on actions taken by parties to armed conflict to implement their responsibilities as described in this resolution, in particular by immediately and completely ceasing all acts of sexual violence and in taking appropriate measures to protect women and girls from all forms of sexual violence;
16. *Decides* to remain actively seized of the matter.

# APPENDICES

## APPENDIX 4:

---

# UN Security Council Resolution 1325



# UN Security Council Resolution 1325

S/RES/1325 (2000)

Adopted by the Security Council at its 4213th meeting on 31 October 2000

*The Security Council,*

*Recalling* its resolutions 1261 (1999) of 25 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000, as well as relevant statements of its President, and *recalling also* the statement of its President to the press on the occasion of the United Nations Day for Women's Rights and International Peace (International Women's Day) of 8 March 2000 (SC/6816),

*Recalling also* the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the Twenty-First Century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

*Bearing in mind* the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

*Expressing* concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and *recognizing* the consequent impact this has on durable peace and reconciliation,

*Reaffirming* the important role of women in the prevention and resolution of conflicts and in peacebuilding, and *stressing* the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision making with regard to conflict prevention and resolution,

*Reaffirming also* the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

*Emphasizing* the need for all parties to ensure that mine clearance and mine awareness programmes take into account the special needs of women and girls,

*Recognizing* the urgent need to mainstream a gender perspective into peacekeeping operations, and in this regard *noting* the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693),

*Recognizing also* the importance of the recommendation contained in the statement of its President to the press of 8 March 2000 for specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations,

*Recognizing* that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security,

*Noting* the need to consolidate data on the impact of armed conflict on women and girls,

1. *Urges* Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;
2. *Encourages* the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;
3. *Urges* the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard *calls on* Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralized roster;
4. *Further urges* the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel;
5. *Expresses* its willingness to incorporate a gender perspective into peacekeeping operations, and *urges* the Secretary-General to ensure that, where appropriate, field operations include a gender component;
6. *Requests* the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peacebuilding measures, *invites* Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment, and *further requests* the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training;



7. *Urges* Member States to increase their voluntary financial, technical and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Fund for Women and United Nations Children's Fund, and by the Office of the United Nations High Commissioner for Refugees and other relevant bodies;
8. *Calls on* all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:
  - (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction;
  - (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements;
  - (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;
9. *Calls upon* all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls, especially as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, the Refugee Convention of 1951 and the Protocol thereto of 1967, the Convention on the Elimination of All Forms of Discrimination against Women of 1979 and the Optional Protocol thereto of 1999 and the United Nations Convention on the Rights of the Child of 1989 and the two Optional Protocols thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court;
10. *Calls on* all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict;
11. *Emphasizes* the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard *stresses* the need to exclude these crimes, where feasible from amnesty provisions;
12. *Calls upon* all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design, and recalls its resolutions 1208 (1998) of 19 November 1998 and 1296 (2000) of 19 April 2000;
13. *Encourages* all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants;

14. *Reaffirms* its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions;
15. *Expresses* its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups;
16. *Invites* the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peacebuilding and the gender dimensions of peace processes and conflict resolution, and *further invites* him to submit a report to the Security Council on the results of this study and to make this available to all Member States of the United Nations;
17. *Requests* the Secretary-General, where appropriate, to include in his reporting to the Security Council progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls;
18. *Decides* to remain actively seized of the matter.



# APPENDICES

## APPENDIX 5:

---

# **UN General Assembly Resolution 48/104**

5

# UN General Assembly Resolution 48/104

Declaration on the Elimination of Violence against Women

**A/RES/48/104**

**Adopted at the 85th Plenary Meeting on 20  
December 1993**

*The General Assembly,*

*Reaffirming* its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325 (2000), 1612 (2005), 1674 (2006), 1820 (2008), 1882 (2009), 1888 (2009) and all relevant Statements of its Presidents,

*Recognizing* the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings,

*Noting* that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

*Recognizing* that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process,

*Concerned* that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, in which a set of measures to combat violence against women was recommended, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

*Affirming* that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women,

*Recognizing* that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the

prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

*Concerned* that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

*Recalling* the conclusion in paragraph 23 of the annex to Economic and Social Council resolution 1990/15 of 24 May 1990 that the recognition that violence against women in the family and society was pervasive and cut across lines of income, class and culture had to be matched by urgent and effective steps to eliminate its incidence,

*Recalling* also Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

*Welcoming* the role that women's movements are playing in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

*Alarmed* that opportunities for women to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence,

*Convinced* that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women,

*Solemnly proclaims* the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

## Article 1

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

## Article 2

Violence against women shall be understood to encompass, but not be limited to, the following:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

### **Article 3**

Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:

- (a) The right to life;
- (b) The right to equality
- (c) The right to liberty and security of person;
- (d) The right to equal protection under the law;
- (e) The right to be free from all forms of discrimination;
- (f) The right to the highest standard attainable of physical and mental health;
- (g) The right to just and favourable conditions of work;
- (h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

### **Article 4**

States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;

- (a) Refrain from engaging in violence against women;
- (b) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

- (c) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;
- (d) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with the issue of violence against women;
- (e) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;
- (f) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;
- (g) Include in government budgets adequate resources for their activities related to the elimination of violence against women;
- (h) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;
- (i) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;
- (j) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent



and redress violence against women; those statistics and findings of the research will be made public;

- (k) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence;
- (l) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;
- (m) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;
- (n) Recognize the important role of the women's movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women;
- (o) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;
- (p) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

## **Article 5**

The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, *inter alia*:

- (a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;
- (b) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;
- (c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;
- (d) Include in analyses prepared by organizations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;
- (e) Encourage coordination between organizations and bodies of the United Nations system to incorporate the issue of violence against

women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;

- (f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;
- (g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;
- (h) Cooperate with non-governmental organizations in addressing the issue of violence against women.

## **Article 6**

Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State.



## APPENDICES

### APPENDIX 6:

---

# **Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**

6

# **Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages**

Opened for signature and ratification by General Assembly Resolution 1763 A(XVII) of 7 November 1962

## **Entry into force: 9 December 1964, in accordance with article 6**

*The Contracting States,*

*Desiring*, in conformity with the Charter of the United Nations, to promote universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

*Recalling* that article 16 of the Universal Declaration of Human Rights states that:

“(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.”

*Recalling further* that the General Assembly of the United Nations declared, by resolution 843 (IX) of 17 December 1954, that certain customs, ancient laws and practices relating to marriage and the family were inconsistent with the principles set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights,

*Reaffirming* that all States, including those which have or assume responsibility for the administration of Non-Self-Governing and Trust Territories until their achievement of independence, should take all appropriate measures with a view to abolishing such customs, ancient laws and practices by ensuring, inter alia, complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary and establishing a civil or other register in which all marriages will be recorded,

*Hereby agree as hereinafter provided:*

## **Article 1**

1. No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law.
2. Notwithstanding anything in paragraph 1 above, it shall not be necessary for one of the parties to be present when the competent authority is satisfied that the circumstances are exceptional and that the party has, before a competent authority and in such manner as may be prescribed by law, expressed and not withdrawn consent.

## **Article 2**

States Parties to the present Convention shall take legislative action to specify a minimum age for marriage. No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

## **Article 3**

All marriages shall be registered in an appropriate official register by the competent authority.

## **Article 4**

1. The present Convention shall, until 31 December 1963, be open for signature on behalf of all States Members of the United Nations or members of any of the specialized agencies, and of any other State invited by the General Assembly of the United Nations to become a Party to the Convention.
2. The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

## **Article 5**

1. The present Convention shall be open for accession to all States referred to in article 4, paragraph 1.
2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

## **Article 6**

1. The present Convention shall come into force on the ninetieth day following the date of deposit of the eighth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the eighth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

## **Article 7**

1. Any Contracting State may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.
2. The present Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than eight becomes effective.

## **Article 8**

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of all the parties to the dispute, be referred to the International Court of Justice for decision, unless the parties agree to another mode of settlement.

## **Article 9**

The Secretary-General of the United Nations shall notify all States Members of the United Nations and the non-member States contemplated in article 4, paragraph 1, of the present Convention of the following:

- (a) Signatures and instruments of ratification received in accordance with article 4;
- (b) Instruments of accession received in accordance with article 5;
- (c) The date upon which the Convention enters into force in accordance with article 6;
- (d) Notifications of denunciation received in accordance with article 7, paragraph 1;
- (e) Abrogation in accordance with article 7, paragraph 2.

## **Article 10**

1. The present Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.
2. The Secretary-General of the United Nations shall transmit a certified copy of the Convention to all States Members of the United Nations and to the non-member States contemplated in article 4, paragraph 1.

## APPENDICES

### APPENDIX 7:

---

# **The Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity**





# **The Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity**

## Preamble

*We, the International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity:*

*Recalling* that all human beings are born free and equal in dignity and rights, and that everyone is entitled to the enjoyment of human rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

*Disturbed* that violence, harassment, discrimination, exclusion, stigmatisation and prejudice are directed against persons in all regions of the world because of their sexual orientation or gender identity, that these experiences are compounded by discrimination on grounds including gender, race, age, religion, disability, health and economic status, and that such violence, harassment, discrimination, exclusion, stigmatisation and prejudice undermine the integrity and dignity of those subjected to these abuses, may weaken their sense of self-worth and belonging to their community, and lead many to conceal or suppress their identity and to live lives of fear and invisibility;

*Aware* that historically people have experienced these human rights violations because they are or are perceived to be lesbian, gay or bisexual, because of their consensual sexual conduct with persons of the same gender or because they are or are perceived to be transsexual, transgender or intersex or belong to social groups identified in particular societies by sexual orientation or gender identity;

*Understanding* “sexual orientation” to refer to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender;

*Understanding* “gender identity” to refer to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms;

*Observing* that international human rights law affirms that all persons, regardless of sexual orientation or gender identity, are entitled to the full enjoyment of all human rights, that the application of existing human rights entitlements should take account of the specific situations and experiences of people of diverse sexual orientations and gender identities, and that in all actions concerning children the best interests of the child shall be a primary consideration and a child who is capable of forming personal views has the right to express those views freely, such views being given due weight in accordance with the age and maturity of the child;

*Noting* that international human rights law imposes an absolute prohibition of discrimination in regard to the full enjoyment of all human rights, civil, cultural, economic, political and social, that respect for sexual rights, sexual orientation and gender identity is integral to the realisation of equality between men and women and that States must take measures to seek to eliminate prejudices and customs based on the idea of the inferiority or the superiority of one sex or on stereotyped roles for men and women, and noting further that the international community has recognised the right of persons to decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination, and violence;

*Recognising* that there is significant value in articulating in a systematic manner international human rights law as applicable to the lives and experiences of persons of diverse sexual orientations and gender identities;

*Acknowledging* that this articulation must rely on the current state of international human rights law and will require revision on a regular basis in order to take account of developments in that law and its application to the particular lives and experiences of persons of diverse sexual orientations and gender identities over time and in diverse regions and countries;

***Following an experts' meeting held in Yogyakarta, Indonesia, from 6 to 9 November 2006, hereby adopt these principles:***

## **Principle 1. The Right to the Universal Enjoyment of Human Rights**

All human beings are born free and equal in dignity and rights. Human beings of all sexual orientations and gender identities are entitled to the full enjoyment of all human rights.

*States shall:*

- (a) Embody the principles of the universality, interrelatedness, interdependence and indivisibility of all human rights in their national constitutions or other appropriate legislation and ensure the practical realisation of the universal enjoyment of all human rights;
- (b) Amend any legislation, including criminal law, to ensure its consistency with the universal enjoyment of all human rights;

- (c) Undertake programmes of education and awareness to promote and enhance the full enjoyment of all human rights by all persons, irrespective of sexual orientation or gender identity;
- (d) Integrate within State policy and decision-making a pluralistic approach that recognises and affirms the interrelatedness and indivisibility of all aspects of human identity including sexual orientation and gender identity.

## **Principle 2. The Rights to Equality and Non-discrimination**

Everyone is entitled to enjoy all human rights without discrimination on the basis of sexual orientation or gender identity. Everyone is entitled to equality before the law and the equal protection of the law without any such discrimination whether or not the enjoyment of another human right is also affected. The law shall prohibit any such discrimination and guarantee to all persons equal and effective protection against any such discrimination.

Discrimination on the basis of sexual orientation or gender identity includes any distinction, exclusion, restriction or preference based on sexual orientation or gender identity which has the purpose or effect of nullifying or impairing equality before the law or the equal protection of the law, or the recognition, enjoyment or exercise, on an equal basis, of all human rights and fundamental freedoms. Discrimination based on sexual orientation or gender identity may be, and commonly is, compounded by discrimination on other grounds including gender, race, age, religion, disability, health and economic status.

### *States shall:*

- (a) Embody the principles of equality and non-discrimination on the basis of sexual orientation and gender identity in their national constitutions or other appropriate legislation, if not yet incorporated therein, including by means of amendment and interpretation, and ensure the effective realisation of these principles;
- (b) Repeal criminal and other legal provisions that prohibit or are, in effect, employed to prohibit consensual sexual activity among people of the same sex who are over the age of consent, and ensure that an equal age of consent applies to both same-sex and different-sex sexual activity;
- (c) Adopt appropriate legislative and other measures to prohibit and eliminate discrimination in the public and private spheres on the basis of sexual orientation and gender identity;
- (d) Take appropriate measures to secure adequate advancement of persons of diverse sexual orientations and gender identities as may be necessary to ensure such groups or individuals equal enjoyment or exercise of human rights. Such measures shall not be deemed to be discriminatory;

- (e) In all their responses to discrimination on the basis of sexual orientation or gender identity, take account of the manner in which such discrimination may intersect with other forms of discrimination;
- (f) Take all appropriate action, including programmes of education and training, with a view to achieving the elimination of prejudicial or discriminatory attitudes or behaviours which are related to the idea of the inferiority or the superiority of any sexual orientation or gender identity or gender expression.

## **Principle 3. The Right to Recognition Before the Law**

Everyone has the right to recognition everywhere as a person before the law. Persons of diverse sexual orientations and gender identities shall enjoy legal capacity in all aspects of life. Each person's self-defined sexual orientation and gender identity is integral to their personality and is one of the most basic aspects of self-determination, dignity and freedom. No one shall be forced to undergo medical procedures, including sex reassignment surgery, sterilisation or hormonal therapy, as a requirement for legal recognition of their gender identity. No status, such as marriage or parenthood, may be invoked as such to prevent the legal recognition of a person's gender identity. No one shall be subjected to pressure to conceal, suppress or deny their sexual orientation or gender identity.

### *States shall:*

- (a) Ensure that all persons are accorded legal capacity in civil matters, without discrimination on the basis of sexual orientation or gender identity, and the opportunity to exercise that capacity, including equal rights to conclude contracts, and to administer, own, acquire (including through inheritance), manage, enjoy and dispose of property;
- (b) Take all necessary legislative, administrative and other measures to fully respect and legally recognise each person's self-defined gender identity;
- (c) Take all necessary legislative, administrative and other measures to ensure that procedures exist whereby all State-issued identity papers which indicate a person's gender/sex—including birth certificates, passports, electoral records and other documents—reflect the person's profound self-defined gender identity;
- (d) Ensure that such procedures are efficient, fair and non-discriminatory, and respect the dignity and privacy of the person concerned;
- (e) Ensure that changes to identity documents will be recognised in all contexts where the identification or disaggregation of persons by gender is required by law or policy;
- (f) Undertake targeted programmes to provide social support for all persons experiencing gender transitioning or reassignment.

## **Principle 4. The Right to Life**

Everyone has the right to life. No one shall be arbitrarily deprived of life, including by reference to considerations of sexual orientation or gender identity. The death penalty shall not be imposed on any person on the basis of consensual sexual activity among persons who are over the age of consent or on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Repeal all forms of crime that have the purpose or effect of prohibiting consensual sexual activity among persons of the same sex who are over the age of consent and, until such provisions are repealed, never impose the death penalty on any person convicted under them;
- (b) Remit sentences of death and release all those currently awaiting execution for crimes relating to consensual sexual activity among persons who are over the age of consent;
- (c) Cease any State-sponsored or State-condoned attacks on the lives of persons based on sexual orientation or gender identity, and ensure that all such attacks, whether by government officials or by any individual or group, are vigorously investigated, and that, where appropriate evidence is found, those responsible are prosecuted, tried and duly punished.

## **Principle 5. The Right to Security of the Person**

Everyone, regardless of sexual orientation or gender identity, has the right to security of the person and to protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual or group.

*States shall:*

- (a) Take all necessary policing and other measures to prevent and provide protection from all forms of violence and harassment related to sexual orientation and gender identity;
- (b) Take all necessary legislative measures to impose appropriate criminal penalties for violence, threats of violence, incitement to violence and related harassment, based on the sexual orientation or gender identity of any person or group of persons, in all spheres of life, including the family;
- (c) Take all necessary legislative, administrative and other measures to ensure that the sexual orientation or gender identity of the victim may not be advanced to justify, excuse or mitigate such violence;
- (d) Ensure that perpetration of such violence is vigorously investigated, and that, where appropriate evidence is found, those responsible are prosecuted, tried and duly punished, and that victims are provided with appropriate remedies and redress, including compensation;

- (e) Undertake campaigns of awareness-raising, directed to the general public as well as to actual and potential perpetrators of violence, in order to combat the prejudices that underlie violence related to sexual orientation and gender identity.

## Principle 6. The Right to Privacy

Everyone, regardless of sexual orientation or gender identity, is entitled to the enjoyment of privacy without arbitrary or unlawful interference, including with regard to their family, home or correspondence as well as to protection from unlawful attacks on their honour and reputation. The right to privacy ordinarily includes the choice to disclose or not to disclose information relating to one's sexual orientation or gender identity, as well as decisions and choices regarding both one's own body and consensual sexual and other relations with others.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure the right of each person, regardless of sexual orientation or gender identity, to enjoy the private sphere, intimate decisions, and human relations, including consensual sexual activity among persons who are over the age of consent, without arbitrary interference;
- (b) Repeal all laws that criminalise consensual sexual activity among persons of the same sex who are over the age of consent, and ensure that an equal age of consent applies to both same-sex and different-sex sexual activity;
- (c) Ensure that criminal and other legal provisions of general application are not applied *de facto* to criminalise consensual sexual activity among persons of the same sex who are over the age of consent;
- (d) Repeal any law that prohibits or criminalises the expression of gender identity, including through dress, speech or mannerisms, or that denies to individuals the opportunity to change their bodies as a means of expressing their gender identity;
- (e) Release all those held on remand or on the basis of a criminal conviction, if their detention is related to consensual sexual activity among persons who are over the age of consent, or is related to gender identity;
- (f) Ensure the right of all persons ordinarily to choose when, to whom and how to disclose information pertaining to their sexual orientation or gender identity, and protect all persons from arbitrary or unwanted disclosure, or threat of disclosure of such information by others.

## Principle 7. The Right to Freedom from Arbitrary Deprivation of Liberty

No one shall be subjected to arbitrary arrest or detention. Arrest or detention on the basis of sexual orientation or gender identity, whether

pursuant to a court order or otherwise, is arbitrary. All persons under arrest, regardless of their sexual orientation or gender identity, are entitled, on the basis of equality, to be informed of the reasons for arrest and the nature of any charges against them, to be brought promptly before a judicial officer and to bring court proceedings to determine the lawfulness of detention, whether or not charged with any offence.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure that sexual orientation or gender identity may under no circumstances be the basis for arrest or detention, including the elimination of vaguely worded criminal law provisions that invite discriminatory application or otherwise provide scope for arrests based on prejudice;
- (b) Take all necessary legislative, administrative and other measures to ensure that all persons under arrest, regardless of their sexual orientation or gender identity, are entitled, on the basis of equality, to be informed of the reasons for arrest and the nature of any charges against them, and whether charged or not, to be brought promptly before a judicial officer and to bring court proceedings to determine the lawfulness of detention;
- (c) Undertake programmes of training and awareness-raising to educate police and other law enforcement personnel regarding the arbitrariness of arrest and detention based on a person's sexual orientation or gender identity;
- (d) Maintain accurate and up to date records of all arrests and detentions, indicating the date, location and reason for detention, and ensure independent oversight of all places of detention by bodies that are adequately mandated and equipped to identify arrests and detentions that may be motivated by the sexual orientation or gender identity of a person.

## **Principle 8. The Right to a Fair Trial**

Everyone is entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law, in the determination of their rights and obligations in a suit at law and of any criminal charge against them, without prejudice or discrimination on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to prohibit and eliminate prejudicial treatment on the basis of sexual orientation or gender identity at every stage of the judicial process, in civil and criminal proceedings and all other judicial and administrative proceedings which determine rights and obligations, and to ensure that no one's credibility or character as a party, witness, advocate or decision-maker is impugned by reason of their sexual orientation or gender identity;

- (b) Take all necessary and reasonable steps to protect persons from criminal prosecutions or civil proceedings that are motivated wholly or in part by prejudice regarding sexual orientation or gender identity;
- (c) Undertake programmes of training and awareness-raising for judges, court personnel, prosecutors, lawyers and others regarding international human rights standards and principles of equality and non-discrimination, including in relation to sexual orientation and gender identity.

## **Principle 9. The Right to Treatment with Humanity while in Detention**

Everyone deprived of liberty shall be treated with humanity and with respect for the inherent dignity of the human person. Sexual orientation and gender identity are integral to each person's dignity.

### *States shall:*

- (a) Ensure that placement in detention avoids further marginalising persons on the basis of sexual orientation or gender identity or subjecting them to risk of violence, ill-treatment or physical, mental or sexual abuse;
- (b) Provide adequate access to medical care and counselling appropriate to the needs of those in custody, recognising any particular needs of persons on the basis of their sexual orientation or gender identity, including with regard to reproductive health, access to HIV/AIDS information and therapy and access to hormonal or other therapy as well as to gender-reassignment treatments where desired;
- (c) Ensure, to the extent possible, that all prisoners participate in decisions regarding the place of detention appropriate to their sexual orientation and gender identity;
- (d) Put protective measures in place for all prisoners vulnerable to violence or abuse on the basis of their sexual orientation, gender identity or gender expression and ensure, so far as is reasonably practicable, that such protective measures involve no greater restriction of their rights than is experienced by the general prison population;
- (e) Ensure that conjugal visits, where permitted, are granted on an equal basis to all prisoners and detainees, regardless of the gender of their partner;
- (f) Provide for the independent monitoring of detention facilities by the State as well as by non-governmental organisations including organisations working in the spheres of sexual orientation and gender identity;
- (g) Undertake programmes of training and awareness-raising for prison personnel and all other officials in the public and private sector who are engaged in detention facilities, regarding international human rights standards and principles of equality and non-discrimination, including in relation to sexual orientation and gender identity.



## **Principle 10. The Right to Freedom from Torture and Cruel, Inhuman or Degrading Treatment or Punishment**

Everyone has the right to be free from torture and from cruel, inhuman or degrading treatment or punishment, including for reasons relating to sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to prevent and provide protection from torture and cruel, inhuman or degrading treatment or punishment, perpetrated for reasons relating to the sexual orientation or gender identity of the victim, as well as the incitement of such acts;
- (b) Take all reasonable steps to identify victims of torture and cruel, inhuman or degrading treatment or punishment, perpetrated for reasons relating to sexual orientation or gender identity, and offer appropriate remedies including redress and reparation and, where appropriate, medical and psychological support;
- (c) Undertake programmes of training and awareness-raising for police, prison personnel and all other officials in the public and private sector who are in a position to perpetrate or to prevent such acts.

## **Principle 11. The Right to Protection from all Forms of Exploitation, Sale and Trafficking of Human Beings**

Everyone is entitled to protection from trafficking, sale and all forms of exploitation, including but not limited to sexual exploitation, on the grounds of actual or perceived sexual orientation or gender identity. Measures designed to prevent trafficking shall address the factors that increase vulnerability, including various forms of inequality and discrimination on the grounds of actual or perceived sexual orientation or gender identity, or the expression of these or other identities. Such measures must not be inconsistent with the human rights of persons at risk of being trafficked.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures of a preventive and protective nature regarding the trafficking, sale and all forms of exploitation of human beings, including but not limited to sexual exploitation, on the grounds of actual or perceived sexual orientation or gender identity;

- (b) Ensure that any such legislation or measures do not criminalise the behaviour of, stigmatise, or in any other way, exacerbate the disadvantage of those vulnerable to such practices;
- (c) Establish legal, educational and social measures, services and programmes to address factors that increase vulnerability to trafficking, sale and all forms of exploitation, including but not limited to sexual exploitation, on the grounds of actual or perceived sexual orientation or gender identity, including such factors as social exclusion, discrimination, rejection by families or cultural communities, lack of financial independence, homelessness, discriminatory social attitudes leading to low self-esteem, and lack of protection from discrimination in access to housing accommodation, employment and social services.

## **Principle 12. The Right to Work**

Everyone has the right to decent and productive work, to just and favourable conditions of work and to protection against unemployment, without discrimination on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to eliminate and prohibit discrimination on the basis of sexual orientation and gender identity in public and private employment, including in relation to vocational training, recruitment, promotion, dismissal, conditions of employment and remuneration;
- (b) Eliminate any discrimination on the basis of sexual orientation or gender identity to ensure equal employment and advancement opportunities in all areas of public service, including all levels of government service and employment in public functions, including serving in the police and military, and provide appropriate training and awareness-raising programmes to counter discriminatory attitudes.

## **Principle 13. The Right to Social Security and to Other Social Protection Measures**

Everyone has the right to social security and other social protection measures, without discrimination on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure equal access, without discrimination on the basis of sexual orientation or gender identity, to social security and other social protection measures, including employment benefits, parental leave, unemployment benefits, health insurance or care or benefits (including for body modifications

related to gender identity), other social insurance, family benefits, funeral benefits, pensions and benefits with regard to the loss of support for spouses or partners as the result of illness or death;

- (b) Ensure that children are not subject to any form of discriminatory treatment within the social security system or in the provision of social or welfare benefits on the basis of their sexual orientation or gender identity, or that of any member of their family;
- (c) Take all necessary legislative, administrative and other measures to ensure access to poverty reduction strategies and programmes, without discrimination on the basis of sexual orientation or gender identity.

## **Principle 14. The Right to an Adequate Standard of Living**

Everyone has the right to an adequate standard of living, including adequate food, safe drinking water, adequate sanitation and clothing, and to the continuous improvement of living conditions, without discrimination on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure equal access, without discrimination on the basis of sexual orientation or gender identity, to adequate food, safe drinking water, adequate sanitation and clothing.

## **Principle 15. The Right to Adequate Housing**

Everyone has the right to adequate housing, including protection from eviction, without discrimination on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure security of tenure and access to affordable, habitable, accessible, culturally appropriate and safe housing, including shelters and other emergency accommodation, without discrimination on the basis of sexual orientation, gender identity or marital or family status;
- (b) Take all necessary legislative, administrative and other measures to prohibit the execution of evictions that are not in conformity with their international human rights obligations; and ensure that adequate and effective legal or other appropriate remedies are available to any person claiming that a right to protection against forced evictions has been violated or is under threat of violation, including the right to resettlement, which includes the right to alternative land of better or equal quality and to adequate housing, without

discrimination on the basis of sexual orientation, gender identity or marital or family status;

- (c) Ensure equal rights to land and home ownership and inheritance without discrimination on the basis of sexual orientation or gender identity;
- (d) Establish social programmes, including support programmes, to address factors relating to sexual orientation and gender identity that increase vulnerability to homelessness, especially for children and young people, including social exclusion, domestic and other forms of violence, discrimination, lack of financial independence, and rejection by families or cultural communities, as well as to promote schemes of neighbourhood support and security;
- (e) Provide training and awareness-raising programmes to ensure that all relevant agencies are aware of and sensitive to the needs of those facing homelessness or social disadvantage as a result of sexual orientation or gender identity.

## Principle 16. The Right to Education

Everyone has the right to education, without discrimination on the basis of, and taking into account, their sexual orientation and gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure equal access to education, and equal treatment of students, staff and teachers within the education system, without discrimination on the basis of sexual orientation or gender identity;
- (b) Ensure that education is directed to the development of each student's personality, talents, and mental and physical abilities to their fullest potential, and responds to the needs of students of all sexual orientations and gender identities;
- (c) Ensure that education is directed to the development of respect for human rights, and of respect for each child's parents and family members, cultural identity, language and values, in a spirit of understanding, peace, tolerance and equality, taking into account and respecting diverse sexual orientations and gender identities;
- (d) Ensure that education methods, curricula and resources serve to enhance understanding of and respect for, *inter alia*, diverse sexual orientations and gender identities, including the particular needs of students, their parents and family members related to these grounds;
- (e) Ensure that laws and policies provide adequate protection for students, staff and teachers of different sexual orientations and gender identities against all forms of social exclusion and violence within the school environment, including bullying and harassment;

- (f) Ensure that students subjected to such exclusion or violence are not marginalised or segregated for reasons of protection, and that their best interests are identified and respected in a participatory manner;
- (g) Take all necessary legislative, administrative and other measures to ensure that discipline in educational institutions is administered in a manner consistent with human dignity, without discrimination or penalty on the basis of a student's sexual orientation or gender identity, or the expression thereof;
- (h) Ensure that everyone has access to opportunities and resources for lifelong learning without discrimination on the basis of sexual orientation or gender identity, including adults who have already suffered such forms of discrimination in the educational system.

## **Principle 17. The Right to the Highest Attainable Standard of Health**

Everyone has the right to the highest attainable standard of physical and mental health, without discrimination on the basis of sexual orientation or gender identity. Sexual and reproductive health is a fundamental aspect of this right.

### *States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure enjoyment of the right to the highest attainable standard of health, without discrimination on the basis of sexual orientation or gender identity;
- (b) Take all necessary legislative, administrative and other measures to ensure that all persons have access to healthcare facilities, goods and services, including in relation to sexual and reproductive health, and to their own medical records, without discrimination on the basis of sexual orientation or gender identity;
- (c) Ensure that healthcare facilities, goods and services are designed to improve the health status of, and respond to the needs of, all persons without discrimination on the basis of, and taking into account, sexual orientation and gender identity, and that medical records in this respect are treated with confidentiality;
- (d) Develop and implement programmes to address discrimination, prejudice and other social factors which undermine the health of persons because of their sexual orientation or gender identity;
- (e) Ensure that all persons are informed and empowered to make their own decisions regarding medical treatment and care, on the basis of genuinely informed consent, without discrimination on the basis of sexual orientation or gender identity;
- (f) Ensure that all sexual and reproductive health, education, prevention, care and treatment programmes and services respect the diversity of sexual

orientations and gender identities, and are equally available to all without discrimination;

- (g) Facilitate access by those seeking body modifications related to gender reassignment to competent, non-discriminatory treatment, care and support;
- (h) Ensure that all health service providers treat clients and their partners without discrimination on the basis of sexual orientation or gender identity, including with regard to recognition as next of kin;
- (i) Adopt the policies, and programmes of education and training, necessary to enable persons working in the healthcare sector to deliver the highest attainable standard of healthcare to all persons, with full respect for each person's sexual orientation and gender identity.

## **Principle 18. Protection from Medical Abuses**

No person may be forced to undergo any form of medical or psychological treatment, procedure, testing, or be confined to a medical facility, based on sexual orientation or gender identity. Notwithstanding any classifications to the contrary, a person's sexual orientation and gender identity are not, in and of themselves, medical conditions and are not to be treated, cured or suppressed.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure full protection against harmful medical practices based on sexual orientation or gender identity, including on the basis of stereotypes, whether derived from culture or otherwise, regarding conduct, physical appearance or perceived gender norms;
- (b) Take all necessary legislative, administrative and other measures to ensure that no child's body is irreversibly altered by medical procedures in an attempt to impose a gender identity without the full, free and informed consent of the child in accordance with the age and maturity of the child and guided by the Principle that in all actions concerning children, the best interests of the child shall be a primary consideration;
- (c) Establish child protection mechanisms whereby no child is at risk of, or subjected to, medical abuse;
- (d) Ensure protection of persons of diverse sexual orientations and gender identities against unethical or involuntary medical procedures or research, including in relation to vaccines, treatments or microbicides for HIV/AIDS or other diseases;
- (e) Review and amend any health funding provisions or programmes, including those of a development-assistance nature, which may promote, facilitate or in any other way render possible such abuses;

- (f) Ensure that any medical or psychological treatment or counselling does not, explicitly or implicitly, treat sexual orientation and gender identity as medical conditions to be treated, cured or suppressed.

## **Principle 19. The Right to Freedom of Opinion and Expression**

Everyone has the right to freedom of opinion and expression, regardless of sexual orientation or gender identity. This includes the expression of identity or personhood through speech, deportment, dress, bodily characteristics, choice of name, or any other means, as well as the freedom to seek, receive and impart information and ideas of all kinds, including with regard to human rights, sexual orientation and gender identity, through any medium and regardless of frontiers.

### *States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure full enjoyment of freedom of opinion and expression, while respecting the rights and freedoms of others, without discrimination on the basis of sexual orientation or gender identity, including the receipt and imparting of information and ideas concerning sexual orientation and gender identity, as well as related advocacy for legal rights, publication of materials, broadcasting, organisation of or participation in conferences, and dissemination of and access to safer-sex information;
- (b) Ensure that the outputs and the organisation of media that is State-regulated is pluralistic and non-discriminatory in respect of issues of sexual orientation and gender identity and that the personnel recruitment and promotion policies of such organisations are non-discriminatory on the basis of sexual orientation or gender identity;
- (c) Take all necessary legislative, administrative and other measures to ensure the full enjoyment of the right to express identity or personhood, including through speech, deportment, dress, bodily characteristics, choice of name or any other means;
- (d) Ensure that notions of public order, public morality, public health and public security are not employed to restrict, in a discriminatory manner, any exercise of freedom of opinion and expression that affirms diverse sexual orientations or gender identities;
- (e) Ensure that the exercise of freedom of opinion and expression does not violate the rights and freedoms of persons of diverse sexual orientations and gender identities;
- (f) Ensure that all persons, regardless of sexual orientation or gender identity, enjoy equal access to information and ideas, as well as to participation in public debate.

## **Principle 20. The Right to Freedom of Peaceful Assembly and Association**

Everyone has the right to freedom of peaceful assembly and association, including for the purposes of peaceful demonstrations, regardless of sexual orientation or gender identity. Persons may form and have recognised, without discrimination, associations based on sexual orientation or gender identity, and associations that distribute information to or about, facilitate communication among, or advocate for the rights of, persons of diverse sexual orientations and gender identities.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure the rights to peacefully organise, associate, assemble and advocate around issues of sexual orientation and gender identity, and to obtain legal recognition for such associations and groups, without discrimination on the basis of sexual orientation or gender identity;
- (b) Ensure in particular that notions of public order, public morality, public health and public security are not employed to restrict any exercise of the rights to peaceful assembly and association solely on the basis that it affirms diverse sexual orientations or gender identities;
- (c) Under no circumstances impede the exercise of the rights to peaceful assembly and association on grounds relating to sexual orientation or gender identity, and ensure that adequate police and other physical protection against violence or harassment is afforded to persons exercising these rights;
- (d) Provide training and awareness-raising programmes to law enforcement authorities and other relevant officials to enable them to provide such protection;
- (e) Ensure that information disclosure rules for voluntary associations and groups do not, in practice, have discriminatory effects for such associations and groups addressing issues of sexual orientation or gender identity, or for their members.

## **Principle 21. The Right to Freedom of Thought, Conscience and Religion**

Everyone has the right to freedom of thought, conscience and religion, regardless of sexual orientation or gender identity. These rights may not be invoked by the State to justify laws, policies or practices which deny equal protection of the law, or discriminate, on the basis of sexual orientation or gender identity.



*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure the right of persons, regardless of sexual orientation or gender identity, to hold and practise religious and non-religious beliefs, alone or in association with others, to be free from interference with their beliefs and to be free from coercion or the imposition of beliefs;
- (b) Ensure that the expression, practice and promotion of different opinions, convictions and beliefs with regard to issues of sexual orientation or gender identity is not undertaken in a manner incompatible with human rights.

## **Principle 22. The Right to Freedom of Movement**

Everyone lawfully within a State has the right to freedom of movement and residence within the borders of the State, regardless of sexual orientation or gender identity. Sexual orientation and gender identity may never be invoked to limit or impede a person's entry, egress or return to or from any State, including that person's own State.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure that the right to freedom of movement and residence is guaranteed regardless of sexual orientation or gender identity.

## **Principle 23. The Right to Seek Asylum**

Everyone has the right to seek and enjoy in other countries asylum from persecution, including persecution related to sexual orientation or gender identity. A State may not remove, expel or extradite a person to any State where that person may face a well-founded fear of torture, persecution, or any other form of cruel, inhuman or degrading treatment or punishment, on the basis of sexual orientation or gender identity.

*States shall:*

- (a) Review, amend and enact legislation to ensure that a well-founded fear of persecution on the basis of sexual orientation or gender identity is accepted as a ground for the recognition of refugee status and asylum;
- (b) Ensure that no policy or practice discriminates against asylum seekers on the basis of sexual orientation or gender identity;
- (c) Ensure that no person is removed, expelled or extradited to any State where that person may face a well-founded fear of torture, persecution, or any other form of cruel, inhuman or degrading treatment or punishment, on the basis of that person's sexual orientation or gender identity.

## Principle 24. The Right to Found a Family

Everyone has the right to found a family, regardless of sexual orientation or gender identity. Families exist in diverse forms. No family may be subjected to discrimination on the basis of the sexual orientation or gender identity of any of its members.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure the right to found a family, including through access to adoption or assisted procreation (including donor insemination), without discrimination on the basis of sexual orientation or gender identity;
- (b) Ensure that laws and policies recognise the diversity of family forms, including those not defined by descent or marriage, and take all necessary legislative, administrative and other measures to ensure that no family may be subjected to discrimination on the basis of the sexual orientation or gender identity of any of its members, including with regard to family-related social welfare and other public benefits, employment, and immigration;
- (c) Take all necessary legislative, administrative and other measures to ensure that in all actions or decisions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration, and that the sexual orientation or gender identity of the child or of any family member or other person may not be considered incompatible with such best interests;
- (d) In all actions or decisions concerning children, ensure that a child who is capable of forming personal views can exercise the right to express those views freely, and that such views are given due weight in accordance with the age and maturity of the child;
- (e) Take all necessary legislative, administrative and other measures to ensure that in States that recognise same-sex marriages or registered partnerships, any entitlement, privilege, obligation or benefit available to different-sex married or registered partners is equally available to same-sex married or registered partners;
- (f) Take all necessary legislative, administrative and other measures to ensure that any obligation, entitlement, privilege or benefit available to different-sex unmarried partners is equally available to same-sex unmarried partners;
- (g) Ensure that marriages and other legally-recognised partnerships may be entered into only with the free and full consent of the intending spouses or partners.

## **Principle 25. The Right to Participate in Public Life**

Every citizen has the right to take part in the conduct of public affairs, including the right to stand for elected office, to participate in the formulation of policies affecting their welfare, and to have equal access to all levels of public service and employment in public functions, including serving in the police and military, without discrimination on the basis of sexual orientation or gender identity.

*States should:*

- (a) Review, amend and enact legislation to ensure the full enjoyment of the right to participate in public and political life and affairs, embracing all levels of government service and employment in public functions, including serving in the police and military, without discrimination on the basis of, and with full respect for, each person's sexual orientation and gender identity;
- (b) Take all appropriate measures to eliminate stereotypes and prejudices regarding sexual orientation and gender identity that prevent or restrict participation in public life;
- (c) Ensure the right of each person to participate in the formulation of policies affecting their welfare, without discrimination on the basis of, and with full respect for, their sexual orientation and gender identity.

## **Principle 26. The Right to Participate in Cultural Life**

Everyone has the right to participate freely in cultural life, regardless of sexual orientation or gender identity, and to express, through cultural participation, the diversity of sexual orientation and gender identity.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure opportunities for the participation in cultural life of all persons, regardless of, and with full respect for, their sexual orientations and gender identities;
- (b) Foster dialogue between, and mutual respect among, proponents of the various cultural groups present within the State, including among groups that hold different views on matters of sexual orientation and gender identity, consistently with respect for the human rights referred to in these Principles.

## **Principle 27. The Right to Promote Human Rights**

Everyone has the right, individually and in association with others, to promote the protection and realisation of human rights at the national and

international levels, without discrimination on the basis of sexual orientation or gender identity. This includes activities directed towards the promotion and protection of the rights of persons of diverse sexual orientations and gender identities, as well as the right to develop and discuss new human rights norms and to advocate their acceptance.

*States shall:*

- (a) Take all necessary legislative, administrative and other measures to ensure a favourable environment for activities directed towards the promotion, protection and realisation of human rights, including rights relevant to sexual orientation and gender identity;
- (b) Take all appropriate measures to combat actions or campaigns targeting human rights defenders working on issues of sexual orientation and gender identity, as well as those targeting human rights defenders of diverse sexual orientations and gender identities;
- (c) Ensure that human rights defenders, regardless of their sexual orientation or gender identity, and regardless of the human rights issues they advocate, enjoy non-discriminatory access to, participation in, and communication with, national and international human rights organisations and bodies;
- (d) Ensure the protection of human rights defenders, working on issues of sexual orientation and gender identity, against any violence, threat, retaliation, *de facto* or *de jure* discrimination, pressure, or any other arbitrary action perpetrated by the State, or by non-State actors, in response to their human rights activities. The same protection should be ensured, to human rights defenders working on any issue, against any such treatment based on their sexual orientation or gender identity;
- (e) Support the recognition and accreditation of organisations that promote and protect the human rights of persons of diverse sexual orientations and gender identities at the national and international levels.

## **Principle 28. The Right to Effective Remedies and Redress**

Every victim of a human rights violation, including of a violation based on sexual orientation or gender identity, has the right to effective, adequate and appropriate remedies. Measures taken for the purpose of providing reparation to, or securing adequate advancement of, persons of diverse sexual orientations and gender identities are integral to the right to effective remedies and redress.

*States shall:*

- (a) Establish the necessary legal procedures, including through the revision of legislation and policies, to ensure that victims of human rights violations on

the basis of sexual orientation or gender identity have access to full redress through restitution, compensation, rehabilitation, satisfaction, guarantee of non-repetition, and/or any other means as appropriate;

- (b) Ensure that remedies are enforced and implemented in a timely manner;
- (c) Ensure that effective institutions and standards for the provision of remedies and redress are established, and that all personnel are trained in issues of human rights violations based on sexual orientation and gender identity;
- (d) Ensure that all persons have access to all necessary information about the processes for seeking remedies and redress;
- (e) Ensure that financial aid is provided to those who are unable to afford the cost of securing redress, and that any other obstacles to securing such redress, financial or otherwise, are removed;
- (f) Ensure training and awareness-raising programmes, including measures aimed at teachers and students at all levels of public education, at professional bodies, and at potential violators of human rights, to promote respect for and adherence to international human rights standards in accordance with these Principles, as well as to counter discriminatory attitudes based on sexual orientation or gender identity.

## **Principle 29. Accountability**

Everyone whose human rights, including rights addressed in these Principles, are violated is entitled to have those directly or indirectly responsible for the violation, whether they are government officials or not, held accountable for their actions in a manner that is proportionate to the seriousness of the violation. There should be no impunity for perpetrators of human rights violations related to sexual orientation or gender identity.

*States shall:*

- (a) Establish appropriate, accessible and effective criminal, civil, administrative and other procedures, as well as monitoring mechanisms, to ensure the accountability of perpetrators for human rights violations related to sexual orientation or gender identity;
- (b) Ensure that all allegations of crimes perpetrated on the basis of the actual or perceived sexual orientation or gender identity of the victim, including such crimes described in these Principles, are investigated promptly and thoroughly, and that, where appropriate evidence is found, those responsible are prosecuted, tried and duly punished;
- (c) Establish independent and effective institutions and procedures to monitor the formulation and enforcement of laws and policies to ensure the elimination of discrimination on the basis of sexual orientation or gender identity;

- (d) Remove any obstacles preventing persons responsible for human rights violations based on sexual orientation or gender identity from being held accountable.

## Additional Recommendations

All members of society and of the international community have responsibilities regarding the realisation of human rights. *We therefore recommend that:*

- (a) The United Nations High Commissioner for Human Rights endorse these Principles, promote their implementation worldwide, and integrate them into the work of the Office of the High Commissioner for Human Rights, including at the field-level;
- (b) The United Nations Human Rights Council endorse these Principles and give substantive consideration to human rights violations based on sexual orientation or gender identity, with a view to promoting State compliance with these Principles;
- (c) The United Nations Human Rights Special Procedures pay due attention to human rights violations based on sexual orientation or gender identity, and integrate these Principles into the implementation of their respective mandates;
- (d) The United Nations Economic and Social Council recognise and accredit non-governmental organisations whose aim is to promote and protect the human rights of persons of diverse sexual orientations and gender identities, in accordance with its Resolution 1996/31;
- (e) The United Nations Human Rights Treaty Bodies vigorously integrate these Principles into the implementation of their respective mandates, including their case law and the examination of State reports, and, where appropriate, adopt General Comments or other interpretive texts on the application of human rights law to persons of diverse sexual orientations and gender identities;
- (f) The World Health Organization and UNAIDS develop guidelines on the provision of appropriate health services and care, responding to the health needs of persons related to their sexual orientation or gender identity, with full respect for their human rights and dignity;
- (g) The UN High Commissioner for Refugees integrate these Principles in efforts to protect persons who experience, or have a well-founded fear of, persecution on the basis of sexual orientation or gender identity, and ensure that no person is discriminated against on the basis of sexual orientation or gender identity in relation to the receipt of humanitarian assistance or other services, or the determination of refugee status;
- (h) Regional and sub-regional inter-governmental organisations with a commitment to human rights, as well as regional human rights treaty

bodies, ensure that the promotion of these Principles is integral to the implementation of the mandates of their various human rights mechanisms, procedures and other arrangements and initiatives;

- (i) Regional human rights courts vigorously integrate those Principles that are relevant to the human rights treaties they interpret into their developing case law on sexual orientation and gender identity;
- (j) Non-governmental organisations working on human rights at the national, regional and international levels promote respect for these Principles within the framework of their specific mandates;
- (k) Humanitarian organisations incorporate these Principles into any humanitarian or relief operations, and refrain from discriminating against persons on the basis of sexual orientation or gender identity in the provision of aid and other services;
- (l) National human rights institutions promote respect for these Principles by State and non-State actors, and integrate into their work the promotion and protection of the human rights of persons of diverse sexual orientations or gender identities;
- (m) Professional organisations, including those in the medical, criminal or civil justice, and educational sectors, review their practices and guidelines to ensure that they vigorously promote the implementation of these Principles;
- (n) Commercial organisations acknowledge and act upon the important role they have in both ensuring respect for these Principles with regard to their own workforces and in promoting these Principles nationally and internationally;
- (o) The mass media avoid the use of stereotypes in relation to sexual orientation and gender identity, and promote tolerance and the acceptance of diversity of human sexual orientation and gender identity, and raise awareness around these issues;
- (p) Governmental and private funders provide financial assistance, to non-governmental and other organisations, for the promotion and protection of the human rights of persons of diverse sexual orientations and gender identities.

These Principles and Recommendations reflect the application of international human rights law to the lives and experiences of persons of diverse sexual orientations and gender identities, and nothing herein should be interpreted as restricting or in any way limiting the rights and freedoms of such persons as recognised in international, regional or national law or standards.

# Signatories to the Yogyakarta Principles

*Philip Alston* - Australia, UN Special Rapporteur on extrajudicial, summary and arbitrary executions and Professor of Law, New York University School of Law, USA

*Maxim Anmeghichean* - Moldova, European Region of the International Lesbian and Gay Association

*Mauro Cabral* - Argentina, Researcher Universidad Nacional de Córdoba, Argentina, International Gay and Lesbian Human Rights Commission

*Edwin Cameron* - South Africa, Justice, Supreme Court of Appeal, Bloemfontein, South Africa

*Sonia Onufer Corrêa* - Brazil, Research Associate at the Brazilian Interdisciplinary AIDS Association (ABIA) and co-chair of Sexuality Policy Watch (Co-Chair of the experts' meeting)

*Yakin Ertürk* - Turkey, UN Special Rapporteur on Violence against Women, Professor, Department of Sociology, Middle East Technical University, Ankara, Turkey

*Elizabeth Evatt* - Australia, Former member and chair of the UN Committee on the Elimination of Discrimination Against Women, former member of the UN Human Rights Committee and Commissioner of the International Commission of Jurists

*Paul Hunt* - New Zealand, UN Special Rapporteur on the right to the highest attainable standard of health and Professor, Department of Law, University of Essex, United Kingdom

*Asma Jahangir* - Pakistan, Chairperson, Human Rights Commission of Pakistan

*Maina Kiai* - Kenya, Chairperson, Kenya National Commission on Human Rights

*Miloon Kothari* - India, UN Special Rapporteur on the right to adequate housing

*Judith Mesquita* - United Kingdom, Senior Research Officer, Human Rights Centre, University of Essex, United Kingdom

*Alice M. Miller* - United States, Assistant Professor, School of Public Health, Co-Director, Human Rights Program, Columbia University, USA

*Sanji Mmasenono Monageng* - Botswana, Judge of the High Court (The Republic of the Gambia), Commissioner of the African Commission on Human and Peoples' Rights, Chairperson of the Follow Up Committee



on the implementation of the Robben Island Guidelines on prohibition and prevention of Torture and other Cruel, Inhuman or Degrading Treatment (African Commission on Human and Peoples' Rights)

*Vitit Muntarbhorn* - Thailand, UN Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea and Professor of Law at Chulalongkorn University, Thailand (Co-Chair of the experts' meeting)

*Lawrence Mute* - Kenya, Commissioner with the Kenya National Commission on Human Rights

*Manfred Nowak* - Austria, UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; member of the International Commission of Jurists, Professor of Human Rights at Vienna University, Austria and Director of the Ludwig Boltzmann Institute of Human Rights

*Ana Elena Obando Mendoza* - Costa Rica, feminist attorney, women's human rights activist, and international consultant

*Michael O'Flaherty* - Ireland, Member of the UN Human Rights Committee and Professor of Applied Human Rights and Co-Director of the Human Rights Law Centre at the University of Nottingham, United Kingdom (Rapporteur for development of the Yogyakarta Principles)

*Sunil Pant* - Nepal, President of the Blue Diamond Society, Nepal

*Dimitrina Petrova* - Bulgaria, Executive Director, The Equal Rights Trust

*Rudi Mohammed Rizki* - Indonesia, UN Special Rapporteur on international solidarity and senior Lecturer and Vice Dean for Academic Affairs of the Faculty of Law at the University of Padjadjaran, Indonesia

*Mary Robinson* - Ireland, Founder of Realizing Rights: The Ethical Globalization Initiative, former President of Ireland and former United Nations High Commissioner for Human Rights

*Nevena Vuckovic Sahovic* - Serbia, Member of the UN Committee on the Rights of the Child and President of the Child Rights Centre, Belgrade, Serbia

*Martin Scheinin* - Finland, UN Special Rapporteur on human rights and counter-terrorism, Professor of Constitutional and International Law and Director of the Institute for Human Rights, Åbo Akademi University, Finland

*Wan Yanhai* - China, Founder of the AIZHI Action Project and director of Beijing AIZHIXING Institute of Health Education

*Stephen Whittle* - United Kingdom, Professor in Equalities Law at Manchester Metropolitan University, United Kingdom

*Roman Wieruszewski* - Poland, Member of the UN Human Rights Committee and head of Poznan Centre for Human Rights, Poland

*Robert Wintemute* - Canada and United Kingdom, Professor of Human Rights Law, School of Law, King's College London, United Kingdom.

<sup>1</sup> Sexual orientation is understood to refer to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender

<sup>2</sup> Gender identity is understood to refer to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.

# Annotated Bibliography

## Contexts For Gender-Based Violence Culture, Poverty and Psychology

Afkhami, Mahnaz, ed. ***Faith and Freedom: Women's Human Rights in the Muslim World***. Syracuse, NY: Syracuse University Press, 1995.

*Academicians and activists examine patriarchal structures pitting women's human rights against Islam to show how discrimination and violence results from male theologians' interpretations of religion, diverging legal codes and gender segregation. They explore how to empower women to (re-)define their cultures, set priorities and participate in the political process.*

Afkhami, Mahnaz and Friedl, Erika, eds. ***Muslim Women and the Politics of Participation: Implementing the Beijing Platform***. Syracuse, NY: Syracuse University Press, 1997.

*Academicians and activists propose strategies to implement the Beijing Platform For Action of the 1995 United Nations Fourth World Conference on Women. Their proposals for Muslim women's empowerment range from the critical reading of literature to shape their consciousness to human rights education to collaboration with non-governmental and international organizations.*

Ahmadi Khorasani, Noushin. ***Iranian Women's One Million Signatures Campaign for Equality: The Inside Story***. Bethesda, MD: Women's Learning Partnership for Rights, Development and Peace, 2009.

*A campaign co-founder details the origins, strategies and philosophy of this grassroots movement fighting for women's equality in Iran since 2006, offering a model of citizens surmounting cultural, political and socio-economic obstacles to advocate for human rights.*

AWID, ed. ***Feminists on the Frontline: AWID Case Studies of Resisting Fundamentalisms***. Toronto, Canada: Association for Women's Rights in Development, 2010.

*The Association for Women's Rights in Development (AWID) collects 18 case studies of women worldwide challenging fundamentalisms within different faith traditions to highlight religion's privileged position in defining and potentially denying human rights as well as the strategies activists adopt to ensure equality and dignity for all.*

Bancroft, Lundy. ***Why Does He Do That?: Inside the Minds of Angry and Controlling Men***. New York, NY: The Berkley Publishing Group, 2002.

*Former co-director of Emerge, the first counseling program for abusers in the United States, probes why men commit domestic violence. He describes early warning signs of abuse, classifies abusers' personality types, elucidates the abuser's beliefs, and examines how a woman reclaims control over her life and a man changes his behavior.*

Ertürk, Yakin. "Intersections between Culture and Violence against Women." Report of Special Rapporteur on Violence against Women, Its Causes and Consequences. UN Human Rights Council. 2007. A/HRC/4//34.

*The Special Rapporteur contends that culture-based justifications of women's rights abuses obscure the economic and political foundations of cultural dynamics. Tracing the emergence of international norms which recognize that the right to live free of gender-based violence trumps culture, she explains how women's movements appropriated the discourse of the Universal Declaration of Human Rights and transformed it to address violence.*

Ertürk, Yakin. "Political Economy of Women's Rights." Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences. UN Human Rights Council. 2009. A/HRC/11/6.

*The Special Rapporteur asserts that the neo-liberal order affects the prevalence of violence against women and efforts to eradicate it, as power operates through both coercion and the relations of production. This political economy approach, she argues, considers women's poverty and exclusion from decision making, avoids an isolated treatment of violence and offers states and other actors a framework to fulfill their duties in the area of women's human rights.*

Greiff, Shaina. **No Justice in Justifications: Violence against Women in the Name of Culture, Religion, and Tradition.** The Global Campaign to Stop Killing and Stoning Women (SKSW) and Women Living Under Muslim Laws, 2010.

*The author introduces the SKSW Campaign's project with partners in Senegal, Afghanistan, Nigeria, Pakistan and Iran to explore the relationship between culture and violence against women. She assesses efforts to combat abuses perpetrated in the name of culture and religion, including: progressive interpretations of religion, civil society activism, United Nations interventions and monitoring of state accountability.*

Kapadia, Karin, ed. **The Violence of Development: The Politics of Identity, Gender & Social Inequalities in India.** London, UK and New York, NY: Zed Books, 2003.

*Scholars of diverse disciplines investigate the cultural, social, political and economic situation of India's women, observing that their plight is worsening despite indicators of progress in education and employment. The authors discuss how the dynamics of economic development reinforce male-bias values and increase violence against women of all castes and classes.*

Katz, Jackson. **The Macho Paradox: Why Some Men Hurt Women and How All Men Can Help.** Naperville, IL; Sourcebooks, 2006.

*Co-founder of the Mentors in Violence Prevention Program (MVP) declares that because rape, battering and sexual abuse are so common, they must be viewed as a social ailment rooted in our culture rather than as the problem of troubled individuals. Examining such contexts as athletic teams and the military, the author enlists men in the prevention of violence. He urges them to confront misogyny, providing exercises from the MVP model to raise men's consciousness.*

Kristof, Nicholas D. and WuDunn, Sheryl. **Half the Sky: Turning Oppression into Opportunity for Women Worldwide.** New York, NY: Vintage Books, 2010 ed.

*These journalists examine the oppression of women and girls in societies as diverse as Afghanistan, Cambodia and Ethiopia, focusing on individual efforts to unleash the economic potential of the female half of the population. Women are the greatest untapped resource around the world, and their empowerment is a moral and economic*

*imperative, according to the authors. They show how a little can help to change women's and girls' lives in various countries and contend that educating females and integrating them into the formal economy enables them to fight gender-based violence as well as poverty.*

Phillips, Beth and Phillips, Debby A. "Learning from Youth Exposed to Domestic Violence: Decentering DV and the Primacy of Gender Stereotypes." **Violence Against Women**. Vol. 16, No. 3, March 2010.

*The authors, studying how young witnesses of domestic violence view their experiences, learn that youths draw on gender stereotypes for behaviors which often defy education and proposals for coping. They find that professionals' formal interventions clash with youths' gender norms, but their casual interactions inadvertently reinforce stereotypical identities and behaviors.*

Raj, Anita and Silverman, Jay. "Violence against Immigrant Women: The Roles of Culture, Context and Legal Immigrant Status on Intimate Partner Violence." **Violence Against Women**. Vol. 8, No. 3, March 2002.

*The authors review legal, medical and social science literature to conclude that what little data exists on intimate partner violence against immigrant women shows their cultures, contexts and legal status make them vulnerable to batterers and make seeking help difficult. Yet the first two factors also add to resilience and may be used by policy makers to serve these women better.*

Sokoloff, Natalie J., ed. with Pratt, Christina. **Domestic Violence at the Margins: Readings on Race, Class, Gender, and Culture**. Rutgers, NJ: Rutgers University Press, 2005.

*Scholars of diverse disciplines expand the discourse on domestic violence by looking at structural oppression against American women marginalized by race, ethnicity, religion, sexuality and class. Emphasizing how power relations and the availability of services are linked, they argue that privilege based on such factors must be addressed along with abuse of women and children.*

Tomsen, Stephen. "A Top Night: Social protest, masculinity and the culture of drinking violence," in Stanko, Elizabeth A., ed. **Violence**. Hampshire, England and Burlington, VT: Ashgate Publishing Limited, 2002.

*This criminologist's ethnographic study of assaults at public drinking sites probes the tie between violence, masculine identity and alcohol consumption in social interaction. He reveals that many drinkers interpret participation in disorderly acts and violence as a form of leisure, social protest and defiance of middle-class morality, offering a sense of release, pleasure and carnival.*

Vaziri, Haleh, ed. **Strategizing for Safety: Essays from the Expert Group Meeting on Eliminating Violence Against Women and Girls**. Bethesda, MD: Sisterhood Is Global Institute (SIGI), 1999.

*Experts of different cultural and professional backgrounds analyze the theoretical, empirical and practical issues surrounding efforts to eliminate gender violence. They brainstorm for solutions to prevent, resist and cope with the impact of human rights violations against women and girls.*

## The Fight Against Gender Violence and For Health as a Human right

Firth Murray, Anne. ***From Outrage to Courage: Women Taking Action for Health and Justice***. Monroe, Maine: Common Courage Press, 2008.

*The Founding President of The Global Fund for Women details abuses endured by women, particularly in the world's poor regions, to elucidate their causes—for example, infanticide, child marriage, sex slavery and killing for dowries and for honor's sake. Shining the brightest light on violence at home, she showcases women's grassroots activism in fighting for health and justice.*

Garcia-Moreno, Claudia; Watts, Charlotte; Jansen, Henriette; Ellsberg, Mary; and Heise, Lori. "Responding to Violence against Women: WHO's Multicountry Study on Women's Health and Domestic Violence." ***Health and Human Rights***. Vol. 6, No. 2, 2003.

*The authors examine findings from a World Health Organization (WHO) study launched in 1998 in Bangladesh, Brazil, Japan, Namibia, Peru, Samoa, Tanzania and Thailand, underscoring how the partnership between researchers and women's organizations to gather data on the scope, causes and impact of domestic abuse can enhance efforts to fight violence against women.*

Guedes, Alessandra C.; Bott, Sarah; Güezmes, Ana; and Helzner, Judith F. "Gender-Based Violence, Human Rights, and the Health Sector: Lessons from Latin America." ***Health and Human Rights***. Vol. 6, No. 2, 2002.

*The authors share lessons from a project integrating the issue of gender violence into the services of reproductive and sexual health clinics in the Dominican Republic, Peru and Venezuela. They point to: areas where clinics' efforts to incorporate a human rights perspective into services are incomplete; the need for integrating gender violence into care to safeguard survivors' rights; socio-economic and political factors affecting women's health; and the improvements in care ensuing from the stress on human rights and a holistic approach to services.*

Heise, Lori L., with Pitanguy, Jacqueline and Germain, Adrienne. ***Violence against Women: The hidden health burden***. Washington, DC: World Bank, 1994.

*The authors compile data on gender violence worldwide, affirming that domestic violence, sexual abuse, rape, mutilation and women's murders create a health burden comparable to that caused by other problems high on the global agenda. They explore prevention, justice system reforms, healthcare responses and programs to aid victims and re-educate perpetrators, while insisting that beyond treating symptoms, the root causes of this violence must also be addressed.*

Miller, Elizabeth; Decker, Michele R.; Silverman, Jay G.; and Raj, Anita. "Migration, Sexual Exploitation, and Women's Health: A Case Report from a Community Health Center." ***Violence Against Women***. Vol. 13, No. 5, May 2007.

*The authors focus on the case of one trafficked woman identified in the American healthcare system to illustrate health and social consequences for some 50,000 women and children trafficked yearly into the United States. Analyzing the vulnerability to prostitution and the challenges in effectively meeting safety and healthcare needs,*

*they advocate educating and training for healthcare professionals, who are in a unique position to identify and assist trafficking victims.*

Murthy, Padmini and Lanford Smith, Clyde, eds. ***Women's Global Health and Human Rights***. Sudbury, MA; Ontario, Canada; and London, UK: Jones and Bartlett Publishers, 2010.

*Medical, legal and human rights practitioners survey healthcare challenges for the developing world's girls and women—such violence as infanticide, forced sterilization, trafficking and war—to highlight the link between women's well being and protection of their human rights.*

Phinney, Alison and de Hovre, Sarah. "Integrating Human Rights and Public Health to Prevent Interpersonal Violence" ***Health and Human Rights***. Vol. 6, No. 2, 2003.

*Two Technical Officers for the Department of Violence and Injuries Prevention at the World Health Organization examine the public health and human rights approaches to interpersonal violence, illuminating their common goals and strategies. The authors posit that integrating these approaches may facilitate a more sustainable response to violence, including international commitments to prevention efforts.*

Velzeboer, Marijke; Ellsberg, Mary; Clavel Arcas, Carmen; and García-Moreno, Claudia. ***Violence Against Women: The Health Sector Responds***. Washington, DC: Pan American Health Organization (PAHO), 2003.

*The authors underscore the need to address the health concerns of women at risk for and victimized by gender violence as well as the progress made in this regard, particularly in Central American countries. Based on research among survivors and practitioners in the region, they offer recommendations for collaboration between the healthcare sector, government and segments of the community to confront gender violence directly and to ensure that affected women have the support necessary to resolve their personal situations.*

World Health Organization and Joint United Nations Programme on HIV/AIDS (UNAIDS). ***Addressing Violence against Women and HIV/AIDS: What works?*** Geneva, Switzerland: World Health Organization (WHO), 2010.

*Researchers, policy makers and practitioners evaluate and make recommendations about the state of evidence and practice in developing and implementing national and international strategies to address the intersections of violence against women and HIV.*

World Health Organization and London School of Hygiene and Tropical Medicine. ***Preventing Intimate Partner and Sexual Violence against Women: Taking action and generating evidence***. Geneva, Switzerland: World Health Organization (WHO), 2010.

*This guide offers information and recommendations for designing data-driven, evidence-based programs to prevent intimate partner and sexual violence against women.*

## Verbal Abuse Harassment at Home, in Public Spaces and at Work

Bowman, Cynthia Grant. "Street Harassment and the Informal Ghettoization of Women." *Harvard Law Review*. Vol. 106, No. 3, January 1993.

*The author discusses the harm done to women and society by sexual harassment, proposing new legal methods to open the public sphere to women: (1) passage of a statute or an ordinance against harassment, and (2) a litigation campaign re-defining the torts of assault, intentional infliction of emotional distress and invasion of privacy to include harassment. Despite potential constitutional challenges, the author maintains that these are first steps toward legally recognizing the burdens placed on women by street harassment.*

Evans, Patricia. ***The Verbally Abusive Man, Can He Change?: A Woman's Guide to Deciding Whether to Stay or Go***. Avon, MA: Adams Media, 2006.

*The author of four prior books on the subject defines verbal abuse and offers practical counsel to the victim and abuser. Sharing case studies of abused women and abusive men, she considers: (1) how to transform an abusive relationship; (2) how to determine whether the abuser has genuinely changed; and (3) whether, when and how the woman should leave the relationship.*

Fairchild, Kimberly and Rudman, Laurie A. "Everyday Stranger Harassment and Women's Self-Objectification." *Social Justice Research*. Vol. 21, No. 3, September 2008.

*The authors observe that stranger harassment in public spaces is common for young women, with potentially negative effects on their well-being. They assert that women who are passive in the face of harassment or blame themselves also tend to engage in self-objectification—not so for those who confront the harasser—which in turn correlates to their perceived risk and fear of rape and ultimately to self-imposed restrictions on freedom of movement.*

Howerton Child, R. J. (RN, MSN) and Menten, Janet C. (PhD, APRN, BC, FGSA). "Violence Against Women: The Phenomenon of Workplace Violence Against Nurses." *Issues in Mental Health Nursing*. Vol. 31, No. 2, February 2010.

*The authors examine workplace violence against nurses, noting scanty reporting procedures to account for the number of incidents and the lack of a standard definition to guide reporting procedures, interventions, legislation and research. Because recruitment and retention of nurses may suffer, they urge research on the factors driving violence and interventions to address the problem. Their analysis stresses the practical costs of violence to employees and employers.*

Kearl, Holly. ***Stop Street Harassment: Making Public Places Safe and Welcoming for Women***. Santa Barbara, CA; Denver, CO; Oxford, England: Praeger, 2010.

*This expert draws on academic research, informal surveys, news articles and interviews with activists to define sexual harassment on the street and to explore its prevalence, the societal contexts in which it takes place and the role of such factors*



as race and sexual orientation in its occurrence. Elucidating how women experience harassment, she recommends practical strategies for dealing with harassers and for working to end this violation of women's rights.

Langelan, Martha J. **Back Off! How to Confront and Stop Sexual Harassment and Harassers.** New York, London, Toronto, Sydney, Tokyo, Singapore: A Fireside Book, Simon & Schuster, 1993.

*The author analyzes the dynamics of sex and power in harassment occurring on the playground, on public transportation, on the street, at work and even in the church among other sites to understand harassers' motivations and the reasons why traditional responses such as appeasement or aggression do not work. Detailing cases of women and young girls who stopped sexual harassers, she recommends successful resistance strategies such as nonviolent personal confrontation techniques, group confrontations, administrative remedies and formal lawsuits.*

Luthar, Harsh K.; Tata, Jasmine; and Kwesiga, Eileen. "A Model for Predicting Outcomes of Sexual Harassment Complaints by Race and Gender." **Employee Responsibilities and Rights Journal.** Vol. 21, No. 1, March 2009.

*The authors note that scholars of organizational behavior have not adequately investigated the influence of race on the outcomes of sexual harassment cases in the workplace. Applying social identity theory to intergroup behavior within this environment, they posit that stereotypes of African-American women tend to be much more negative than those of white women, and that race thus marginalizes the former's position as victims and complainants in sexual harassment cases.*

Nielsen, Laura Beth. **License to Harass: Law, Hierarchy and Offensive Public Speech.** Princeton and Oxford: Princeton University Press, 2004.

*The author inquires whether racist and sexist remarks are so offensive—making their targets feel psychologically and physically threatened—that they should be outlawed or whether the U.S. Constitution's First Amendment protects harassers' rights to free speech. She probes citizens' legal consciousness by surveying 100 women and men, many targeted by such remarks. She concludes that racist and sexist speech generates and sustains existing hierarchies, while the law normalizes and justifies these public interactions, offering in effect a "license to harass."*

Smith, Joanne; Huppuch, Meghan; and Van Deven, Mandy. **Hey Shorty! A Guide to Combating Sexual Harassment and Violence in Schools and on the Streets.** New York, NY: The Feminist Press at the City University for New York, 2011.

*The authors—working with the New York-based organization Girls for Gender Equity (GGE)—maintain that sexual harassment is common at every level of education, but teenagers say it is not happening when asked about their own experiences. Concerned that harassment has become so normalized in schools, these activists provide a model for teenagers to teach one another about this negative behavior, to learn about its consequences for girls' self-esteem and safety, to address its causes and, thus, to change attitudes and behaviors in their own community.*

Yang, Sadie and Li, Ao. "Legal Protection against Gender Discrimination in the Workplace in China." **Gender & Development.** Vol. 17, No. 2, July 2009.

*The authors assess the impact of China's 2005 White Paper on Gender Equality stating that the legal system safeguards women workers' rights. They maintain that*

*new, subtle forms of workplace discrimination have emerged as traditional types of gender prejudice are outlawed. The authors draw on a 25-city survey to illustrate how opinions about women at work have harmed them. Identifying weaknesses in China's gender equality laws, they offer tangible suggestions to legislators, the judiciary and international donors about how to remedy workplace discrimination.*

## Mistreatment of Domestic Workers

Abu-Habib, Lina. "The Use and Abuse of Female Domestic Workers from Sri Lanka in Lebanon." **Gender & Development**. Vol. 6, No. 1, March 1998.

*The author asks why non-governmental organizations focused on humanitarian and human rights issues ignore violence against Sri Lankan domestic servants in Lebanon based on gender, race and class. Observing apathy and denial in her conversations with development workers and activists, she urges NGOs to: do field research with migrant workers, raise grassroots awareness, discourage migration and press governments to sign relevant international conventions.*

Anderson, Bridget. **Doing the Dirty Work? The Global Politics of Domestic Labour**. London, UK and New York, NY: Zed Books, 2000.

*The author explores the lives of women from the Global South employed as domestic laborers in Europe and North America. With accounts from workers, data on the numbers of migrant women employed as domestics and descriptions of the racism, immigration or employment laws that constrains their lives, she reveals the racialization of domestic labor in the North, refuting some feminists' view of this work as a burden imposed on all women by patriarchy.*

**Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers in Guinea**. New York, NY: Human Rights Watch, June 15, 2007.

*This report details employers' abuse of domestic laborers in Guinea; with such work as the country's largest employment category for children, girls come from as far as Mali. The report makes proposals to Guinea's and Mali's governments, to non-governmental organizations, to the Economic Community of West African States and to UNICEF about how to end this abuse.*

**Domestic Plight: How Jordanian Laws, Officials, Employers, and Recruiters Fail Abused Migrant Domestic Workers**. New York, NY: Human Rights Watch, September 27, 2011.

*This report details the plight of Indonesian, Sri Lankan and Filipina domestic workers in Jordan, criticizing immigration and labor laws that facilitate abuse. It urges the government to obey its own laws and change those not in compliance with the International Labor Organization's Convention on Decent Work for Domestic Workers adopted in 2011 with Jordan's support.*

Ehrenreich, Barbara and Hochschild, Arlie, eds. **Global Woman: Nannies, Maids, and Sex Workers in the New Economy**. New York, NY: Metropolitan Books, Henry Holt and Company, LLC, 2002.

*The contributors explore the "female underside of globalization"—women leaving the Global South's poverty for domestic work in affluent societies; migrants performing "cast-off" labor rejected by men and no longer done by women with means. This flow of women's skills, the authors conclude, eases a "care deficit" in rich societies while creating one in poor countries.*

Graunke, Kristi L. “‘Just Like One of the Family’: Domestic Violence Paradigms and On-The-Job Violence against Household Workers in the United States.” ***Michigan Journal of Gender & Law***. Vol. 9, No. 1, 2002.

*The author argues that on-the-job gender discrimination happens in the private realm where the poorest women work. As she explains, they endure “domesticized” abuses in other people’s homes which resemble intimate partner violence. She advocates a multi-faceted plan that draws on women’s strengths to end abuses which reflect conditions of low wages, marginal work that lacks legal protections and is segregated by gender, race, ethnicity and immigration status.*

Lutz, Helma. ***The New Maids: Transnational Women and the Care Economy***. London, UK and New York, NY: Zed Books, 2010.

*The author analyzes the relationship between gender, the care economy, transnationalism and globalization in an ethnographic study with migrant domestic workers and their employers in Germany. Addressing questions about the rising number of cleaners, nannies and care givers, she exposes the vital role of this labor in defining and reinforcing global ethnic and gender hierarchies.*

***Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East***. New York, NY: Human Rights Watch, April 27, 2010.

*This report reviews the gradual progress made by Bahrain, Jordan, Kuwait, Lebanon, Saudi Arabia, the United Arab Emirates, Hong Kong, Malaysia and Singapore in protecting domestic workers. It surveys best government practices—strong labor laws, reformed immigration sponsorship systems, tolerance of trade unions and civil society organizations as well as effective police and judicial responses to violence—and makes recommendations for more improvements.*

***“They Deceived Us at Every Step” Abuse of Cambodian Domestic Workers Migrating to Malaysia***. New York, NY: Human Rights Watch, November 1, 2011.

*This report reveals pervasive abuse of Cambodian domestic workers in Malaysia, with scant protection from their own or the host country’s government. Based on research done in Cambodia and Malaysia with domestic workers, state officials, non-governmental organizations and recruitment agents, the report offers proposals to both governments, to Cambodian recruitment agencies for domestic workers and to international donors on how to redress migrants’ plight.*

***Walls at Every Turn: Abuse of Migrant Domestic Workers through Kuwait’s Sponsorship System***. New York, NY: Human Rights Watch, October 6, 2010.

*This report documents how Kuwaiti laws and practices punish migrant domestic workers for leaving a job without their employer’s permission as they seek to escape abuse. It points to Kuwait’s sponsorship or kafala system, giving employers almost total control over these workers, and the 2010 labor law, excluding them from basic protections. With recommendations on how to safeguard migrants’ rights, the report presses the government to revise its labor law and end repressive immigration provisions under the kafala system.*

## Intimate Partner Violence—Dating, Courtship and Spousal Abuse

Duvvury, Nata; Kes, Aslihan; Chakraborty, Swati; Milici, Noni; Ssewanyana, Sarah; Mugisha, Frederick; Nabiddo, Winnie; Mannan, M.A; Raihan, Selim; Mahmud, Simeen, and Bourqia, Rahma; Mellakh, Kamal; Abdelmajid, Ibenrissoul; Abderebbi, Mhammed; Nafaa, Rachida; and Be, Jamila.

### ***Intimate Partner Violence—High Cost to Households and Communities.***

Washington, DC: International Center for Research on Women (ICRW) and New York, NY: United Nations Population Fund (UNFPA), 2011.

*The authors examine intimate partner violence in Bangladesh, Morocco and Uganda as the most common form of abuse against women, to estimate its costs at the household and community levels where its impact is most immediate. They emphasize the problem's urgency as a human rights violation and the relationship of this violence to both household economic vulnerability and the diversion of public resources for health, infrastructure and security services.*

Enander, Viveka. “‘A Fool to Keep Staying’: Battered Women Labeling Themselves as Stupid as an Expression of Gendered Shame.” ***Violence Against Women***. Vol. 16, No. 1, January 2010.

*The author probes why women leaving abusive heterosexual relationships call themselves “stupid” and discovers that allowing the abuse and staying with the men are main themes. She outlines four frames to interpret her qualitative research findings—abusive relationship dynamics, gendered shame, the gender-equality-oriented Nordic context and leaving processes. Feeling “stupid,” concludes the author, reflects gendered or, more explicitly, battered shame.*

Fernandez, Marilyn. ***Restorative Justice for Domestic Violence Victims: An Integrated Approach to Their Hunger for Healing***. Plymouth, UK: Lexington Books, 2010.

*This sociologist relies on qualitative and survey interviews with domestic violence survivors to offer a set of guidelines for programs to help women which are based on the principles of restorative justice. Given the controversies surrounding the intersection between family violence and restorative justice, she proposes a range of options rooted in these principles with the aim of supplementing the legal system while prioritizing survivors' concerns and needs for healing.*

Graham-Bermann, Sandra A. and Levendosky, Alytia A., eds. ***How Intimate Partner Violence Affects Children: Developmental Research, Case Studies, and Evidence-Based Intervention***. Washington, DC: American Psychological Association (APA), 2011.

*The authors present the most current research on how exposure to intimate partner violence affects children's physical and psychological health, emotional and social behavior, neurobiological and relational development and cognitive functioning. They combine this research with case study material and evidence-based interventions for four age groups of children: prenatal to infancy, toddler to early childhood, school-age children and adolescence.*

International Center for Research on Women. **Domestic Violence in India.** Washington, DC: (ICRW). *Part 1*, 1999; *Part 2*, 2000; *Part 3*, 2000; *Part 4*, 2002; and *Part 5*, 2002.

*Practitioners in diverse professions comprehensively examine the causes and consequences of domestic violence in India in five volumes—using qualitative, survey and desk research to understand the impact of cultural norms, conceptions of masculinity and socio-economic conditions on the prevalence of abuse and the fight to eliminate it, and discovering its consequences for victims and perpetrators as well as effective women-initiated, community-level responses to the problem.*

Johnson, Michael P. **A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence.** Lebanon, NH: Northeastern University Press, A division of the University Press of New England, 2008.

*The author asserts that domestic violence is not a unitary phenomenon but rather exists in three forms distinguished by the role played by power and control in the relationship between a woman and a man: intimate terrorism, violent resistance and situational couple violence. He insists that these distinctions are crucial to correcting over-generalizations, deciphering research findings that seemed contradictory and ultimately understanding how policy makers and service providers may best address the causes and consequences of violence in intimate relationships.*

Meyersfeld, Bonita. **Domestic Violence and International Law.** Oxford, UK and Portland, OR: Hart Publishing, 2010.

*The author contends that certain forms of domestic violence violate international human rights law. She expands the doctrine of states’ “responsibility to protect” with detailed empirical data and legal analysis, claiming that when a state fails to keep a vulnerable group of people from harm—whether perpetrated by the government or private actors—it breaches obligations to uphold human rights. Comparing severe private violence to such political violence as ethnic cleansing, mass rape, sexual slavery and torture, she insists that a state’s failure to act effectively in domestic violence cases to protect women is tantamount to silent endorsement and complicity.*

Noonan, Rita K. and Charles, Dyanna. “Developing Teen Dating Violence Prevention Strategies: Formative Research with Middle School Youth.” **Violence Against Women.** Vol. 15, No. 9, September 2009.

*The authors analyze findings from focus groups conducted among middle school students to ascertain beliefs and behaviors regarding dating violence. The groups discussed relationship norms, the characteristics of dating, the distinction between healthy and unhealthy relationships, types of abuse, intervention in violent situations and sources of information on dating violence. The authors’ proposals for violence prevention strategies include an emphasis on skill building, tailoring efforts to specific sub-groups and identifying innovative methods for reaching youths.*

Walker, Lenore E. A. **The Battered Woman Syndrome.** New York, NY: Springer Publishing Company, 2009, 3<sup>rd</sup> ed.

*The author’s third edition of her book, like the original published in 1984, is based on data generated from the newly modified Battered Woman Syndrome Questionnaire (BWSQ) through which respondents can share their experiences of domestic violence. Focused on culture and ethnicity, her data elucidates the experiences of foreign women*

who live in their country of origin or in the United States, providing revised research on key topics such as post-traumatic stress disorder, learned helplessness or learned optimism and the cycle theory of violence.

Weitzman, Susan. **“Not to People Like Us”: Hidden Abuse in Upscale Marriages**. New York: Basic Books, 2000.

*This psychotherapist dispels the myth of domestic violence as limited to couples of low socio-economic status, detailing case histories against well educated women with careers who are married to white-collar professionals. As she explains, service providers lack a frame of reference for these relationships and take these victims less seriously. She advises women seeking to escape “upscale violence” and proposes education for service providers who deal with it in their work.*

## Female Genital Mutilation—FGM

Abdulcadir, Jasmine; Margairaz, Christiane; Boulvain, Michel; and Irion, Olivier. “Care of Women with Female Genital Mutilation/cutting.” **Swiss Medical Weekly**. 6 January 2011.

*The authors note that their medical colleagues in European societies see rising numbers of female patients from countries where female genital mutilation is practiced. They explain FGM’s epidemiology and anthropological and legal aspects. Stressing the scanty knowledge of Europe’s health practitioners, they advocate a multi-disciplinary approach to treating these patients and collaboration with pediatricians who can play a key role in preventing girls from undergoing FGM.*

Broussard, Patricia A. “Female Genital Mutilation: Exploring Strategies for Ending Ritualized Torture; Shaming, Blaming, and Utilizing the Convention Against Torture,” **Duke Journal of Gender Law and Policy**. Vol. 15, No. 1, January 2008.

*The author argues that female genital mutilation is torture and not impervious to criticism simply because it is a cultural practice. In her opinion, criticism is merited as not all cultural practices are worth continuing. She advocates multiple strategies to end FGM—among them, using the Convention Against Torture. Because FGM’s practitioners are often women, she does not want to punish them; they are victims masking men’s efforts to control female sexuality. She urges punishing governments that tolerate and promote FGM but favors educating practitioners.*

Feldman-Jacobs, Charlotte and Clifton, Donna. **Female Genital Mutilation/Cutting: Data and Trends, Update 2010**. Washington, DC: Population Reference Bureau (PRB), 2010.

*The authors draw on research from 27 African and Arab countries—Demographic and Health Surveys (DHS), Multiple Indicator Cluster Surveys (MICS) and studies by the Pan-Arab Project for Family Health (PAPFAM) and UNICEF—to present trends in female genital mutilation. They note that during the past decade, reported cases of FGM among girls 15 to 19 are declining.*

Feldman-Jacobs, Charlotte and Ryniak, Sarah. With Wilcher, Rose and Shears, Kathleen - Family Health International (FHI); Ellsberg, Mary and Fua, Imogen - PATH; Raney, Laura and Gleason, Joanne -Population Council; and Krieger, Laurie and Pearson, Amy - The Manoff Group. **Abandoning Female**

**Genital Mutilation/Cutting: An In-Depth Look at Promising Practices.**

Washington, DC: Population Reference Bureau (PRB), 2006.

*The authors identify best practices to promote the abandonment of female genital mutilation. Based on evaluative, qualitative and survey research, they profile three successful interventions—the Navrongo FGM Experiment in Ghana; the Five-dimensional Approach for Eradication of Female Genital Cutting, implemented by IntraHealth International and the National Committee on Traditional Practices in Ethiopia (NCTPE); and the Community Empowerment Program (CEP) started by Tostan in Senegal and now in six neighboring countries.*

Khady. With Cuny, Marie-Thérèse. **Blood Stains: A Child of Africa Reclaims Her Human Rights.** Levin, Tobe, transl. Frankfurt am Main, Germany: UnCut/Voices Press, 2010.

*The author recounts her childhood in a traditional family in Senegal and immigration to Paris. She suffers female genital mutilation at age 7, is married at 13 to a man two decades older who beats her and bears five children. Determined not to be a victim, she exposes her immigrant community's tolerance of abuse against women and girls, fights for an education, earns her own living and becomes the founder and president of the European Network FGM.*

Mottin-Sylla, Marie-Hélène and Palmieri, Joëlle. **Female Genital Mutilation: The youth are changing Africa with ICTs.** Oxford, UK and Nairobi, Kenya: Fahuma Books & Pambazuka Press, 2011.

*The authors report on how girls and boys in Burkina Faso, Mali and Senegal have done research and taken action using information and communications technology in a quest to end female genital mutilation. They illustrate how in the age of the internet, which enables globalized citizenship, real change in beliefs and practices is possible among young people, even surrounding an issue as complex and longstanding as FGM.*

Rahman, Anika and Toubia, Nahid. **Female Genital Mutilation: A Practical Guide to Worldwide Laws & Policies.** London, UK and New York, NY: Zed Books, 2000.

*The authors explain the phenomenon of female genital mutilation, describing its impact on women's health, the reasons used to justify it and the history of efforts to eliminate it. They review FGM rates in 40 countries, states' ratification of international treaties and official actions to end it.*

Rogo, Khama; Subayi, Tshiya; Toubia, Nahid; and Hussein Sharief, Eiman. **Female Genital Cutting, Women's Health, and Development: The Role of the World Bank.** Washington, DC: The International Bank for Reconstruction and Development/The World Bank, 2007.

*The authors investigate the scope of female genital mutilation and the opportunities and challenges faced by practitioners trying to abolish it, underscoring how communities, development agencies and states can cooperate in this effort. They analyze the World Bank's comparative advantage in helping governments combat FGM and improve women's health and productivity.*

Toubia, Nahid. **Female Genital Mutilation: A Call for Global Action.** New York, NY: Women Ink., 1995 ed.

*This physician pioneers the quest to end female genital mutilation, particularly in*

*Africa where it is most common. Highlighting the misplaced rationales for FGM and its impact on women's health, she recommends strategies for national and global action against this practice.*

Winterbottom, Anna; Koomen, Jonneke; and Burford, Gemma. "Female Genital Cutting: Cultural Rights and Rites of Defiance in Northern Tanzania." *African Studies Review*. Vol. 52, No. 1, April 2009.

*The authors review campaigns against female genital mutilation or "cutting" which target northern Tanzania's Maasai communities, arguing that efforts based on education, healthcare, law and human rights which do not consider the local context—including the history and politics of efforts to end FGM—may end up reinforcing it as vital to group identity.*

## Forced Marriage and Child Brides

Ali, Nujood. With Minoui, Delphine. ***I Am Nujood, Age 10 and Divorced***. Coverdale, Linda, transl. New York, NY: Three Rivers Press, The Crowne Publishing Group, 2010.

*This Yemeni girl recounts how her impoverished parents sold her into marriage to a man three times her age, but she bravely escapes his abuse and wins a divorce with help from an activist lawyer, sympathetic judges and international media. At age 10, she excitedly returns to school and strives to protect her sister and other girls from child marriage.*

Amin, Sajeda. "Impact of Trade Liberalization for Working Women's Marriage: Case Studies of Bangladesh, Egypt and Vietnam" in Grown, Caren; Braunstein, Elissa; and Malhotra, Anju, eds. **Trading Women's Health and Rights? Trade Liberalization and Reproductive Health in Developing Economies**. London, UK and New York, NY: Zed Books, 2006.

*The author posits that trade liberalization can transform the institution of marriage which may be less crucial particularly for adolescent girls as they gain employment opportunities and some economic independence. However, as she observes, Bangladesh, Egypt and Vietnam liberalized trade in similar ways but witnessed diverse effects on women's marriage age, participation in the workforce and economic conditions.*

***Early Marriage, a Harmful Traditional Practice: A Statistical Exploration***. New York, NY: United Nations Children's Fund (UNICEF), 2005.

*This report relies on Demographic and Health Surveys (DHS) done between 1995 and 2003 in 30 countries of the Global South to present data assessing child marriage levels, rate differentials according to demographic attributes, characteristics of unions in which a child is involved as well as knowledge and access to sexual and reproductive healthcare. Explaining associations between indicators in the data, the report suggests linkages in programs to promote delaying marriage and opportunities to integrate advocacy and campaigns for behavioral change.*

Ezer, Tamar; Kerr, Kate; Major, Kara; Polavarapu, Aparna; and Tolentinol, Tina. "Child Marriage and Guardianship in Tanzania: Robbing Girls of their Childhood and Infantilizing Women." ***The Georgetown Journal of Gender and the Law***. Vol. 7, Special Issue 2006.



*The authors review Tanzanian laws related to women's and girls' status, marriage and guardianship. They show how these laws privilege men's prerogatives and lead to a paradoxical outcome—robbing girls of their childhood by allowing early marriage and treating adult women as children by subjecting them to male guardianship. Laws that violate the rights of women and girls, as the authors conclude, weaken their families and impoverish Tanzanian society.*

Gill, Aisha K. and Sundari, Anitha, eds. **Forced Marriage: Introducing a Social Justice and Human Rights Perspective**. London, UK and New York, NY: Zed Books, 2011.

*Practitioners and academicians in criminology, sociology and law examine advances in theoretical debates and existing research on forced marriage and present new evidence challenging culturally essentialist explanations—even justifications—of this violation of women's human rights. Looking at forced marriage in diverse societies, the contributors place this problem within discussions about gender violence, human rights and social justice. They thus provide a perspective that may inform both theory and practical efforts to end violence against women.*

Jain, Saranga and Kurz, Kathleen. **New Insights on Preventing Child Marriage: A Global Analysis of Factors and Programs**. Washington, DC: International Center for Research on Women (ICRW), 2007.

*The authors study the risk and protective factors linked to child marriage, analyzing data from Demographic and Health Surveys (DHS) conducted between 1985 and 2005 to focus on 20 countries, early marriage “hot spots,” of the Global South. They also do a program scan of 66 interventions, identifying seven categories—those raising communities' awareness, educating girls, reforming laws and policy, offering economic opportunities, protecting rights, doing research and giving services to married girls—to assess what works and to make recommendations.*

Malhotra, Anju; Warber, Ann; McGonagle, Allison; and Lee-Rife, Susan. **Solutions to End Child Marriage: What the Evidence Shows**. Washington, DC: International Center for Research on Women (ICRW), 2011.

*The authors review child marriage prevention programs that have documented evaluations, analyzing the implications for solutions to this problem. They learn that: the number and scope of programs have increased, with most evaluated programs in South Asia and some in Africa and the Middle East, adding to the evidence base of interventions that may be helpful.*

Mikhail, Susanne Louis B. “Child Marriage and Child Prostitution: Two Forms of Sexual Exploitation” in Masika, Rachel, ed. **Gender, Trafficking and Slavery**. Oxford, UK: Oxfam Publishing, 2002.

*The author explores how child marriage and child prostitution are similar, focusing on children's rights in the Middle East and North Africa. Drawing on her own experience in the region, anecdotal evidence, communication with local actors and small-sample research, she observes that both entail economic exchanges, denied freedom and violation of a child's right to consent. She examines the initiatives of various institutions aiming to end both forms of violence.*

Otoo-Oyortey, Naana and Pobi, Sonita. “Early Marriage and Poverty: Exploring links and key policy issues.” **Gender & Development**. Vol. 11, No. 2, July 2003.

*The authors look at the linkage between early, forced marriage and poverty in developing countries. They argue that poverty puts a girl at risk as her parents try to secure her and their own futures; yet marrying early creates problems that worsen poverty—a man’s disproportionate power over his wife, greater likelihood of domestic abuse, childbirth when she is physically and emotionally unprepared, denial of education and a high risk of HIV/AIDS. To break this cycle of poverty and early marriage, the authors urge joint action by government, civil society and women and girls. They review initiatives that have helped girls at risk of or already in such marriages.*

Warner, Elizabeth. “Behind the Wedding Veil: Child Marriage as a Form of Trafficking in Girls.” ***American University Journal of Gender, Social Policy & the Law***. Vol. 12, No. 2, September 2004.

*The author probes why child marriage remains prevalent despite growing international disapproval. She deems domestic and international laws related to child marriage deficient and/or poorly enforced; abuses such as forced labor and assault that are not tolerated in the public arena are not illegal and/or punished in the context of marriage. Yet, as she notes, the characteristics of child marriage resemble those of trafficking; the application of anti-trafficking laws may thus prove effective in the fight against child marriage. The author offers proposals for improvements in the legal framework as well as extra-legal means of changing social behavior to end this practice.*

## Murder in the Name of Honor

Chesler, Phyllis. “Are Honor Killings Simply Domestic Violence?” ***Middle East Quarterly***. Vol. 16, No. 2, Spring 2009.

*The author refutes the notion of some U.S.- and Canada-based Muslim organizations that an “honor killing” is domestic violence resulting in the victim’s death. She discusses the differences between honor killings and domestic violence—the nature of the perpetrator and victim, the planning and number of family members involved, the way the victim is killed, the community’s response and the perpetrator’s possible remorse. She advocates as antidotes religious education, the engagement of pro-women sheikhs and immigration officials’ awareness to inform immigrants that beating and killing women and girls are punishable crimes.*

Hussain, Mazna. “‘Take My Riches, Give Me Justice’: A Contextual Analysis of Pakistan’s Honor Crimes Legislation.” ***Harvard Journal of Law & Gender***. Vol. 29, No. 1, Winter 2006.

*The author examines legislative efforts in Pakistan aimed at preventing and/or punishing crimes of honor in light of the cultural and economic motives for this practice. She contends that legislation must address the discrimination women face at every level in the legal process and target flaws in the justice system—including the repeal of diyat, qisas and zina ordinances.*

Husseini, Rana. ***Murder in the Name of Honour: The true story of one woman’s heroic fight against an unbelievable crime***. London, UK: One World Publications, 2009.

*The author details her professional journey, from her start as a journalist covering the story of one girl’s murder in Amman in an “honor killing,” to her campaign to change the law in her native Jordan, to her fight against honor crimes and for women’s and girls’ human rights worldwide. Assessing the present situation regarding the numbers*

*of honor killings and the state of relevant laws, her advocacy resonates wherever men's honor is viewed in terms of women's chastity, including in Europe's and North America's migrant communities.*

Kardam, Filiz. With contributions from: Alpar, Zeynep; Yüksel, Ilknur; and Ergün, Ergül. **Honor Killings in Turkey: Prospects for Action**. Ankara, Turkey: Population Association, United Nations Development Program (UNDP) and United Nations Population Fund, 2007.

*The author examines "honor killing" in Turkey, drawing on 195 qualitative interviews with non-governmental organizations, professionals and people affected by a crime of honor. She focuses on perceptions of honor, the consequences of "dishonorable conduct" and the relationship of dishonor as a concept to mental constructs, lifestyles and social structures. She proposes two kinds of solutions: (1) those to prevent at-risk individuals from being victims of honor killings, such as shelters; and (2) those to change behavior in the long term, such as targeted training programs.*

Mai, Mukhtar. With Cuny, Marie-Thérèse. **In the Name of Honor: A Memoir**. Coverdale, Linda, transl. New York, London, Toronto and Sydney: Washington Square Press, 2007.

*The Pakistani author recounts her village tribal council's condemnation that she be gang-raped as punishment for her 12-year-old brother's alleged seduction of an older woman. After paying the price of her body for this untrue allegation, Mai ignored the impulse to commit suicide and sued the tribal council in the supreme court, winning her case and worldwide acclaim for her courage. With the roughly \$8,500USD in government compensation, she started a girls' school in her village, believing that education is the best way to combat harmful traditional practices.*

Onal, Ayse. **Honor Killings: Stories of men who killed**. London, San Francisco and Beirut: Saqi Books, 2008.

*This journalist interviews ten men in Turkey's prisons who killed their daughters, sisters and mothers to vindicate their family's honor. Her approach to the subject differs from much of Turkish press coverage which takes the perpetrator's side and from the perspective of women's groups which demonizes the men who kill. She believes that to change societal attitudes so as to end these murders, understanding the killers' thoughts and emotions is necessary—discovering their anguish in the face of community gossip about a female family member's conduct and the conflict between their compulsion to kill and, in some cases, feelings of reluctance and remorse.*

Prieto-Carrón, Marina; Thomson, Marilyn; and Macdonald, Mandy. "No more killings! Women respond to femicides in Central America." **Gender & Development**. Vol. 15, No. 1, March 2007.

*The authors investigate the murder of women in Mexico and Central America as an extreme form of gender violence. They link femicides with discrimination, poverty and a backlash against women in a setting of total state impunity. They look at and urge support for the region's feminists and women's organizations conducting research to document these murders and other gender violence, assisting survivors and their families as well as engaging in advocacy.*

Souad. In collaboration with Cuny, Marie-Thérèse. **Burned Alive: A Victim of the Law of Men**. Armbruster, Judith, transl. New York, NY: Time Warner Book Group and Grand Central Publishing, 2005.

*The author, a West Bank Palestinian, recounts her brother-in-law's failed attempt to set her ablaze for being pregnant as an unmarried girl—a fact she hid for some six months, knowing her family might kill her for the perceived disgrace. More than two decades after village women and a relief worker rescued her, Souad lives in a European location unspecified for reasons of security.*

Tintori, Karen. ***Unto the Daughters: The Legacy of an Honor Killing in a Sicilian-American Family***. New York, NY: St. Martin's Press, 2007.

*The author traces her Sicilian family's 1914 journey to Detroit, uncovering the secret of an age-old honor killing. The discovery of her great-grandfather's passport with his name and those of his wife and children on it, but with one scratched off, leads her to piece together the story of her great-aunt Francesca. Promised at age 16 to a Mafia scion, Francesca instead eloped with a barber's son and was murdered by her brothers to be erased from the family's records—until the author details traditional Sicilian culture's subjugation of women in the name of a code of honor.*

Welchman, Lynn and Hossain, Sara, eds. ***"Honour": Crimes, Paradigms, and Violence Against Women***. London, UK and New York, NY: Zed Books, 2005.

*Academicians and activists engage in the theoretical and practical debates about crimes committed in honor's name. Examining these crimes in Muslim and non-Muslim societies, they reject culturally relativistic approaches in favor of analysis grounded in the perspective of universal human rights. The contributors diverge somewhat in their understandings of the motivations for these crimes and in their proposals for solutions to this social problem, but they agree that crimes of honor cannot be studied separately from the global phenomenon of violence against women.*

## Rape and Sexual Assault

Abrahams, Naeemah; Jewkes, Rachel; Hoffman, Margaret; and Laubsher, Ria. "Sexual Violence against Intimate Partners in Cape Town: Prevalence and risk factors reported by men." ***Bulletin of the World Health Organization***. Vol. 82, No. 5, May 2004.

*The authors draw on a survey of 1,368 men in Cape Town to probe the prevalence of sexual violence against female intimate partners during the prior ten years and to discover the risk factors for perpetrating this crime. Their study reveals that a reported 15.3 percent of men committed acts of sexual violence, with the risk for perpetration linked to conflict over male sexual entitlement and dominance in the relationship as well as to using violence to solve problems in other settings, having more than one current partner, verbally abusing a partner and consuming alcohol. The authors conclude that prevention efforts should focus on gender relations and non-violent conflict resolution for men and youths.*

Bridges, Ana J.; Wosnitzer, Robert; Scharrer, Erica; Sun, Chyng; and Liberman, Rachael. "Aggression and Sexual Behavior in Best-Selling Pornography Videos: A Content Analysis Update." ***Violence Against Women***. Vol. 16, No. 10, October 2010.

*The authors examine the content of popular pornographic videos to update and compare depictions of aggression, degradation and sexual practices vis-à-vis previous content analysis. Their study shows high levels of aggression in the 304 scenes*

*examined: 88.2% featured physical violence, mainly spanking, gagging, and slapping; 48.7% of scenes had verbal abuse, primarily name-calling. Also among their findings, aggressors were typically male, and their targets were overwhelmingly females, who most often responded neutrally or showed pleasure.*

Buchwald, Emilie; Fletcher, Pamela R.; and Roth, Martha, eds. ***Transforming a Rape Culture***. Minneapolis, MN: Milkweed Editions, 2005 edition.

*Activists offer voices of resistance to rape and to the culture that tolerates and even promotes sexual violence in the United States. They review statistics on sexual assault against women and children, point to factors that encourage rape and discuss strategies for change.*

Davis, Lisa and Bookey, Blaine. “*Fanm ayisyen pap kase: Respecting the right to health of Haitian women and girls.*” ***Health and Human Rights***. Vol. 13, No. 1, 2011.

*These legal scholars affirm that a female’s right to freedom from sexual violence is a basic element of her right to health, with the need more critical in post-disaster settings. They probe why the humanitarian response to Haiti’s 2010 earthquake has failed to protect women and girls, actually increasing their vulnerability to violence. The authors conclude that this failure is due largely to women’s exclusion from meaningful participation in formal humanitarian interventions.*

Felten-Biermann, Claudia. “Gender and Natural Disaster: Sexualized violence and the tsunami.” ***Development***. Vol. 49, No. 3, September 2006.

*The author looks at the impact of natural disasters on women’s vulnerability to gender violence. Underscoring the increase in sexual assaults in countries hit by the 2004 Asian tsunami, she maintains that gender violence is not sufficiently guarded against in disasters and insists that the aid community apply stronger pressure in this regard on recipient governments.*

Haskell, Molly. ***From Reverence to Rape: The Treatment of Women in the Movies***. Chicago, IL: University of Chicago Press, 1987 ed.

*The author reviews cinematic portrayals of women and gender relations during the twentieth century, elucidating how movies strengthen the myths of virgins to be married and cherished or “bad girls” whose sexuality men enjoy and exploit. Such depictions, she contends, reinforce the idea that women should mold themselves to resemble these screen images—revered for their self-subjugation to men, or raped, figuratively and literally, to satisfy male desires for sexual power.*

Konradi, Amanda. ***Taking the Stand: Rape Survivors and the Prosecution of Rapists***. Westport, CN and London, UK: Praeger, 2007.

*The author follows 47 rape survivors in the United States, from the attack to each step in the law enforcement process. A rape survivor herself, she insists that criminal justice personnel must realize the diversity in individual experiences to serve victims effectively and that a practical grasp of criminal investigation and prosecution helps survivors pursue justice on their own terms.*

Mbaru-Mwangi, Monica. “Women with Disabilities and Sexual Violence in Kenya” in Burnett; Karmali, Patrick Shereen; and Manji, Firoze, eds. ***Grace, Tenacity and Eloquence. The struggle for women’s rights in Africa***. Oxford,

UK and Nairobi, Kenya: Fahuma Books and Networks for Social Justice and Solidarity for African Women's Rights, 2007.

*This activist affirms that asserting rights for Kenya's disabled women is daunting. Kenya has signed international conventions on women's human rights, but with little awareness of sexual violence, implementation of these documents is rare, as the author observes, so that victims must rely on national law for protection. Noting that the Persons with Disabilities Act ensures women's rights but still lacks enforcement mechanisms, she concludes that the Kenyan National Commission for Human Rights (KNCHR) is a bridge between international law and domestic debates, and hopes that the Council for Persons with Disabilities can enforce rights, including freedom from sexual violence for women.*

Trebon, Kimberly M. "There Is No 'I' in Team: The Commission of Group Sexual Assault by Collegiate and Professional Athletes." **DePaul Journal of Sports Law & Contemporary Problems**. Vol. 4, Summer 2007.

*The author poses two questions about group sexual assault by male collegiate and professional athletes in the United States: (1) Why are "gang rapes" viewed as anomalous when juxtaposed to athletes' "morally-valued" careers? (2) Should gang rapes be treated as the symptom of an enabling, sports-obsessed culture? She looks at theories on the relationship between athletes and sexual violence and at problems in law enforcement. She argues that athletes should not be held out as examples of enhanced culpability and punished more harshly (rare), or excused as otherwise decent men fawned over by female fans (more common).*

Weiss, Karen G. "'Boys Will Be Boys' and Other Gendered Accounts: An Exploration of Victims' Excuses for Unwanted Sexual Contact and Coercion." **Violence Against Women**. Vol. 15, No. 7, July 2009.

*The author examines 944 victim narratives from the U.S. National Crime Victimization Survey to show that one in five women who report being sexually victimized excuse these situations by drawing on social vocabularies which take male sexual aggression as natural, normal within dating relationships or the victim's fault. Her study demonstrates how gender stereotypes and rape myths shape victims' perceptions of unwanted sexual situations and how cultural language impedes women's recognition of sexual victimization as a crime and inhibits reporting to the police.*

## Hate Crimes Against Lesbians

**Crimes of Hate, Conspiracy of Silence: Torture and ill-treatment based on sexual identity.** London, United Kingdom: Amnesty International, 2001.

*This report describes discrimination, even torture, by the judiciary, police, prison system, medical institutions and community against lesbian, gay, bisexual and transgender (LGBT) people. It also explains how state laws banning homosexuality and this abuse violate international laws. An appendix details a "12-Point Program for the Prevention of Torture by Agents of the State."*

Lester, Toni. "Talking About Sexual Orientation, Teaching About Homophobia'—Negotiating the Divide Between Religious Belief and Tolerance for LGBT Rights in the Classroom." **Duke Journal of Gender Law & Policy**. Vol. 15, August 2008.

*This LGBT rights activist reflects on her experience teaching a course titled “Intolerance, Culture and the Law.” She uses a questionnaire with students to assess the effectiveness of pedagogical techniques in meeting course goals—to have them understand identity politics and to foster tolerance. She asserts that teachers can model open-mindedness by: welcoming opinions from lesbian, gay, bisexual and transgender students and their allies, respecting religious views on LGBT rights and pressing students to examine all perspectives with the needed intellectual rigor.*

Lewin, Simon and Meyer, Ilan H. “Torture and Ill-Treatment Based on Sexual Identity: The Roles and Responsibilities of Health Professionals and Their Institutions.” **Health and Human Rights**. Vol. 6, No. 1, 2002.

*The authors analyze healthcare providers’ roles and responsibilities vis-à-vis the human rights of lesbian, gay, bisexual and transgender people in light of Amnesty International’s 2001 report titled **Crimes of Hate, Conspiracy of Silence: Torture and ill-treatment based on sexual identity** (see above). They denounce the participation of health professionals and institutions in abusing LGBT individuals, insisting that providers accept their duty to work with other organizations to uphold the health and human rights of this population.*

Loudes, Christine. With the help of Gill, Iain. **Meeting the Challenge of Accession: Surveys on sexual orientation discrimination in countries joining the European Union**. Brussels, Belgium: The European Region of the International Lesbian and Gay Association (ILGA-Europe), April 2004.

*The author compares national reports based on surveys done in ten countries—the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, which were then-new European Union (EU) members, and Romania, a candidate for EU accession—to highlight discrimination and violence against lesbians, gays and bisexuals. She recommends that new member states work to ban discrimination and establish equality bodies for monitoring and prevention, and that EU institutions ensure that legislation and policies go beyond the area of employment to include access to goods, facilities and services.*

**Love, Hate and the Law: Decriminalizing Homosexuality**. London, United Kingdom: Amnesty International, 2008.

*This analytical overview of homosexuality’s criminalization throughout the world explains the justifications states use for such laws, including indirect arguments based on the goal of protecting children and on public health concerns. Offering examples of how criminal provisions, even when inactive, affect lesbian, gay, bisexual and transgender people’s lives, the report contends that such laws give permission to homophobic and trans-phobic individuals to target this community, its organizations and events. It ends with suggestions for specific steps towards decriminalization.*

Murray, Rachel and Viljoen, Frans. “Towards Non-Discrimination on the Basis of Sexual Orientation: The Normative Basis and Procedural Possibilities before the African Commission on Human and Peoples’ Rights and the African Union.” **Human Rights Quarterly**. Vol. 29, No. 1, February 2007.

*The authors review how the African Charter on Human and Peoples’ Rights regards discrimination against lesbians, gays and bisexuals, observing that the document, through its Commission’s work, has been understood in an increasingly dynamic*

manner since being established in 1986. Yet, as they note, abuses based on sexual orientation have remained mostly outside the African Commission's generally innovative jurisprudence. They explore how those working to end abuses can use the mechanisms available through the Commission.

O'Flaherty, Michael and Fisher, John. "Sexual Orientation, Gender Identity and International Human Rights Law: Contextualising the Yogyakarta Principles." **Human Rights Law Review**. Vol. 8, No. 2, June 2008.

*The authors, in the first published critical commentary on the Yogyakarta Principles on the Application of Human Rights Law in Relation to Sexual Orientation and Gender Identity since their declaration in 2007, place the document in the contexts of: (1) the actual situation of people of diverse sexual orientations and gender identities, and (2) the applicable international human rights law. Examining the Yogyakarta drafting process and text, they assess the Principles' initial impact.*

Ottosson, Daniel. **State-sponsored Homophobia: A world survey of laws prohibiting same sex activity between consenting adults**. Stockholm, Sweden: Södertöm University, for the International Lesbian, Gay, Bisexual, Trans and Intersex Association, May 2010.

*This annual report, issued since 2007, reviews the laws of 76 countries which criminalize private consensual sexual acts between adults of the same sex, seeking to "name and shame" states which violate the human rights of lesbian, gay, bisexual, transgender and intersex people, in the hope that with each year, more countries will abandon homophobic legislation and policies.*

Poláček, Richard and Le Déroff, Joël. **Joining Forces to Combat Homophobic and Transphobic Hate Crime: Cooperation between police forces and LGBT organizations in Europe**. Brussels, Belgium: The European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA-Europe), August 2010.

*The authors explore the need for Europe's lesbian, gay, bisexual and transgender non-governmental organizations and police forces to collaborate in the fight against hate crimes. Their research illuminates five areas where cooperation can work: (1) raising awareness and building capacity, (2) reporting incidents and supporting victims, (3) improving monitoring and data collection, (4) preventing incidents, and (5) enforcing hate crime laws and policies.*

**Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide**. New York, NY: Human Rights Watch, June 11, 2009.

*This report reveals that groups defending lesbian, gay, bisexual and transgender people's rights, particular in the Global South, have limited access to funding and face violence, without much support from other human rights activists. Based on research with more than 100 activists in sub-Saharan Africa, the Middle East and North Africa, Eastern Europe and Central Asia, the Asian and Pacific region, and Latin America and the Caribbean, the report describes abuses and other challenges for activists, opportunities they foresee and their strategies for social change.*



## Prostitution

Bernstein, Elizabeth. ***Temporarily Yours: Intimacy, Authenticity and Sex Work***. Chicago, Ill: University of Chicago Press, 2007.

*The author studies the growth and diversification of sex for sale, particularly in post-industrial societies, showing how cultural and economic structures have changed sex work. Based on research with prostitutes, their clients and state actors, she contends that sex commerce is diversifying along technological, spatial and social lines. She observes that in cities like San Francisco, Stockholm and Amsterdam, the service purchased is new; prostitutes are paid for an erotic experience based on performance of an authentic personal connection. As she concludes, the lines between intimacy and commerce, between private and public life are thus being redrawn.*

Jeffreys, Sheila. ***The Idea of Prostitution***. North Melbourne, Victoria, Australia: Spinifex Press, 2009 ed.

*The author explores how the concept of prostitution has changed—from a form of sexual freedom, to a way for women to escape poverty, to a human rights violation. She challenges post-modern feminists' distinction between coerced prostitutes and those "free" to "choose" sex as "work." Adopting a universalist approach, she compares prostitution to slavery and marital rape, deeming it a violation of women's rights in whatever geographical and socio-economic context it exists. In making her case, she investigates related issues such male prostitution, military brothels, pornography, the prostitutes' rights movement and growth in the sex industry*

Kuo, Lenore. ***Prostitution Policy: Revolutionizing Practice through a Gendered Perspective***. New York, NY: New York University Press, 2005.

*The author combines legal studies and feminist social theory to discuss the issues surrounding prostitution in the United States. She delves into the dilemma of developing a legal policy towards prostitution that minimizes harm to prostitutes, assessing the options of criminalization, legalization and decriminalization. Looking to aspects of the Netherlands' model—the reluctance of the Dutch to proscribe even immoral behaviors—she advocates a unique form of decriminalization to include strict legal oversight and mandatory social services for prostitutes.*

Liu, Min and Finckenauer, James O. "The Resurgence of Prostitution in China: Explanations and Implications." ***Journal of Contemporary Criminal Justice***. Vol. 26, No. 1, February 2010.

*The authors trace the history of prostitution in China, from its roots to its reemergence during the 1980s and its growth since then. They also analyze the limited effectiveness of China's laws and policies in curbing the sex industry and the possible relationship between prostitution and trafficking. They conclude that empirical studies on Chinese prostitutes are necessary.*

Monto, Martin A. "Female Prostitution, Customers, and Violence." ***Violence Against Women***. Vol. 10, No. 2, February 2004.

*The author reviews the research on prostitution, arguing five points: (1) Customers are often excluded from debates on prostitution; including them creates a balanced dialogue to inform public policy. (2) Seeking prostitutes is usually seen as natural within men's experiences, but most do not pursue them; few are regular customers. (3) Common-sense understandings of reasons for buying sex are consistent with the research. (4) Certain attitudes elucidate why men meet their desires with prostitutes and*

explain their violence against these women. (5) Customers construct their meetings with prostitutes to support their understandings of prostitution, often trying to maintain a sense of mutuality and consent.

Raymond, Janice G. "Prostitution on Demand: Legalizing the Buyers as Sexual Consumers." ***Violence Against Women***. Vol. 10, No. 10, October 2004

*The author shines a light on men who buy and abuse prostitutes, asserting that states, UN agencies, non-governmental organizations and others act as if the demand for sexual exploitation is insignificant or that prostitution is entrenched because "men will be men." She explores customer demand—its meaning, myths rationalizing why men buy sex, qualitative information on buyers from the Coalition Against Trafficking in Women (CATW) and best practices to address the gender of demand. Without looking at the customer as a root cause of prostitution, she insists, laws and programs will keep in place the notion of men's right to buy women and children.*

Ringdal, Nills Johan. ***Love For Sale: A World History of Prostitution***. Daly, Richard, transl. New York, NY: Grove Press, 2005.

*This historian traces prostitution's entire recorded history dating back 4,000 years up to the modern red-light district, elucidating how different societies have treated prostitutes—from ancient Greece, Rome and India, which incorporated these women into several social echelons, including the priestess class, to the Victorians who campaigned against them, to the contemporary emergence of the sex workers' rights movement. The author thus paints a complex portrait of prostitution, bringing into focus what he perceives are the rewards and risks of the world's oldest profession.*

Specter, Jessica, ed. ***Prostitution and Pornography: Philosophical Debate about the Sex Industry***. Stanford, CA: Stanford University Press, 2006.

*Academics, veterans of the sex industry and survivors assess the adequacy of liberal response to critiques of prostitution and pornography. Asserting that these two forms of commercialized sex are treated very differently, they discuss the role played by ideas about the self, personal identity and freedom in our attitudes about the sex industry.*

Valandra. "Reclaiming Their Lives and Breaking Free: An Afrocentric Approach to Recovery From Prostitution." ***Affilia: Journal of Women and Social Work***. Vol. 22, No. 2, May 2007.

*The author, affirming that little research exists on the particular healing needs of prostituted African-American women, does a qualitative study with eight clients at an Afrocentric agency offering culturally specific services. Findings from a focus group and semi-structured interviews reveal seven categories of experience: (1) a legacy of violence and under-reporting, (2) family and self-preservation, (3) kinship support and spirituality, (4) hitting rock bottom, (5) barriers to recovery, (6) helpful and harmful services, and (7) a prism of oppression. She considers the implications of her findings for advocates, policy makers and social workers, urging more research on these women's experiences to enable practitioners to meet their needs most effectively.*

Whisnant, Rebecca and Stark, Christine, eds. ***Not for Sale: Feminists Resisting Prostitution and Pornography***. North Melbourne, Victoria, Australia: Spinifex Press, 2005 ed.

*Survivors, activists and academicians examine how prostitution and pornography harm those involved in the sex industries while subverting possibilities for gender justice, human equality and stable sexual relationships. The contributors expose the racism, poverty, militarism and corporate capitalism of selling sex through strip clubs, brothels, mail-order brides and child pornography.*

## **Trafficking for Sex Slavery**

Agustin, Laura Maria. **Sex at the Margins: Migration, Labour Markets and the Rescue Industry**. London, UK and New York, NY: Zed Books, 2007.

*The author analyzes the intersection between migrant workers in Europe selling sex and the “social” or “helping” sector. She dispels the myths that: selling sex differs from other work; migrants selling sex are victims; and those trying to save migrants have no self-interest. Based on field research, she argues that the term “trafficked” incorrectly describes migrants and that the “rescue industry” disempowers them. Often migrants rationally choose to work in the sex industry, the author asserts, and despite marginalization, they are a part of the dynamic global economy.*

Crawford, Mary and Kaufman, Michelle R. “Sex Trafficking in Nepal: Survivor Characteristics and Long-Term Outcomes.” **Violence Against Women**. Vol. 14, No. 8, August 2008.

*The authors probe the characteristics of and outcomes for Nepali sex trafficking survivors to discern the impact of therapy, rehabilitation and social reintegration on these women. In a random selection of 20 case files of survivors rehabilitated in a shelter, they note that all were physically and emotionally harmed, but three-quarters returned to their villages. Their findings point to the success of rehabilitation and reintegration but also to the need for systematic diagnosis, record keeping, outcome studies, education against stigma and safe migration practices.*

Frisendorf, Cornelius, ed. **Strategies against Human Trafficking: The Role of the Security Sector**. Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2009.

*The contributors offer guidance on how practitioners in the security sector can effectively fight trafficking. Recognizing the obstacles, trade-offs and unintended consequences involved in counter-trafficking efforts, they insist that progress is needed in three areas—more systematic policy implementation, stealthier and better-coordinated networks among security forces at various levels and greater stress on research about and evaluation of anti-trafficking programs.*

Gallagher, Anne T. **The International Law of Trafficking**. New York, NY: Cambridge University Press, 2010.

*The author presents a detailed analysis of the international law on human trafficking. Drawing on her work in the United Nations developing international laws on this issue, she links these rules to the international law of state responsibility and to norms of international human rights law, transnational criminal law, refugee law and international criminal law. She identifies states’ major legal obligations to prevent trafficking, protect victims and prosecute perpetrators.*

Kara, Siddharth. **Sex Trafficking: Inside the Business of Modern Slavery**. New York, NY: Columbia University Press, 2010.

The author gives a first-hand account of the trafficking industry based on his research in India, Nepal, Burma, Thailand, Laos, Vietnam, the United Kingdom, Italy, the Netherlands, Denmark, Albania, Moldova, Mexico and the United States. With a background in finance, economics and law, he offers a business analysis, focusing on the most profitable form of modern slavery: sex trafficking. He explores the local and global economic forces leading to its rise. Quantifying its size, growth and profitability, he identifies industry sectors that could be effectively targeted by the legal, tactical and policy measures which he proposes to end sex trafficking

Mahdavi, Pardis. **Gridlock: Labor, Migration, and Human Trafficking in Dubai**. Stanford, CA: Stanford University Press, 2011.

The author refutes Dubai's image as a center for trafficking and exploitation, painting a nuanced picture of migrants' lives there. As she observes, migrant workers, like other people, make choices to improve their lives, and not all are abused, despite a high risk. U.S. lawmakers seek to fight trafficking focus on women's sex work, but as she argues, both female and male migrants face the potential for abuse in various jobs. Comparing migrants' stories to interviews with U.S. policy makers, she concludes that moving beyond stereotypes is vital to close the gap between policies and the realities of migrants' lives so as to address their actual challenges.

Sawa – All the Women Together Today and Tomorrow. **Trafficking and Forced Prostitution of Palestinian Women and Girls: Forms of Modern Day Slavery: A Briefing Paper**. Jerusalem and Ramallah: Sawa, and New York, NY: United Nations Development Fund for Women (UNIFEM), 2008.

This study delves into the causes and consequences of trafficking among Palestinians by analyzing six case studies—two fathers selling their daughters, three traffickers and one prostitute. Evidence of exploitation and of possible trafficking routes includes inputs and testimonies from hotel owners, police officers, trafficked women and taxi-drivers. Assessing the extent of trafficking of women in the Palestinian region, this study calls on civil society organizations and Palestinian governmental institutions to act swiftly and concretely against this human rights violation.

Shelley, Louise. **Human Trafficking: A Global Perspective**. New York, NY: Cambridge University Press, 2010.

The author examines all forms of trafficking globally, from organ trafficking to sex trafficking, revealing the business operations and the nature of the traffickers themselves. Relying on years of field research in Africa, Asia, eastern and western Europe, and Latin America, she shows that trafficking varies greatly between regions and that more than one business model exists. She concludes that human trafficking will increase in the twenty-first century as a result of economic and demographic inequalities, the rise of conflicts and possibly global climate change, urging coordinated efforts by government, civil society, the business community, multilateral organizations and the media to curb its growth.

**Trafficking in Persons Report 2010**. Washington, DC: U.S. Department of State, 2010. <http://www.state.gov/g/tip/rls/tiprpt/2010/>.

The U.S. Department of State analyzes the extent of trafficking and policies to address the problem in 177 countries. Issued annually, the 2010 report for the first time judges the United States by the standards used for other countries in terms of prevention, protection and prosecution.

Warnath, Stephen. **Best Practices in Trafficking Prevention in Europe and Eurasia**. Washington, DC: United States Agency for International Development (USAID) with cooperation and support from the NEXUS Institute to Combat Human Trafficking, Creative Associates International, Inc. and the Aguirre Division of JBS International, Inc., 2009.

*The author discerns best practices in trafficking prevention programs in a study for USAID's Europe & Eurasia (E&E) Bureau and makes eight recommendations to donors and those involved in such efforts: (1) Strengthen the understanding of contributing factors. (2) Refine links between activities and prevention outcomes. (3) Improve targeting of at-risk groups. (4) Prioritize awareness-raising projects. (5) Tighten links between employment-based, income-generating and empowerment activities and long-term results. (6) Tailor safe migration projects to meet prevention goals. (7) Include demand-reduction approaches to show prevention results as part of a comprehensive strategy. (8) Consider the impact of gender-based factors on prevention.*

## **Sexual Violence in Armed Conflict—Rape as a Weapon of War**

Amy, Lori E. **The Wars We Inherit: Military Life, Gender Violence, and Memory**. Philadelphia, PA: Temple University Press, 2010.

*The author combines memoir with critical analysis to link private and public violence, exploring how the military pervades society with emotional, physical and sexual aggression. Her war-veteran father exemplifies war's dehumanizing effect, showing how violence is experienced and remembered. As she explains, Abu Ghraib's torture is on a continuum with the intrinsic violence of the gender and nation systems. She believes that by transforming how violence shapes lives, changing a culture that breeds violence is possible.*

Chandler, Robin M.; Fuller, Linda K.; and Wang, Lihua, eds. **Women, War, and Violence: Personal Perspectives and Global Activism**. New York, NY: Palgrave Macmillan, 2010.

*The contributors reflect on how war affects women and families around the world. Academicians, activists and practitioners in diverse fields discuss wartime sexual violence, the militarization of non-combatant women, post-war atrocities, anti-militarist activism and interventions against violence among other themes to elucidate gender oppression associated with war at the intersection of national identity, race, religion and social class.*

Chang, Iris. **The Rape of Nanking: The Forgotten Holocaust of World War II**. New York, NY: Basic Books, 2011 ed.

*This journalist describes Japan's 1937 attack on Nanking, China—more than 300,000 civilians and soldiers were raped, tortured and murdered. As she explains, Nanking was the Japanese army's training laboratory for its war tactics in Asia. Asserting that all societies have such an historical episode, she urges Japan to abandon its denials and pay reparations to the Chinese.*

Csáky, Corinna. **No One to Turn To: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers**. London, UK: Save the Children UK, 2008.

*The author analyzes sexual exploitation of children by adults whose duty is to help them in emergencies. Based on field research with young people and practitioners in Côte d'Ivoire, Haiti and southern Sudan, she finds that: children are not encouraged to speak up; strong international leadership is needed to ensure best and new practices are adopted; and investment is lacking to tackle child exploitation's underlying causes. She offers three recommendations to guide Save the Children in implementing specific policies: (1) Establish an effective local mechanism for complaints. (2) Create a global watchdog agency. (3) Address the root causes of violence because exploitation of children in emergencies is related to what happens in ordinary conditions.*

Dombrowski, Nicole A., ed. ***Women and War in the Twentieth Century: Enlisted with or without Consent***. Abingdon, Oxon, UK and New York, NY: Routledge, 2004.

*The contributors analyze women's wartime experiences during the twentieth century, from World War I to the post-Cold War period, in such diverse settings as China, Guatemala and the United States, among other countries. They discuss disruptions of everyday life, its impact on children, rape as a war crime, access to equal opportunity within the military and resistance to violence, demonstrating that women are enlisted with or without their consent whether as agents, accomplices, opponents or victims during times of conflict.*

Giles, Wenona; de Alwis, Malathi; Klein, Edith; Silva, Neluka; and Korac, Maja, eds. ***Feminists Under Fire: Exchanges Across War Zones***. Toronto, Ontario, Canada: Between the Lines, 2003.

*The contributors study women living and working in conflict zones, focusing on the civil wars in Sri Lanka and the former Yugoslavia. They compare the consequences of these conflicts for women—the use of gender violence including rape, the impact of war on these societies and feminist politics. As the authors observe, women's experiences in conflict are complex; they suffer war-related violence, but those in traditional societies may be released from existing hierarchies. The articles probe this ambivalence between victimization and resistance.*

Hardi, Choman. ***Gendered Experiences of Genocide: Anfal Survivors in Kurdistan-Iraq***. Hampshire, England and Burlington, VT: Ashgate Publishing Limited, 2011.

*The author examines Iraqi Kurdish women's experiences during the government's 1988 Anfal campaign and its aftermath. She gives voice to women's testimonies, including their reluctant recounting of rapes, to address four issues: (1) women as survivors facing the long-term health impact of a chemical weapons attack, becoming the family's sole income earner and raising children; (2) the need to repair the human bonds vital for identity which were broken by violence; (3) women's claims for justice; and (4) obstacles to mourning losses caused by the campaign.*

Heineman, Elizabeth D., ed. ***Sexual Violence in Conflict Zones: From the Ancient World to the Era of Human Rights***. Philadelphia, PA: University of Pennsylvania Press, 2011.

*The authors explore the history of conflict-based sexual violence, considering cases from the ancient world, medieval Europe, the American Revolutionary War, pre-colonial and colonial Africa, Muslim Central Asia, and World Wars I and II, as well as the Bangladeshi War of Independence. Their essays look at victims' experiences and*

*perpetrators' motivations, the link between wartime and peacetime sexual violence and the history of modern feminist-inflected human rights activism. They illuminate the factors making sexual violence in conflict zones more or less likely and the resulting trauma more or less devastating, as well as legal and other strategies for redress.*

Jones, Adam, eds. **Gendercide and Genocide**. Nashville, TN: Vanderbilt University Press, 2004.

*The contributors offer empirical examples of and theoretical perspectives on "gendercide," defined as gender-selective mass killing. They treat a range of topics such as Rwanda's 1994 genocide, gendercidal oppression of Black males in the United States and the relevance of feminism and men's studies in understanding gendercide. The editor aims to determine whether gendercide has been, as he says, a defining element of human conflict and perhaps of social organization.*

Leatherman, Janie L. **Sexual Violence and Armed Conflict**. Cambridge, UK and Malden, MA, 2011.

*The author analyzes the causes, consequences and responses to sexual violence in war. She probes the function and effect of sexual violence, examining the conditions that make women and girls vulnerable to these acts. The role of systemic and situational factors such as patriarchy and militarized masculinity, she believes, is vital to grasping perpetrators' motives. Lauding local and global actors who speak up about sexual violence, she reviews strategies for prevention, protection of at-risk women and girls and rehabilitation of survivors and their communities.*

Onekalit, Catherine. "The Frightful Actuality: Girls, Tools of War in Africa" in Rodríguez Montero, Dina and Natukanda-Togboa, Edith, eds. **Gender and Peace Building in Africa**. San José, Costa Rica: University for Peace, 2005.

*The author asserts that the girl child in Africa and war exist concomitantly—where there is war, a girl child is abused. Citing examples from various countries, she explains how violence against girls in war results in physical injury, early child birth, the spread of HIV/AIDS, emotional trauma, stigma and ostracism. Girls are used as tools of war, she declares, because African societies expect them to bear their burdens silently. Her recommendations emphasize the role of international and non-governmental organizations, movements and policy makers in formulating rules to protect girls and monitoring enforcement.*

Oosterveld, Valerie. "Lessons from the Special Court for Sierra Leone on the Prosecution of Gender-Based Crimes." **American University Journal of Gender, Social Policy & the Law**. Vol. 17, No. 2, 2009.

*The author studies the prosecution of gender-based war crimes in Sierra Leone, including rape and forced marriage. Detailing the judgments of the Special Court for Sierra Leone, she draws three lessons: (1) Gendered crimes may be complex, and seemingly gender-neutral crimes may have gendered elements. (2) Consideration of criminal evidence must be gender-sensitive. (3) Judicial balancing between the rights of the accused, those of the victim and other relevant matters is needed to ensure gender-sensitive prosecution. These lessons, though particular to the Special Court's proceedings, may be relevant to the International Criminal Court's future work.*

Tanaka, Yuki. **Japan's Comfort Women: Sexual slavery and prostitution during World War II and the US occupation**. London, UK and New York, NY: Routledge, 2002.

*The author examines the Japanese army's procurement of local women as prostitutes in Asia during World War II. He investigates the military's mass rape during the years 1931-1945 and the effort to suppress information about Japan's role in creating the "comfort women" system. He also discloses new, controversial information about the U.S. occupation forces' role in organizing military-controlled prostitution, supposedly to prevent rape of Japanese women by troops and to thwart the spread of sexually transmitted diseases. The author demonstrates how these systems of sexual slavery abused women for the sake of maintaining military organization and discipline.*

Turshen, Meredith. "The Political Economy: An Analysis of Systematic Rape and Sexual Abuse of Women during Armed Conflict in Africa" in Moser, Caroline N. O. and Clark, Fiona, eds. ***Victims, Perpetrators or Actors?: Gender, Armed Conflict and Political Violence***. London, UK and New York, NY: Zed Books, 2001.

*The author studies the use of rape as a weapon during wars in Mozambique and Rwanda in terms of women's identity and their property and assets. She maintains that women as "social reproducers" are violated first by rapists and then by their families and communities who reject them. The isolation endured by rape survivors harms their prospects for economic survival, as the author explains. Her insights are operationally relevant to practitioners who formulate programs to address women's human rights, socio-economic development and/or post-war reconstruction.*

Zawati, Hilmi M. and Mahmoud, Ibtisam M. ***A Selected Socio-Legal Bibliography on Ethnic Cleansing, Wartime Rape, and Genocide in the former Yugoslavia and Rwanda***. Lewiston, NY and Ceredigion, UK: Edwin Mellen Press, 2004.

*These experts compile a detailed bibliography of more than 6,000 entries, selected materials published in English and other European languages on ethnic cleansing, genocide and sexual violence during armed conflicts in the former Yugoslavia and Rwanda.*

## **Women's Roles and Rights in Peacemaking and Post-war Reconstruction UN Security Council Resolution 1325**

Afkhami, Mahnaz, ed. ***Toward a Compassionate Society***. Bethesda, MD: Women's Learning Partnership for Rights, Development and Peace, 2002.

*Activists and scholars reflect on how human beings and particularly women, in their expanding roles, can create a compassionate society and a culture of peace given the unequal distribution of economic and technological power. They focus on the issues of development, individual rights in the context of community-oriented values, the emancipating aspects of religion for women and leadership based on dialogue to change organizations and create gender equality.*

Anderlini, Sanam Naraghi. ***Women Building Peace: What They Do, Why It Matters***. Boulder, CO: Lynne Rienner, 2007.

*This practitioner draws on extensive field experience and research to address why and how women's contributions matter in peacebuilding efforts. She provides a cross-regional, comparative analysis of women's peace initiatives around the*



*world, contending that gender-sensitive programming can become a catalyst in the complicated task of creating a sustainable peace and pointing to specific examples of how to take advantage of women's untapped potential.*

Bouta, Tsjeard; Frerks, Georg; and Bannon, Ian. **Gender, Conflict, and Development**. Washington, DC: The International Bank for Reconstruction and Development/The World Bank, 2005.

*The authors highlight the gender dimensions of conflict, exploring concerns surrounding female combatants, sexual violence, formal and informal peace processes, the rehabilitation of social services and community-driven development among other themes. They explore how conflict transforms gender roles and consider policy options to capitalize on the opportunities ironically resulting from armed hostilities to create more gender-balanced, inclusive economic, political and social relationships in post-war societies.*

Butler, Maria; Mader, Kristina; and Kean, Rachel. **Women, Peace and Security Handbook: Compilation and Analysis of United Nations Security Council Resolutions Language**. New York, NY: PeaceWoman Project and Women's International League for Peace and Freedom (WILPF), 2010.

*The authors evaluate whether the Security Council has internalized the agenda of women, peace and security since Resolution 1325 was passed. They focus on the Security Council's country-specific resolutions as related to 13 aspects of women's experience in war. They assess how well these documents reflect the language and intent of Resolution 1325, calling for more comprehensive language on women and gender in future country-specific resolutions.*

Carlman, Åsa; Flensburg, Annika; Hellström, Katarina; Strand, Lovisa; Wassholm, Christina; and Zillén, Eva. **Building Security—A contribution to the debate on security policy**. Stuart, Katherine, transl. Stockholm, Sweden: The Kvinna till Kvinna Foundation, 2011.

*The authors contend that especially since 9-11, security policies which prioritize military action undercut prospects for achieving sustainable peace by ignoring women and/or subjecting them to violence. Drawing on experience working with women's organizations in the Balkans, the Caucasus, the Middle East, Liberia and Congo, they reject the notion that only warring parties should participate in conflict resolution, to assert that women's involvement reduces violence after the ceasefire, enhances democratic decision-making and leads to a more just, long-lasting peace.*

Cheldelin, Sandra I. and Eliatamby, Maneshka, eds. **Women Waging War and Peace: International Perspectives of Women's Roles in Conflict and Post-Conflict Reconstruction**. New York, NY and London, UK: Continuum International Publishing Group, 2011.

*The contributors refute the narrative that women's only role in war is as victim and that they are more inclined to be peacemakers than men. Offering 16 geographically diverse case studies of women and girls as front-line and child soldiers, suicide bombers, negotiators and peacebuilders, they shed light on the agency of females in conflict areas. They reveal that both women and men may become war's victims and women may lift their voices, develop survival strategies, engage in negotiations and claim their place in post-conflict reconstruction and governance.*

Cockburn, Cynthia. ***From Where We Stand: War, Women's Activism and Feminist Analysis***. London, UK and New York, NY: Zed Books, 2007.

*The author draws on field research in various conflict zones—Colombia, Israel and Sierra Leone among other countries—to illuminate women's activism against war. As she observes, women's groups and agendas are not the same: some are pacifist, others prioritize justice over non-violence, some denounce nationalism as a cause of war, and others see the nation as a legitimate source of identity. She concludes that feminist anti-militarism has changed how war is understood by linking the violence of patriarchy, class oppression and ethnic discrimination.*

Hudson, Heidi. "Peacebuilding through a Gender Lens and the Challenges of Implementation in Rwanda and Côte d'Ivoire." ***Security Studies***. Vol. 18, No. 2, 2009.

*The author looks at peacebuilding efforts in Rwanda and Côte d'Ivoire using "African feminisms" to conceptualize a more inclusive, responsible peace agenda. Warning against "adding women" to peacemaking without recognizing their agency, she considers how international laws advancing women's rights may be applied locally and believes that successful peace work depends on how African feminists apply mainstreaming, inclusionary and transformational strategies in the context of indigenous peacebuilding activities.*

Kronsell, Annica. ***Gender, Sex and the Postnational Defense: Militarism and Peacekeeping***. Oxford, UK and New York, NY: Oxford University Press, 2012.

*The author analyzes wealthy, liberal democracies' shift from war-making as their chosen defense strategy to international peacekeeping which stresses human security, including women's needs as stated in UN Security Council Resolution 1325. She shows how post-national defense affects military gender relations, noting that few women are involved in military peacekeeping. Gender parity is not achievable, the author explains, until militaries confront their reliance on constructs of masculinity. She also probes whether feminism must always be anti-militarist or if military violence to enhance human security can be performed according to a feminist ethics.*

Kuehnast, Kathleen; de Jonge Oudraat, Chantal; and Hernes, Helga, eds. ***Women and War: Power and Protection in the 21st Century***. Washington, DC: United States Institute of Peace, 2011.

*Practitioners and scholars assess the state of knowledge about women, peace and security in light of the tenth anniversary of UN Security Council Resolution 1325. Elucidating efforts to protect females from wartime sexual violence, to enlist them in peacemaking and reconstruction and to advance their human rights, the contributors show that much work remains to conceptualize and operationalize strategies which engage women in conflict prevention and resolution.*

Moghadam, Valentine M. "Peacebuilding and Reconstruction with Women: Reflections on Afghanistan, Iraq and Palestine." ***Development***. Vol. 48, No. 3, September 2005.

*The author offers feminist insights on the causes and impact of conflict, peacebuilding and women's rights in three war-torn societies—Afghanistan, Iraq and Palestine. Examining women's status and roles in these societies, she advocates for women's participation and the integration of gender in all stages of conflict resolution and post-war reconstruction and governance.*

Porter, Elisabeth. ***Peacebuilding: Women in International Perspective***. Abingdon, Oxon, UK and New York, NY: Routledge, 2007.

*The author focuses on women's peacebuilding activities in war-prone and post-conflict areas. She observes that women succeed more often in Tracks 2 and 3 endeavors, unofficial citizen diplomacy and grass-roots activities, rather than in Track 1 or official negotiations where they tend to be absent. She explains lessons learned from best practices of peacebuilding situated around UN Security Council Resolution 1325—such as the need to create a politics of compassion, to restore victims' dignity and to bring women's skills to political office and decisions.*

Rehn, Elisabeth and Sirleaf, Ellen Johnson. ***Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building***. New York, NY: United Nations Development Fund for Women (UNIFEM), 2002.

*The authors' report, written in response to UN Security Council Resolution 1325, analyzes war's impact on females and considers how to bring women into all peace activities. Based on field research in 14 conflict zones, they observe that females endure violence before, during and after war, but also that women design and use mechanisms of protection and support offered by non-governmental organizations and UN agencies to survive and to cultivate gender equality. The authors offer recommendations on how to tackle such challenges as the health effects of hostilities and reconstruction with the aims of ending the impunity surrounding wartime gender violence and ensuring women's full citizenship as voters, candidates for political office and decision makers.*

Suthanthiraraj, Kavitha and Ayo, Cristina. ***Promoting Women's Participation in Conflict and Post-Conflict Societies: How Women Worldwide are Making and Building Peace***. New York, NY: Global Action to Prevent War; NGO Working Group on Women Peace and Security; and Women's International League for Peace and Freedom, 2010.

*The authors explore community-based initiatives by women's organizations and civil society worldwide aimed at fostering women's participation in peace processes. Their report focuses on two elements of the peace process—peacemaking and early post-conflict peacebuilding. They identify gaps in informal and official policies directed at applying UN Security Council Resolution 1325 and conclude with proposals to enhance prospects for women's participation in all aspects of peace processes.*

Tirman, John. "UNSCR 1325: Slow Progress, Uncertain Prospects." ***Foreign Service Journal***. Vol. 88, No. 3, April 2011.

*The author discusses findings of a study commissioned by the International Civil Society Action Network and the Massachusetts Institute of Technology Center for International Studies to assess how well Resolution 1325 has been implemented ten years after its passage. Research done in six societies emerging from war or still experiencing it—Aceh in Indonesia, Colombia, Israel/ Palestine, Liberia, Sri Lanka and Uganda—shows that international organizations, including UN agencies, and states have applied the resolution unevenly at best, while private women's organizations have made the greatest strides. The author insists that implementation of Resolution 1325 is necessary not only because women suffer disproportionately in war, but more importantly, because they offer different perspectives, knowledge, relationships and problem-solving skills which may improve the outcomes of peacemaking and peacekeeping activities.*

## Guides, Handbooks and Manuals

Afkhami, Mahnaz and Eisenberg, Anne. In consultation with: Abou Habib, Lina; Khader, Asma; Medar-Gould, Sindi; and Pitanguy, Jacqueline. **Leading to Action: A Political Participation Handbook for Women**. Bethesda, MD: Women's Learning Partnership for Rights, Development, and Peace (WLP), 2010.

*This manual is a learning tool for individuals seeking to play a more significant political role in their communities and seeks to empower women in particular to become democratic and participatory leaders. Highlighting real-life examples of women's trials and triumphs in this arena, the manual features questions for discussion and learning exercises that enable women to cultivate the skills they need for effective political action—whether the goal is to run for elected office, to support a campaign, to encourage voter turn-out or to formulate better laws for the community.*

Afkhami, Mahnaz; Eisenberg, Anne; and Vaziri, Haleh. In consultation with: Azzouni, Suheir; Imam, Ayesha; Lemrini, Amina; and Naciri, Rabèa. **Leading to Choices: A Leadership Training Handbook for Women**. Bethesda, MD: Women's Learning Partnership for Rights, Development, and Peace (WLP), 2001.

*This manual aims to foster women's leadership based on a model that prioritizes communication, mutual learning, creation of a shared vision and consensus around a common goal. It features case studies of individuals from around the world who exercise leadership skills to address challenging situations in their communities and showcases the innovative projects of various problem-solving organizations. The manual's questions for discussion and learning exercises promote the theory and practice of leadership as horizontal, collaborative and inclusive.*

Afkhami, Mahnaz; Nemiroff, Greta Hofmann; and Vaziri, Haleh. In consultation with: Arsanios, Afifa Dirani; Khader, Asma; and Tadros, Marlyn. **Safe and Secure: Eliminating Violence and Girls in Muslim Societies**. Bethesda, MD: Sisterhood Is Global Institute (SIGI), 1998.

*This manual is directed at Muslim women to raise their awareness of gender-based violence. Recognizing that such violence is a global phenomenon, this tool focuses on problems common to Muslim societies as recorded by field research and consultation with experts. The scenarios, discussion questions and learning exercises are based on the universal human rights discourse and communicated in association with local customs, ideas, role models and cultural and religious texts. The manual encourages dialogue about culture and religion which are defined as fluid, open to interpretation and thus potentially emancipating for women victimized by violence.*

Afkhami, Mahnaz and Vaziri, Haleh. **Claiming Our Rights: A Manual for Women's Human Rights Education in Muslim Societies**. Bethesda, MD: Sisterhood is Global Institute (SIGI), and distributed by Women, Ink. Press of the International Women's Tribune Centre in New York, NY, 1997 ed.

*This manual is geared to Muslim women and seeks to create awareness of the basic human rights to which they are entitled. It features scenarios that unfold from one session to the next as a drama set in a fictional Muslim society, posing questions for discussion about the human rights dilemmas faced by the story's characters. These questions and learning exercises convey universal human rights principles in*

*relationship to local customs, ideas, role models and cultural and religious texts. The manual fosters dialogue about culture and religion which are perceived as fluid, open to interpretation and thus potentially supportive of the human rights discourse.*

Ahmed, Aziza and Menon, Sunita. ***Rights and Desire: A Facilitator's Manual to Healthy Sexuality***. New Delhi, India: Breakthrough, 2006.

*This manual is a tool for teachers, facilitators and leaders to bring human rights values of compassion, dignity and equality to the realm of sex and sexuality. Covering such issues as knowledge of one's body, intimacy, sexual health and gender roles, it explores healthy, respectful sexual practices through discussion questions, learning exercises and multi-media materials.*

***Anti-Trafficking Training Material for Judges and Prosecutors in EU Member States and Accession and Candidate Countries***. In three parts—*Background Reader, Curriculum and Handbook*. Vienna, Austria: International Centre for Migration Policy Development (ICMPD), 2006.

*This manual seeks to raise awareness about human trafficking as a violation of human rights and to enhance judges' and prosecutors' capabilities to detect trafficking cases and implement anti-trafficking laws in line with agreed European and international standards. It uses discussion questions and learning activities to tackle issues like the causes and impact of trafficking, interrogation of traumatized victims and human rights approaches to ending this crime.*

Be-Free Center/WLP Bahrain. ***Yes I Can: Leadership for Teens, Ages 13-17 Years***. Bethesda, MD: Women's Learning Partnership for Rights, Development, and Peace (WLP), 2011.

*This manual offers a framework for interactive workshops targeting teenagers, with the goals of: developing their transformative leadership capacities, helping them design collective solutions to their communities' challenges, cultivating norms of gender equality in their families and motivating them to engage in political actions for creating peaceful, democratic societies. The sessions feature an array of energizer and core exercises, inspiring true stories and questions for discussion and reflection, all aimed at generating mutual respect, dialogue and collaboration.*

Carroll, Aengus. ***Make It Work: Six steps to effective LGBT human rights advocacy***. Brussels, Belgium: The European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA-Europe), October 2010.

*This manual provides a logical structure and set of tools and skills for use by activists advocating the human rights of lesbian, gay, bisexual and transgender people. It outlines six steps for effective advocacy: (1) know the relevant human rights standards and institutions; (2) research and analyze the issues; (3) map out stakeholders who can affect the issues so as to forge coalitions; (4) outline an action plan to encompass the advocacy message; (5) employ diverse advocacy methods; and (6) create indicators to evaluate the outcomes of advocacy.*

Dey, Kathleen; Chiyangwa, Judith; Odoi, Netsy Fekade; Carter, Rachel; and Ahluwalia, Kanwal. ***Stop the Bus! I Want to Get On: Lessons from Campaigns to End Violence Against Women in South Africa, Zimbabwe and Ghana***. London, UK: Womankind Worldwide, and Cape Town, South Africa: Rape Crisis Cape Town, 2008.

*This educational tool analyzes the campaigns implemented by three organizations striving to end violence against women—South Africa’s Rape Crisis Cape Town Trust, Zimbabwe’s Musasa Project and Ghana’s Gender Studies and Human Rights Documentation Centre. It offers lessons and guidelines for non-governmental and community-based organizations trying to create awareness of gender-based violence, to design campaign strategies and to monitor their impact.*

**Good and Bad Examples: Lessons learned from working with United Nations Resolution 1325 in international missions.** Stockholm, Sweden: Genderforce (a joint project between the Swedish Armed Forces, the National Rescue Services Agency, the Swedish Police Service, the Swedish Women’s Voluntary Defence Service, the Association of Military Officers in Sweden and the Kvinna till Kvinna Foundation), 2007.

*Practitioners present examples of civilians and military working in conflict resolution, peacekeeping and post-war reconstruction to show how Security Council Resolution 1325 may be effectively implemented. Based on interviews with personnel in diverse contexts—East Timor, the Philippines and Afghanistan, among other societies—this guidebook details lessons about how to promote women’s rights and involvement in peacemaking and peacekeeping. Each section ends with discussion questions to encourage reflection and dialogue about issues encountered in the field.*

**Handbook for Legislation on Violence against Women.** New York, NY: United Nations, Department of Economic and Social Affairs, 2010.

*This handbook offers stakeholders—legislators, government officials, civil society and United Nations agencies—guidance to support passage and implementation of laws to prevent violence against women, punish perpetrators and protect survivors’ rights. It provides a model framework for legislation on violence against women, recommendations that highlight promising examples of laws worldwide and a check-list of steps to take when drafting such legislation.*

Kubany, Edward S., Ph.D., ABPP and Ralston, Tyler C., Psy.D. **Treating PTSD in Battered Women: A Step-by-Step Manual for Therapists and Counselors.** Oakland, CA: New Harbinger Publications, 2008.

*This manual is directed at mental health professionals treating battered women. It is based on a treatment model for post-traumatic stress disorder (PTSD), pioneered by Dr. Kubany called cognitive trauma therapy (CTT). The manual explains CTT in modules covering: trauma history exploration, negative self-talk monitoring, stress management, PTSD education, exposure to trauma reminders, overcoming learned helplessness, challenging “supposed to” beliefs, building assertiveness, dealing with mistrust, identifying potential abusers, handling contacts with former partners, managing anger, decision-making, self-advocacy and addressing trauma-related guilt.*

Medica Mondiale, ed. **Violence against Women in War: Handbook for professionals working with traumatized women.** Cologne, Germany: Medica Mondiale (mm), 2nd edition, 2008.

*This handbook is a multi-disciplinary overview of war-related sexualised violence and trauma. It features information on the extent of sexualised violence in regions of war and political crisis, explains the consequences for women and girls within their cultural context and underscores the difficulties for women appearing as witnesses in court trials. Describing approaches that have proven valuable in working with traumatised*

women, the handbook provides recommendations for professional helpers in such fields as gynecology, mental health, legal counseling, the court system, development and humanitarian assistance.

Smales, Philippa. With contributions from: Lappin, Kate; Lestari, Eni; Bultron, Ramon; Chong, Vivian; Masamloc, Lilibeth; Hsia, Hsiao-Chuan; Abdon-Tellez, Cynthia; and Somwong, Pranom. ***The Right to Unite: A Handbook on Domestic Worker Rights across Asia***. Chiangmai, Thailand: Asia Pacific Forum on Women, Law and Development (APWLD), 2010.

*This handbook introduces readers to issues surrounding women engaged in domestic work in Asia and examines the violations of their rights in ten countries—Bangladesh, Hong Kong, India, Indonesia, Japan, Malaysia, Philippines, Sri Lanka, Taiwan and Thailand. It contains the latest instruments of the International Labor Organization on domestic work and analyzes them in relation to women workers' rights to identify gaps and concerns. Developed to facilitate advocacy, the handbook provides concrete recommendations for activism and organization by domestic workers and change within states.*

***Women and Men: Hand in Hand against Violence, Strategies and approaches to working with men and boys for ending violence against women***. Oxford, UK: Oxfam Publishing, in collaboration with KAFA and the United Nations Trust Fund to End Violence Against Women, 2010 [Originally published in Arabic].

*This manual is based on the premise that men, working in partnership with women, can and must play a key role in ending gender-based violence. Designed for use in Arab societies, this tool features case studies, tips and lessons gleaned from different experiences and programs that enlist men as partners in violence prevention. Exploring concepts surrounding violence against women and girls, its causes and consequences, the manual aims to impart the attitudes, knowledge and skills necessary to cultivate gender equality through engagement of men.*



**Women's Learning Partnership**

4343 Montgomery Avenue, Suite 201

Bethesda, MD 20814, USA

[www.learningpartnership.org](http://www.learningpartnership.org)