

4 WOMEN APPEAL LEAFLETS

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Making all governments accountable:

Any government fails to fulfil its obligations to protect women from torture and ill-treatment if:

- * its own personnel directly participate in committing acts of violence, including rape and sexual violence by the police and the military of women and girls in their custody, and their use of rape as a weapon of war in armed conflict situations;
- * it condones these acts of violence by not doing anything about them and allows the existence of certain laws or practices. This includes situations where the state encourages or tolerates killings or violence against women for reasons of "honour";
- * it fails to punish those who commit these acts of violence and fails to take effective measures to prevent these acts of violence because of a lack of political will.

Governments must:

- * take effective measures to prevent the torture and ill-treatment of women;
- * undertake prompt, effective, independent and impartial investigations against women when they occur;
- * bring those responsible to justice through fair proceedings;
- * provide women who have suffered these crimes with adequate reparations, including compensation and redress.

Guinea

‘They raped me until I lost all sense of where I was.’

Investigate all allegations of torture and ill-treatment of women by the security forces and bring those responsible to justice.

“I was arrested at 2pm... I was beaten, I got 40 lashes. At 2am the next morning, the soldiers came to beat us again, and after the beatings, three soldiers took us away... One soldier said that if I agreed to it, they would let me go. When I refused, they took out a gun and put it behind my ears, then on my chest, then they started on me... they raped me until I lost all sense of where I was. I spent four days there with the other women... then my mother paid for me to be released. I had to go to hospital for some serious treatment but still now as I talk to you I feel completely lost...”

This woman was arrested in December 1998 while taking part in a peaceful demonstration calling for the release of Alpha Condé, President of the political opposition *Rassemblement du peuple de Guinée*, Guinean People’s Rally. She was later released without charge. During the demonstration, hundreds of people, including many women, were arrested and tortured, including being raped, at the military barracks at Kankan in eastern Guinea. Most of them were released within days of their arrest but others spent more than three months in detention and were sentenced to prison terms after unfair trials. No steps have been taken to investigate the allegations of torture, including rape, and no one has been brought to justice for these crimes.

Rape and sexual violence can result in serious physical injuries, pregnancy, diseases and even death. But as well as having to deal with the brutality of such violence, victims may also feel the psychological consequences for the rest of their lives. In Guinea, victims who are unmarried fear they will not be able to marry, while those who are already married fear they may be abandoned by their husband. Such are the pressures of Guinean society on women to preserve their modesty and humility, that victims of rape and sexual violence hardly dare to talk about their suffering. However, during an Amnesty International mission to the country in April 2000, victims of rape came forward to make sure that their testimonies were heard. These testimonies show clearly the anger, contempt and desire to humiliate women on the part of those members of the security forces who commit rape.

The act of rape by the security forces in Guinea is a way of perpetuating an atmosphere of repression and intimidation of defenceless victims. A Guinean soldier is confident of being able to act with complete impunity because the government takes no action. In one court case, a 17-year-old female defendant made allegations of rape in detention. The president of the court told her to “turn the page” and prevented her from speaking again, while the prosecutor said that he could “not accept the Guinean army being discredited”.

Torture is routine practice in Guinea, particularly in the first days of detention. Some of the defendants who were arrested along with Alpha Condé and accused of attempting to destabilize Guinea were humiliated, beaten and tortured on a regular basis as a means of extracting confessions and forcing them to implicate Alpha Condé.

What you can do:

Please write, expressing concern at reports that women have been subjected to rape and other sexual violence in custody and urging the authorities to:

- * clearly and publicly inform all members of the security forces that rape and sexual violence in custody always constitutes torture or ill-treatment, and that the perpetrators of such offences will be brought to justice and face appropriate penalties;
- * ensure that all allegations of rape and sexual violence are promptly, thoroughly and impartially investigated;
- * introduce an independent complaints mechanism for women detainees who report rape and sexual violence or harassment, and take effective steps to protect them from retaliation;

- * provide compensation and appropriate medical care to women detainees who have been raped, sexually assaulted or otherwise tortured and ill-treated.

Send appeals, in French if possible, to:

Son Excellence le Général de Brigade, Lansana Conté, Président de la République et Chef du gouvernement, Présidence de la République,
Conakry, Guinea
Fax: (+224) 41 16 73

Son Excellence, Monsieur Abou Camara, Ministre de la Justice,
Ministère de la Justice, Conakry, Guinea
Fax: (+224) 41 16 17

Photo: Women arrested in December 1998, some of whom were tortured. © AI

Philippines

Rape by the police behind a wall of impunity

Investigate all allegations of torture and ill-treatment of women by the police and bring those responsible to justice.

Two Manila police officers arrested an 18-year-old woman late at night on suspicion of vagrancy. Instead of taking her to the police station the officers reportedly forced her into a jeep parked near the station and, together with a third man, raped her. They were discovered by the owner of the jeep, also a police officer.

A 17-year-old detainee in a provincial jail accused the warden and 11 guards of raping her and threatening her with guns. Her attempts to complain were ignored until she was admitted to a clinic, suffering from a sexually transmitted disease.

A 24-year-old woman in Manila was arrested by three officers from a drugs unit. The officers released her without charge, reportedly after forcing her to perform oral sex inside a police car, threatening her and robbing her of a large amount of cash which they ordered her to withdraw from her bank account. The police officers, who were reassigned to new jobs after the incident, were reported to be still at liberty several weeks later despite facing charges of rape and robbery.

These disturbing stories of rape and sexual abuse by law enforcement officials are just a few of the many cases reported in the Philippine press. In June 2000 a former senator stated that 12 police officers had been accused of rape in the previous 10 months. Lack of systematic monitoring makes it difficult to estimate just how widespread the problem is, but women lawyers and non-governmental organizations working for women's rights in the Philippines agree that there is an urgent need for action to protect women in custody.

Women detained by the police have also reported being subjected to other forms of torture or ill-treatment, including threats, slaps, punches and kicks. Those particularly at risk are the most marginalized members of society: suspected prostitutes, street children (many of whom flee home to escape abuse in the family), drug users and the poor. In many cases, police use the anti-vagrancy law — legislation which discriminates against the poor and women in particular — to extort money and sexually abuse women. Sexual harassment and violence, including rape, also occurs in jails.

If a woman is raped by a police officer, or indeed any man in a position of power, she faces huge obstacles to lodging a complaint. The fear of reprisals prevents many women from speaking out, and victims are known to have been pressurized into withdrawing complaints. Many people in the Philippines are fearful of a police force notorious for involvement in criminal activities, corruption and the torture of criminal suspects, and do not expect complaints against the police to be taken seriously.

Cases which do go to court can take many years to be concluded and judges sometimes dismiss cases partly on the basis that the victim was sexually experienced. A leading newspaper reported in 1999 that a male judge had acquitted a police officer charged with raping a 13-year-old girl detained for theft. In his ruling the judge reportedly called the girl “a woman in a minor child’s body, old in the ways of the world beyond her years... admittedly she is no longer a virgin... it is possible that she concocted this lurid tale of lust and rape”.

In 1997 three police officers were sentenced to death for raping a pregnant woman and several others are reported to be facing prosecution. Yet death sentences and executions have had little or no impact on the reported incidence of rape by law enforcement officials or within the broader community. Many women’s organizations in the Philippines believe that the use of the death penalty – which is in itself a violation of fundamental human rights – actually hinders rather than encourages successful prosecutions.

What you can do:

Please write, expressing concern at reports that women have been subjected to rape and other sexual violence in custody and urging the authorities to:

- * send a clear and public message to the police and all other law enforcement officials emphasizing that rape and sexual violence in custody always constitutes torture or ill-treatment, and that the perpetrators of such offences will be brought to justice and face appropriate penalties;
- * ensure that female security personnel are present during the interrogation of women detainees, and that all male staff who supervise women detainees are accompanied by female staff;
- * introduce an independent complaints mechanism for women detainees who report rape and sexual violence or harassment, and take effective steps to protect them from retaliation;
- * provide compensation and appropriate medical care to women detainees who have been raped, sexually assaulted or ill-treated.

Send appeals to:

Secretary of Interior and Local Government, Department of the Interior and Local Government, EDSA
cnr. Mapagmahal St, Barangay, Pinyahan, Diliman 1100, Quezon City, Philippines

Fax: (+63) 2 925 0332

Director General, Philippine National Police, National Headquarters, Camp Crame, EDSA, cor.
Santolan Road, Quezon City, Philippines

Fax: (+63) 2 724 8763

Photos: (front panel) Women in detention in the Philippines © Philippine Center for Investigative Journalism; (back panel) A corridor leading to the death row cell, Correctional Institution for Women, Manila. © AI

Mexico

‘We tried to run away but they caught us and raped us.’

Investigate reports that Victoriana Vázquez Sánchez and Francisca Santos Pablo were raped by the military and bring those responsible to justice.

Mexican soldiers reportedly raped two indigenous women from the community of Barrio Nuevo San José, Tlacoachistlahuaca municipality, Guerrero state, on 21 April 1999. Nearly two years on no one appears to have been brought to justice.

Victoriana Vázquez Sánchez, aged 50, and Francisca Santos Pablo, aged 33, left their homes on the morning of 21 April 1999 to go in search of Antonio Mendoza Olivero, Victoriana’s 10 year-old grandson, and Evaristo Albino Téllez, aged 27, Francisca’s brother-in-law. They had not been seen since going to harvest their crops the day before. “When we got to the field we found a military camp. We tried to run away but they saw us, caught up with us and took us to some abandoned houses where they raped us,” said Victoriana.

Both women told how the armed soldiers threw them to the ground, tied their hands behind their backs and ripped off their skirts before raping them. Three soldiers raped Victoriana while others dragged Francisca into a nearby ravine where she lost consciousness and was also raped.

According to Victoriana’s son, relaying his mother’s testimony in Spanish, the men were all in army uniform: “[One of them] pulled down his trousers... He covered her face with her clothes... she was bleeding for a few days afterwards.”

It was not until 7 May 1999 that Victoriana and Francisca learned that Antonio and Evaristo had been killed by soldiers, who claimed that the two attacked them with guns. The women, both indigenous Mixteco speakers who speak no Spanish, gave official testimonies through an interpreter on 8 May 1999. They had delayed coming forward due to the intense trauma which both women suffered and the fear of further violations.

On 26 May 1999 the civilian authorities turned the case over to the military justice system, thereby breaching international standards which state that the competent authority in cases involving human rights abuses by the security forces is the civil one. The military justice system lacks impartiality, competence and independence when dealing with serious human rights violations.

There is a heavy military presence in Guerrero state, ostensibly to combat armed opposition groups and drug trafficking. Over the years there have been persistent reports of the military being responsible for human rights violations, mainly against members of the indigenous population. Such cases are often turned over to the military justice system and those responsible almost always go unpunished. This implicitly condones torture, a practice which is already widespread in Mexico in spite of the adoption of legislation aimed at its elimination.

On 1 December 2000 a new government, led by President Vicente Fox Quesada, took office in Mexico, ousting the Partido Revolucionario Institucional, Institutional Revolutionary Party, after more than 70 years in power. President Fox pledged to fully respect human rights and implement reforms designed to uphold the rule of law.

What you can do:

Please write, expressing concern about the reported rape of Victoriana Vázquez Sánchez and Francisca Santos Pablo by soldiers, in April 1999, in Guerrero state and that no one has been brought to justice. Urge the authorities to:

- * open an immediate, independent and thorough investigation into the rapes, make the results public and prosecute those found responsible;
- * ensure that cases of torture committed by military personnel against civilians be subject to civilian justice;
- * provide fair and adequate reparation to the victims of torture violations.

Send appeals, in Spanish if possible, to:

Lic. Vicente Fox Quesada, Presidente de los Estados Unidos Mexicanos, Palacio Nacional, Patio de Honor, Primer piso, Col. Centro, México D.F., C.P. 06067 MÉXICO
Faxes: (+52 5) 277 2376 / 515 5729

General Rafael Macedo de la Concha, Procurador General de la República, Procuraduría General de la República, Paseo de la Reforma 65, esq. Violeta, Col. Guerrero, México D.F., C.P. 06300 MÉXICO

Faxes: (+52 5) 346 0906 / 346 2776

Dr. José Luis Soberanes Fernández, Presidente de la Comisión Nacional de Derechos Humanos (CNDH) Periférico Sur 3469, 5o piso,
Col. San Jerónimo Lídice, México D.F. 10200 MÉXICO
Faxes: (+52 5) 135 0595 / 681 7199

Photo: Francisca Santos Pablo and Victoriana Vázquez Sánchez © Private

Iraqi Kurdistan

Torture and ill-treatment in the name of ‘honour’.

Bring those responsible for the torture of Kajal Khidr to justice and take action to end ‘honour crimes’. In July 1996, 24-year-old Kajal Khidr was detained by six members of her husband’s family near the town of Rania in Iraqi Kurdistan. They accused her of adultery and, although she was pregnant, tortured and mutilated her. They cut off part of her nose, and told her that she would be killed after the birth of her child. After receiving treatment at a hospital in Rania, she managed to escape and received three further months of treatment at a hospital in the city of Sulaimaniya, where she was kept under police protection. She then spent a year in hiding before finding protection in a women’s refuge in Sulaimaniya. With the help of local human rights activists Kajal Khidr escaped to Syria in February 1999 and was recognized as a refugee by the United Nations High Commissioner for Refugees. In July 2000 she was resettled in a third country where she lives with her daughter, now four years old.

Two of the men who had tortured Kajal Khidr were arrested by the authorities in the area, which is controlled by the Patriotic Union of Kurdistan (PUK), but were released within 24 hours because it was argued that they had acted to safeguard the honour of the family. No charges were ever brought against them.

Every year, in countries around the world, girls and women are brutally assaulted or killed – usually by members of their own family – in the name of “honour”. They are accused of bringing shame on their families and community by their behaviour. This can range from simply having a conversation with a male neighbour to having sexual relations outside marriage. The mere perception that a woman has contravened the code of sexual behaviour damages honour. Women on whom suspicion has fallen are not given an opportunity to defend themselves and men are encouraged to remove the “stain” on their honour by attacking the woman.

Iraqi law allows male relatives to kill a female relative in the name of honour without any consequent punishment. Women's organizations and human rights activists in Iraqi Kurdistan have reported that many thousands of women in the areas controlled by the PUK and the Kurdistan Democratic Party (KDP) have been tortured or killed by relatives and others who claim they are acting to protect the honour of the family. Women who have been raped, as well as those accused of adultery – or any sort of contact with a man who is not a family member – have been among the victims, as have women who have refused to marry the man chosen by their family. Neither the KDP nor the PUK have denied that women have been the victims of so-called "honour crimes". In April 2000 the PUK announced that all laws allowing honour crimes would be abolished in the area under its control. The Independent Women's Organization in Kurdistan says that up to 4,000 women have been the victims of "honour killings" since 1991, although other groups have put the figure at 800.

In October 1991, the Iraqi government pulled out of parts of the provinces of Dohuk, Sulaimaniya and Arbil in northern Iraq. This area, known as Iraqi Kurdistan, is now controlled by the two main Kurdish groups, the KDP and the PUK, each of which has established its own "government" within the territory.

What you can do:

Please write to representatives of the PUK, urging them to:

- * take all necessary steps to bring the torturers of Kajal Khidr to justice.

Please write to the representatives of both the KDP and the PUK, urging them to:

- * firmly, publicly and unequivocally condemn violence against women in the name of honour and make clear that such violence will not be tolerated;
- * ensure that so-called "honour crimes" are recognized as criminal offences and that everyone taking the law into their own hands to injure or kill anyone in the name of honour will be brought to justice;
- * investigate all cases of "honour crimes" and other serious abuses against women in Iraqi Kurdistan, and bring to justice those responsible;
- * take immediate steps to raise public awareness about the issue of "honour crimes" and other abuses against women.

Send appeals to:

Jalal Talabani, c/o PUK United Kingdom, First Floor, 5 Glasshouse Walk, Vauxhall, London SE11 5ES, United Kingdom
Fax: (+44) 20 7840 0630

Mas'ud Barzani, c/o KDP - Europe, PO Box 7725, London SW1 3ZD, United Kingdom
Fax: (+44) 20 7498 2531

Photo: Kajal Khidr © AI

