

1998: A wonderful year for women's human rights?

The United Nations, Governments and the human rights of women

The United Nations' (UN) commitment to the equal rights of men and women is stated in the organization's Charter, repeated in the Universal Declaration of Human Rights (UDHR) and reaffirmed in four of the international human rights treaties deriving from the UDHR.¹ Yet it is now widely recognized that the human rights of women have, until recently, been neglected by governments and within the UN. Only in 1993, at the UN World Conference on Human Rights, did the UN affirm that the human rights of women are "an inalienable, integral and indivisible part of universal human rights" and urge "the full and equal enjoyment by women of all human rights and that this be a priority for Governments and the United Nations".² Two years later, the Fourth UN World Conference on Women adopted strong and detailed recommendations for the promotion and protection of women's human rights.

During 1998, the UN will mark the 50th anniversary of the UDHR. Its Commission on the Status of Women will review the sections from the Beijing Declaration and Platform for Action, the final document of the Fourth UN World Conference on Women, on human rights, violence against women, women in armed conflict and the girl child at its March 1998 session. The Commission on Human Rights will discuss the five-year review of the implementation of the Vienna Declaration and Programme of Action, the final document of the World Conference on Human Rights. Plans by the UN Secretary-General for reform of the UN and the appointment of Mary Robinson as the new High Commissioner for Human Rights augur well for a new impetus on human rights, including women's human rights, in the UN.

1998 should be a wonderful year for women's human rights. But this potential will only be fulfilled if the UN ensures that it meets the needs of women's human rights and if governments, both at the national and the international levels, work to implement the commitments they have made.

On the eve of the 50th anniversary of the UDHR, governments and the UN need to make the rhetoric of Vienna and Beijing, and so many other outstanding commitments, a reality for women by **integrating** a gender-sensitive perspective into the analysis and

¹These treaties are the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child

²Vienna Declaration and Programme for Action, paragraphs I 18 and II 36

application of existing human rights standards and machinery. This will help the reality of women's lives, and the human rights violations to which they are subjected, to become **visible**. These are necessary steps towards the **implementation** of outstanding commitments.

“The term ‘gender’ refers to ways in which roles, attitudes, values and relationships regarding women and men are constructed by all societies all over the world. Therefore, while the sex of a person is determined by nature, the gender of that person is socially constructed...”

... almost invariably gender constructs function in a way that subordinates and discriminates against women to the detriment of their full enjoyment of human rights. This discrimination is not only reflected in individual relationships but also permeates all institutions.

The concept of ... ‘gender perspectives’... is based on an understanding that in all situations some perspective of interpreting reality is present. Historically, that perspective has most often been biased towards the male view. Accordingly, most perspectives on reality have not taken women's views and experiences into account, rendering the everyday violations of women's human rights invisible.”

Report of the 1995 UN Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives in UN Human Rights Activities and Programmes, UN document E/CN.4/1996/105

This paper looks at some aspects of the UN's human rights standards and machinery and how they might become more relevant to the human rights of women at both the national and the international levels. Amnesty International promotes awareness of and adherence to all the rights embodied in the Universal Declaration of Human Rights and other internationally recognized human rights instruments, the values enshrined in them, and the indivisibility and interdependence of all human rights and freedoms. The organization focuses on activities by the state: it campaigns to *free all prisoners of conscience* - those detained for their beliefs or because of the ethnic origin, sex, colour or language who have not used or advocated violence; for *fair and prompt trials for all political prisoners*; for the *abolition of torture and the death penalty*; and an *end to extrajudicial executions and “disappearances”*. Amnesty International opposes *abuses committed by armed opposition groups which are contrary to international humanitarian law* such as hostage-taking, torture and deliberate, arbitrary and indiscriminate killing of civilians and other non-combatants such as prisoners.

In recent years, Amnesty International has become increasingly aware of the importance of gender in its own work. It is striving to ensure that the characteristics and practice of human rights violations against women, or to which women are particularly vulnerable, are fully reflected in its research and campaigning. The extracts from the

organization's publications included in this report represent a fraction of the cases of women and girls which Amnesty International has taken up. They will, Amnesty International trusts, remind readers of the grim reality of violations of the human rights of women, including those dedicated to defending the rights in the UDHR.

WHY HUMAN RIGHTS HAVE NOT BEEN WOMEN'S RIGHT

In theory, women have never been excluded from the UN's concept of human rights. Its 1945 Charter recognizes the equal rights of men and women and this principle has been maintained or assumed in its formulations of human rights from the UDHR onwards. Earlier standards specific to women, such as the Convention on the Nationality of Married Women (1957) and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962), were important steps but concentrated on women's rights in their traditional roles in society. In 1979 the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. Other key treaties, including the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, both adopted by the General Assembly in 1966, included articles ensuring the equal enjoyment by men and women to the rights they set out.

"A pre-emptive list of such rights is a punishment against women police officers. Many are targeted because they are in front of the family, the political activists, community organizers, and sexually harassed. Their rights on the agenda of the Arab League are targeted because they are 'confess'. A mother is wronged by her children as they are sexually abused or suspected, frightened, or intimidated. Will they be treated with their children by government agents for the Islamic banks, where it is a 'factor' to get at men, or refugee women who are isolated and vulnerable in unfamiliar surroundings."

Women in the front line
Amnesty International, ACT 77/01/91, March 1991

rights, to take account of their biological difference and the gender construct of their role in their society.

International human rights law is meant to mediate the relationship between the 'governing' and the 'governed'. The 'governed', however, traditionally occupy the public sphere of society, the political, legal, social and economic institutions, populated largely by men while women are traditionally enclosed within the private sphere of the home and

However, a number of factors have prevented women from the equal enjoyment of human rights. For a start, human rights are often described as the rights that everyone has, and everyone equally, by virtue of their very humanity. The problem with the basis of a common humanity is that it assumes a common experience and common needs. This emphasis of women's enjoyment of their human rights by virtue of their 'sameness' with men excludes women's need for specific rights, or the specific application of human

The Commission on Human Rights has an extremely broad mandate. It can undertake studies, draft international instruments (these have included the UDHR and the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights), review the implementation of existing standards and, since the late 1970s, publicly scrutinize the human rights situation in individual countries (the country mechanisms) and study the global phenomena of particular violations. These mechanisms have become the most dynamic aspect of the Commission on Human Rights' work and have had considerable impact in trying to vitalize state accountability for violations of human rights by fact-finding and measuring the compliance of individual governments with international human rights standards. Despite the fact that political, economic and security interests of states often dominate the proceedings of the Commission, these mechanisms have been effective in many cases in helping to create change in many countries. The specific rights which the Commission on Human Rights has invoked for this process have been primarily civil and political rights.⁴

For most of its existence, the Commission on Human Rights effectively ignored the gender implications of the country and thematic mechanisms' - or any other aspect of its - work. Only in 1993 did it request the country and thematic mechanisms "regularly and systematically to include in their reports available information on human rights violations affecting women".⁵ Before the UN World Conference on Human Rights, even on the rare occasion when there was attention to women, the gender specific nature of the violations was ignored. For example, the reports of the Special Representative on Iran from this period were exceptional in containing a section on the situation of women describing the banning of women from certain areas of study or employment, denial of inheritance rights and sanctions for infringements of the dress code. However, an appendix to his 1993 report lists 89 political prisoners, 18 of whom were women. The summary of one case notes "she is reported to have had a mental breakdown in 1986, apparently as the result of long-term torture, including sexual abuse" yet the discussion on torture in the report makes no reference to its gender-specific infliction or consequences.⁶

⁴ The thematic mechanisms, with date of establishment, cover enforced or involuntary disappearances (1980); extrajudicial, summary or arbitrary executions (1982); torture (1985); religious intolerance ((1986); sale of children, child prostitution and child pornography (1990); arbitrary detention (1991); internally displaced persons (1991); contemporary forms of racism (1993) freedom of opinion and expression (1993); independence and impartiality of the judiciary (1994); violence against women (1994).

⁵ Resolution 1993/46

⁶UN Document E/CN.4/1993/41 pages 59 and 22 to 25

The Commission on the Status of Women's initial focus was on legal equality for women. This gave way during the 1970s and 1980s to an emphasis on social and economic rights. While its work has been invaluable in raising and maintaining awareness of issues around women's inequality, the UN Decade for Women (1975 to 1985) and the three UN World Conferences on Women associated with the Decade⁷, it has not developed mechanisms comparable to those of the Commission on Human Rights or engaged with the concept of state accountability. Indeed, the Commission on the Status of Women reached an understanding in its early years that states were best qualified to speak on the situation in their own country.

Admittedly, the Commission on the Status of Women's parent bodies, ECOSOC and the UN General Assembly, have discouraged it from developing any concept of state accountability for women's rights. An historic but telling example is the drafting during the 1960s of the Declaration on the Elimination of Discrimination against Women, the forerunner of the Convention. The draft text was returned to the Commission on the Status of Women by the General Assembly because states disagreed on the specific rights to be included and whether the text should contain the essential obligations of states as entities with primary responsibility for implementation. The final compromise was to draft each substantive article describing the measures to be taken without specifying who was responsible for taking them.

“Sevil Dal_1_ç is a Turkish lawyer. In 1995, in what appears to be the only case of a woman in the world sentenced to the death penalty for statements which she had made while in prison, she was subjected to a hunger strike in March 1994, and died. She was detained in March 1994, and subjected to investigations, shocks, and deprivation of food, sleep, and other basic necessities. She was held in a prison with a Kurdish background. The Turkish Government and illegal armed Kurdish groups are engaged in a conflict and have made allegations of state involvement in the death of Sevil Dal_1_ç. She was tried at the Ankara State Security Court on charges of membership of the illegal Kurdish Workers' Party (PKK), handling explosives and separatism. The statement was not supported by any forensic evidence or eye-witness testimony. The only other evidence brought before the court was police statements and statements made - apparently also under duress - by other defendants in the trial.”

Defend the defenders of the Universal Declaration of Human Rights

Amnesty International, ACT 30/04/97

In addition, there is a well entrenched belief in the UN that states are not uniquely responsible for the provision of social and economic rights and are obligated to work only for their gradual and incremental implementation, thus further denying women a claim on the state through one of the major areas of the Commission on the Status of Women's work. The prevailing view that the condition of women is deeply rooted in cultural and social traditions further discouraged attention to state accountability.

⁷These were held in Mexico City in 1975, Copenhagen in 1980 and Nairobi in 1985

FROM VIENNA TO BEIJING: DEVELOPMENTS 1993 TO 1995

The series of global conferences and other developments in the UN in the first part of the 1990s had a catalytic effect on the international community's awareness of the human rights of women and saw bold commitments to taking action to promote and protect them. The UN World Conference on Human Rights, held in Vienna, Austria in June 1993 and the Fourth UN World Conference on Women held in Beijing, China in September 1995 were key but others, particularly the UN International Conference on Population and Development, held in Cairo in September 1994, and the UN World Summit for Social Development, held in Copenhagen, Denmark in March 1995, played important roles in this process.

“Violetta Jevremovi_ alleged that police officers beat her ~~when they came to her Vienna flat in 1997~~ her husband, ~~Amnesty International, EIR 06/06/97, September 1997~~ Federal Police Directorate, ‘Violetta Jevremovi_ hit out at a police officer with a wine glass. While fending off the attack the officer was injured in the right hand. As Violetta Jevremovi_ continued to fail around violently, she was told that she was under arrest and finally her hands were cuffed to her back’. The authorities added that: ‘Evidently Violetta Jevremovi_ was not injured as a result of this procedure...’ This information would appear to contradict that received by Amnesty International from other sources: Violetta Jevremovi_'s allegations of ill-treatment were described in a letter by the non-governmental organization *Romano Centro* to the Ministry of the Interior only five days after the incident. With its letter the organization enclosed copies of medical certificates, dated 25 and 27 April 1996, which showed that Violetta Jevremovi_ had suffered bruising of both elbows, left wrist, right hand, right thigh, left ankle and swellings on the head, upper jaw and upper lip...”

Women's organizations came to the World Conference on Human Rights, for which the Commission on Human Rights was the preparatory body, to demand that “*women's rights are human rights*”. It was among the highest achievements of the conference that this message was acknowledged. The Vienna Declaration and Programme of Action, the final document of the World Conference on Human Rights, asserted that the human rights of women are an inalienable, integral and indivisible part of universal human rights. It urged that the full and equal enjoyment of by women of all human rights should be a priority for governments and the UN. It stated that the equal status and

human rights of women should be integrated into the mainstream of UN system-wide activities. In particular, the World Conference stressed the importance of working towards the elimination of violence against women in public and private life - thus extending international concern and state accountability for violence against women in both the public and private spheres.

This momentum was reinforced by the adoption by the UN General Assembly in December 1993 of the Declaration on the Elimination of Violence against Women, and the appointment the following March by the Commission on Human Rights of a Special Rapporteur on violence against women. The mandate of the Special Rapporteur was based on Article 2 of the Declaration, which defines violence against women as encompassing but not limited to physical, sexual and psychological violence in the family, the community or perpetrated or condoned by the state, wherever it occurs.

In Beijing, the assembled governments incorporated “*women’s rights are human rights*” as Article 14 of the Beijing Declaration, which with the Platform for Action, constitutes the final document of the Fourth UN World Conference on Women. Early drafts of the Platform, debated for long hours in the Commission on the Status of Women, barely mentioned human rights and failed to refer to governments’ responsibility to prevent human rights violations against women. In its final form, however, the Beijing Declaration and Platform for Action represents an important step forward by governments towards acknowledging the reality of human rights violations against women and girls and state accountability for those violations.⁸

ON THE EVE OF THE 50TH ANNIVERSARY OF THE UDHR - THE WAY FORWARD

⁸ See *Women’s Rights are Human Rights: Commitments made by Governments in the Beijing Declaration and the Platform for Action* (AI Index IOR 41/05/96) for Amnesty International’s evaluation of the final document.

Sometimes, however, cultural practices are both the context of human rights violations and the justification for them. What is often termed 'culture' or 'tradition', in varying forms in different societies, is the material of gender constructs which shape and circumscribe women's lives. And, as was noted earlier "*almost invariably, gender constructs function in a way that subordinates and discriminates against women to the detriment of their full enjoyment of human rights*".⁹ Yet culture is not static. If we are ever to have a world where, in the words of the UDHR, "human beings shall enjoy freedom of speech and belief and freedom from fear and want", human rights need to be firmly established in all our cultures.

Violence against women is a case in point. As the Committee on the Elimination of Discrimination against Women (CEDAW)'s General Recommendation No 19 (1992) argues, gender based violence is a form of discrimination which seriously inhibits a women's ability to enjoy rights and freedom on a basis of equality with men. The General Recommendation says that certain traditions, customs and practices, whereby women are regarded as subordinate or having stereotyped roles perpetrate practices such as violence and coercions. Such prejudices and beliefs may be used to justify gender-based violence as a form of protection or control of women. The result is that women are deprived of the equal enjoyment of their human rights and fundamental freedoms.

This point was elaborated in the Beijing Declaration and Platform for Action which states:

⁹ See page 2

“Violence against women is a manifestation of the 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 women’s full advancement. Violence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of extremism linked to race, sex, language or religion that perpetrate the lower status accorded to women in the family, the workplace, the community and society. Violence against women is exacerbated by social pressures, notably the shame of denouncing certain acts that have been perpetrated against women; women’s lack of access to legal information, aid or protection; the lack of laws that effectively prohibit violence against women; failure to reform existing laws; inadequate efforts on the part of public authorities to promote awareness of and enforce existing laws; and the absence of educational and other means to address the causes and consequences of violence.”¹⁰

This discussion also shows the effect of the public/private distinction on the universality and indivisibility of all human rights. Violence against women by state agents has been viewed as torture, but domestic violence as a private or domestic matter. A state that permits its own agents to use violence against women is sending a message to everyone in that society - women, men and children - that violence against women is condoned. All three manifestations of violence against women, as identified in the Declaration on the Elimination of Violence against Women as physical, psychological or sexual violence occurring in the family, the community or perpetrated or condoned by the state, are closely interlinked. Strategies for their elimination must tackle all three.

Female genital mutilation (FGM) is one of the most alarming manifestations of violence against women. FGM, the surgical removal of parts or all of the most sensitive genital organs, is generally performed on girls or young women by a traditional practitioner with crude instruments and without anaesthetic. The consequences for the physical and psychological health of women can be devastating, even life threatening. An estimated 130 million women and girls, around 100 million in Africa alone, are estimated to be genitally mutilated. The practice occurs in 28 African countries as well as several countries of the Middle East and by minority communities in other parts of the world.

¹⁰ Paragraph 118

Research into the cultural significance of FGM has identified a complex web of inter-related reasons behind it. It is seen by its practitioners as a necessary rite for initiation into womanhood, integration into the culture and marriageability. Aesthetic considerations are also put forward, as well as erroneous beliefs regarding fertility, hygiene and infant mortality. It is also practised in the belief that it will attenuate a woman's sexual desire, maintain chastity before marriage and fidelity during it, and increase male pleasure during intercourse. Some justify the practice on religious grounds: it is practised by some Muslims, Christians, Animists and a Jewish sect.

“It is unacceptable that the international community WHO, UNICEF, UNFPA name of a distorted vision of Joint Statement, February 1996 behaviours and cultural values, however senseless or destructive they may appear from the personal and cultural standpoint of others, having meaning and fulfil a function for those who practice them. However, culture is not static but it is in constant flux, adapting and reforming. People will change their behaviour when they understand the hazards and indignity of harmful practices and when they realize that it is possible to give up harmful practices without giving up meaningful aspects of their culture.”

The Beijing Declaration and Platform for Action condemns FGM as a form of violence against women. It reaffirms the responsibility of states to prohibit FGM whenever it exists and give vigorous support to efforts by non-governmental organizations, community organizations and religious institutions towards its elimination. In April 1997 three UN agencies, the World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA) stated that “[t]he arguments against female genital mutilation are based on universally recognized human rights, including the right to the highest attainable level of physical and mental health”.¹¹

While violence against women is not the only obstacle preventing women's enjoyment of their human rights, it has been identified by the international community as a barrier to women's full enjoyment of their human rights in every single country of the world; it is a strong characteristic of many human rights violations against women; it spans women's experiences in the family, the community and in society; and it is now the subject of multiple commitments for its eradication by governments and the UN.

While arguments around universality, particularly as they relate to women's human rights, are well rehearsed, the indivisibility of all human rights is a comparatively neglected subject. Increasingly, however, the debate on human rights is turning towards the relationship between human rights and development and the relative priority of economic, social and cultural rights. In this age of globalization, when economic

¹¹ *UN Agencies call for end to female genital mutilation*, WHO press release, 9 April 1997

polarities signal major divisions in wealth both within and between states, discrimination against women contributes to and perpetrates the denial of women's economic and social rights. The Fourth UN World Conference on Women noted that the great majority of those living in unacceptable conditions of poverty are women and that the application of gender analysis to a wide range of policies and programs is critical to poverty reduction strategies:

*“Women’s poverty is directly related to the absence of economic opportunity and autonomy, lack of access to economic resources, including credit, land ownership and inheritance, lack of access to education and support services and their minimal participation in the decision-making process. Poverty can also force women into situations in which they are vulnerable to sexual exploitation”.*¹²

Women's rights to reproductive health is one area of gender specific economic and social rights. Article 11 of the International Covenant on Economic, Social and Cultural Rights recognizes the right of everyone to an adequate standard of living and additionally, Article 10(2) calls for “special protection” of mothers before and after childbirth. Yet the World Health Organization estimated that in 1990 there were some 585,000 maternal deaths.¹³ They estimate that worldwide some 20 million unsafe abortions take place each year which are the cause of close to 80,000 deaths. Reproduction is the one aspect of the so-called private sphere where the state often intervenes. Women's right to reproductive health probes sensitive areas for many states, not least at the Fourth UN World Conference on Women where paragraph 96 stating that “[t]he human rights of women include their right to have control over and decide freely on their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence” attracted the highest number of reservations from governments, all justified on the grounds of national culture and religion.

UN human rights standards and the machinery to implement them have neglected the development of economic, social and cultural rights in favour of civil and political rights. Continuing grave and persistent violations of civil and political rights calls for this level of attention, but the relative neglect of other rights cannot be justified particularly when they have such far-reaching effects on women's enjoyment of their human rights. Despite complex arguments around the issue of state accountability for economic and social rights, as noted above, their denial or neglect undermines the indivisibility of all human rights and, combined with pervasive discrimination against women, has grievous

¹² Beijing Declaration and Platform for Action, paragraph 51

¹³ *Revised 1990 estimates of maternal mortality: A new approach by WHO and UNICEF*, April 1996

results on the human rights of women.

Governments and the UN should publicly acknowledge that the denial of the universality and indivisibility of all human rights supports discrimination against women, in the social and economic as well as the civil and political spheres, and should take steps to tackle discrimination by ensuring women's equal enjoyment of all human rights.

UN Reform

*"Its universal character and comprehensive mandate make the United Nations a unique and indispensable forum for Governments to identify emerging global issues, to negotiate and validate common approaches to them, and to mobilize energies and resources for implementing agreed actions."*¹⁴

In July 1997, the UN Secretary-General, Kofi Annan, presented a report for the discussion during the 52nd regular session of the General Assembly, *Renewing the United Nations: A Programme for Reform*.

Amnesty International is encouraged by the emphasis put in the paper on the need to include the human rights dimension as part of the other four core missions of the UN dealing with peace and security; economic and social affairs; development cooperation; and humanitarian affairs. It hopes that having human rights as a cross-cutting issue would mean that all UN departments, funds and programs would look to see how their work could enhance the promotion and protection of human rights rather than leaving the inclusion of human rights to the Office of the High Commissioner for Human Rights whose resources are already severely overstretched.

References to women's human rights are, however, sparse in the document and there is no clear commitment to developing a gender-sensitive approach to human rights. In view of calls at the World Conference on Human Rights and the Fourth UN World Conference on Women, for example:

"The World Conference on Human Rights urges the full and equal enjoyment by women of all human rights and that this be a priority for Governments and for the United Nations".¹⁵

¹⁴ *Renewing the United Nations: A Programme for Reform, Report of the Secretary-General* (UN Document A/51/950, 14 July 1997), Paragraph 9

¹⁵ Vienna Declaration and Programme of Action, Part II, Paragraph 36

*“Responsibility for ensuring the implementation of the Platform for Action and the integration of a gender perspective into all policies and programmes of the United Nations must rest at the highest levels”.*¹⁶

Accordingly, Amnesty International trusts that any reform of the UN will not just result in the integration of human rights, but in the thorough inclusion of gender sensitive approaches to human rights across the UN’s activities. **A statement by the UN Secretary-General asserting his moral authority and commitment to integrating a gender perspective into all UN policies and programs should be a clear element in the process of UN reform.**

“Josephine Nyawira Ngengi, an outspoken human rights defender was arrested in May 1994. During her imprisonment, she was kept in a cell with iron bars, then forced to lie on the ground while an officer stood on her stomach. She was detained on fabricated charges of robbery with violence until her acquittal in March 1996. When she returned home to her family, her four-year-old son was unable to recognize her. She has since had major surgery for a hernia that developed as a result of her long period on imprisonment.”

Some important steps have already been taken, including the appointment of a UN Special Adviser on Gender Issues, Angela King. The issue of gender mainstreaming throughout the UN is receiving a high level of attention through, for example, the *Proposed System-wide Medium Term Plan for the Advancement of Women 1996-2001*¹⁷ which presents the contributions that different UN agencies could make to the realization of the strategic objectives set out in the Beijing Platform for Action. **It is essential that the UN Secretary-General ensures that such initiatives are fully supported by all parts of the UN system and adequately financed.**

The High Commissioner for Human Rights¹⁸

The appointment of the new High Commissioner for Human Rights, Mary Robinson who took office in September 1997, is an excellent opportunity for gender-sensitive approaches to be integrated in the UN’s human rights work. The High Commissioner has

¹⁶ Beijing Platform for Action, Paragraph 308

¹⁷ See the report of the Secretary-General contained in UN document E/CN.6/1996/CRP.2

¹⁸ See also *Agenda for a new United Nations High Commissioner for Human Rights* (AI Index IOR 40/08/97, April 1997)

a special vantage point from which to pursue these imperatives. As with UN Secretary-General, it is crucial that she is seen to be committed to and taking a lead on gender-sensitive approaches in the UN's work, particularly by ensuring the implementation of provisions of the Vienna Declaration and Programme of Action. In addition to the points made below, the High Commissioner could have considerable impact in realizing the proposals made in other sections of this paper.

Amnesty International considers that the High Commissioner should base all her activities and statements on international human rights instruments and standards and be prepared to speak out when governments fail to cooperate with the UN or continue to systematically violate human rights. In confronting situations of human rights violations, and in all discussions with governments, the High Commissioner should ensure that the human rights of women are high on the agenda. Governments, as well as the staff at the Office of the High Commissioner, should be urged to pay particular attention to the protection of women and to ensure that human rights violations which are particular to women or which have a specific gender impact are not overlooked. In the case of field operations, it is particularly important that the in-depth analysis of the root causes of human rights violations, essential for identifying the means to halt them, gives full attention to the situation of women.

Resolution 1997/43, adopted at the last session of the Commission on Human Rights, called on the UN, including the High Commissioner, to provide training in the human rights of women for all UN personnel and officials. In particular, the Office of the High Commissioner for Human Rights is encouraged to systematically review all its information and training materials to ensure the integration of a gender perspective, and to bear in mind the need for expertise in the human rights of women in the recruitment of staff. Amnesty International considers training to be an essential step for the implementation of the Vienna Declaration and Programme of Action¹⁹. **A gender-sensitive approach to the UN's human rights work is a recent development and is unlikely to be successful unless all UN personnel are informed and empowered to make it a central tenet of their work.**

¹⁹ Paragraph II B 42 of the Vienna Declaration and Programme for Action states "[t]raining for United Nations human rights and humanitarian relief personnel to assist them to recognise and deal with human rights abuses particular to women and to carry out their work without gender bias should be encouraged".

Commission resolution 1997/43 welcomed the initiative of the High Commissioner in undertaking a comprehensive review of the technical cooperation program from a gender perspective. **Amnesty International hopes that the High Commissioner will go further than this and look carefully at how projects need to be adapted to ensure that they include assistance in implementing outstanding commitments from governments. For example, projects aimed at law enforcement officials, judges and immigration offices should take into account the recommendations in the Beijing Declaration and Platform for Action. Governments should be firmly encouraged to include, in their requests for assistance, proposals for the promotion and protection of women's human rights and this should be a standard criterion in the design of all advisory services and technical cooperation projects.**

"Tens of thousands of peasants are generally not directly involved in the violence, but they are the first affected by the violence with their children, and often 1994 reports in the Commission's annual Conference show that in 8 percent of the displaced women and their children, the heads of families particularly the children, zones affected by the violence could be 'squad'..."

During the 1980s and early 1990s successive Colombian governments attempted to ignore the growing crisis or even to deny the existence of the swelling numbers of internally displaced people. However, in September 1994, one month after assuming the presidency, Ernesto Samper went some way towards recognizing the gravity of the problem and accepting official responsibility.

... President Samper outlined steps that his government would take to address the problem, including emergency assistance plans, the promotion and financing of productive projects, the generation of employment, the fulfilment of basic needs of the displaced population and the rapid establishment of legal norms to make displaced peasants beneficiaries of agricultural reform measures. Nearly three years later, however, little progress has been made in meeting the emergency needs of the displaced and even less in tackling the causes of displacement."

Colombia 'Just what do we have to do to stay alive?'
Amnesty International, AMR 23/48/97, October 1997

In addition, the High Commissioner should work towards the reconvening of the Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives in UN Human Rights Activities and Programmes of June 1995, organized by the Centre for Human Rights and UNIFEM. This would enable the group to assess the extent to which its guidelines have been implemented and to continue its work. Representatives of the treaty bodies and the Commission on Human Rights' thematic mechanisms and country experts should be urged to attend. **The High Commissioner should take steps to ensure that their existing guidelines, and any resulting from a second meeting, are incorporated in the working methods of her Office and brought to the attention of the Commission on Human Rights and the Commission on the Status of Women.**

Women as UN human rights experts

Women are woefully under-represented on UN human rights bodies and are only the majority on those dealing with issues which are regarded as having particular importance to women. For example, women are in the majority on only two of the treaty bodies, the CEDAW and the Committee on the Rights of the Child. Five out of 18 members of the Human Rights Committee are women and there is only one woman among the 10 members of the Committee against Torture. The only expert mechanisms of the Commission on Human Rights occupied by women are the Special Rapporteurs on violence against women and on the sale of children, child prostitution and child pornography. Only one of the Commission's country experts is a woman.

“Tsitsi Tiripano is a pseudonym of a member of the gay pressure group it established in Zimbabwe (GALZ) organization. In 1996 she was working as a volunteer for a book fair organized by GALZ at the Zimbabwe Book Fair in Harare. Despite requests from GALZ and the book fair organizers, the authorities took no steps to protect GALZ members. Law enforcement officers allegedly said that gays and lesbians had no right to police help if attacked... Photographs of Tsitsi Tiripano, taken at the Book Fair were published in the press, along with anti-gay and lesbian articles. When she returned to her rural hometown, she faced protests, hostility and discrimination, the result of the hysteria whipped up by the press and by anti-gay and lesbian figures, including President Mugabe.”

Defend the defenders of the Universal Declaration of Human Rights
Amnesty International, ACT 30/04/97

Governments and the UN should take steps to ensure that all members of UN human rights mechanisms and bodies have a sound knowledge of international human rights standards which they are able to apply impartially and with a gender perspective. An equitable regional balance on these bodies and mechanisms has long been the norm; a gender balance, correcting the under-representation of women, needs to be implemented as speedily as possible.

Ratification of international human rights treaties

International human rights treaties translate the principles of the UDHR into more

detailed legal form. Their ratification is a basic but essential step which every government can take to demonstrate its commitment to protect human rights. When a state becomes a party to these treaties, it affirms to the international community its determination to respect the dignity and worth of the human person. The treaties - drafted and adopted by governments themselves - provide an objective standard of behaviour against which people can measure the law and practice of their own governments.²⁰

The Vienna Declaration and Programme of Action called for universal ratification of the Convention on the Rights of the Child by 1995 and the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000.²¹ At the time of writing, all but two UN members - Somalia and the United States of America - have become party to the former and there are 161 states parties²² to the Women's Convention. **The 50th anniversary of the UDHR and the five-year review of the Vienna Declaration and Programme of Action are an occasion for the remaining governments to ratify these treaties.**

"I call on the Senate, again, to ratify the Bill Clinton, President of the United States of America, on the Convention on the Elimination of All Forms of Discrimination against Women, December 18, 1979, to say the least, an embarrassment that the United States has not done this ..."

At both the World Conference on Human Rights and the Fourth UN World Conference on Women, governments committed themselves to consider limiting the extent of any reservations - statements saying that they do not accept part of a treaty's provisions, or interpreting them in a particular sense - to international human rights instruments. In particular, the Women's Convention has been undermined by a high level of reservations that are incompatible with the object and purpose of the treaty. **All states**

²⁰ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child. In addition, the UN adopted in 1990 the International Convention on the Protection of the Rights of All Migrant Workers and Their Families but this treaty still lacks the 20 ratifications needed for it to come into force.

²¹ Paragraphs II 46 and 39

²² The following states are still not party to the Convention on the Elimination of All Forms of Discrimination against Women: Afghanistan, Bahrain, Democratic People's Republic of Korea, Djibouti, Holy See, Iran, Kazakhstan, Kiribati, Marshall Islands, Mauritania, Micronesia, Monaco, Nauru, Niger, Niue, Palau, Qatar, San Marino, Sao Tome and Principe, Saudi Arabia, Solomon Islands, Somalia, Sudan, Swaziland, Syria, Tonga, Tuvalu, United Arab Emirates and the United States of America.

should have developed their strategies or plans of action... These implementation strategies should be comprehensive, have time-bound targets and benchmarks for monitoring, and include proposals for allocating or reallocating resources for implementation".²⁴

Amnesty International hopes that the forthcoming session of the Commission on the Status of Women will give full attention to the action taken at the national level to implement the provisions of the Beijing Declaration and Platform for Action and will not flinch from reminding governments of their responsibilities in this respect. The recognition of governments' responsibility for women's human rights was an important development at Beijing and the Commission on the Status of Women should give full attention to the issue of state accountability for violations of women's human rights in its deliberations.

The draft Optional Protocol to the Women's Convention ²⁵

"Nadezhda Chaykova was a journalist and human rights activist who was killed in Chechnya in 1996. She was investigating the human rights situation in the Chechen Republic. She was killed in a shallow grave near the Chechen Republic's capital, Grozny, about 20 kilometres from Grozny. The grave was found by a local official. She was killed by a Russian federal troops sniper. Other skilled by a soldier in the head of her head. What is not in doubt is that she was killed in order to silence her..."

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Protocol by CEDAW. Thus the protocol would bring the practical application of the Women's Convention into line with other international human rights treaties. Individual complaints procedures already exist under the International Covenant on Civil and

Since 1996, a Working Group, open to all UN member states and meeting during the annual session of Commission on the Status of Women, has been elaborating an Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (the Women's Convention). This will create a procedure for individual complaints from victims of violations and for inquiries into systematic violations of the Convention in countries which are party to both the Convention and the Optional

²⁴ Beijing Platform for Action, paragraphs 293 and 297

²⁵ See also *The Optional Protocol to the Women's Convention*, AI Index IOR 51/04/97, November 1997

Political Rights, the Convention against Torture, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Their Families and investigation of systematic complaints under the Convention against Torture.

Governments committed themselves to supporting the swift elaboration of the Optional Protocol under paragraph 230(k) of the Beijing Platform for Action. Amnesty International was encouraged by the progress made by the Working Group at its 1997 meeting when it completed a first reading of the draft. However, there are still substantial areas of disagreement amongst states on crucial aspects of the text.

Amnesty International urges the drafting of a strong text which should:

- **establish an inquiry procedure which allows CEDAW to undertake investigation of systematic violations of the Women's Convention;**
- **provide for individuals, groups or organizations to bring complaints where they are directly affected by a violation of the Convention or where they have "sufficient interest" in the alleged violation;**
- **allow CEDAW to consider information from other sources when acting on a complaint;**
- **not permit states to make reservations when they ratify the protocol.**

Amnesty International was concerned by the limitations placed on non-governmental organization participation in the discussions at the last session of the Working Group. **The organization hopes that the members of the Working Group, bearing in mind the important contribution that non-governmental organizations can make, will structure the next session so as to allow for adequate input by non-governmental organizations.**

The Commission on Human Rights

"..Some gender-biased violations are based on explicitly discriminatory laws while others are simply perpetrated by virtue of discriminatory attitudes and practices. The existence of such laws and practices clearly violate the principle of equality of rights and respect for human dignity enshrined in international standards...

The Commission on Human Rights has mechanisms for investigating alleged human rights violations. It needs to ensure that the results of these investigations are used to hold to account those governments responsible for human rights violations, including those to which women have been subjected. The necessity and urgency of the Commission's focused attention to violations of women's human rights has been demonstrated particularly by the work of the Special Rapporteur on violence against women. Her reports, including those on domestic violence and trafficking in women, have provided the Commission with information on aspects of human rights violations which the Commission has not previously considered. In recent years some other thematic and country mechanisms have also adopted a gender perspective to their work and are revealing the extent and the severity of violations of the human rights of women but there is much that still needs to be done to ensure a consistent gender sensitive approach in their work.

Amnesty International has long standing concerns about the paucity of resources provided to the Commission's country and thematic experts who serve in an unpaid capacity but produce some of this body's most vibrant and effective work. If the mechanisms are to respond to the repeated requests of the Commission to include gender sensitive information in their reports,²⁶ they need to be adequately resourced.

²⁶ Commission resolution 1997/37, for example; asked the thematic mechanisms to include in their reports gender disaggregated data and to address the characteristics and practice of human rights violations under their mandate that are specifically or primarily directed against women, or to which women are particularly vulnerable.

This is what happened, for example, to Margaret Madil, a Canadian nurse who worked in Saudi Arabia in 1993. After a shopping trip to Kuwait Souq in Riyadh with a female friend they got into a taxi to go home. They sat in the rear seats when suddenly a *Mutawa'* [member of the religious police] jumped into the front seat and forced the taxi to drive to the Mutawa'een headquarters... they were locked in the taxi and left to wait in extreme heat for up to six hours. When they could no longer sustain the heat and started screaming they were subjected to beatings which left her friend with a black eye. They were accused of indecent dress and public intoxication. Subsequently they were transferred to Malaz Prison where they were held for two days in the women's section. There they met many women who had been arrested on similar grounds. They included a group of Kuwaiti and Saudi Arabian women who had been arrested in a restaurant having a meal without being accompanied by any immediate male relatives."

Behind Closed Doors: Unfair trials in Saudi Arabia
Amnesty International, MDE 23/08/97, November 1997

At the moment, the inclusion of a gender perspective in the reports of the Commission's thematic and country experts is mixed. **Steps need to be taken by the High Commissioner for Human Rights and the Commission to ensure that this situation improves. All the experts**

should be urged to make women visible in their reports by detailing the impact of human rights violations on them, even when they are not the immediate and obvious victim of the human rights violation. Governments responding to enquiries from the experts should be asked to provide this information and the experts should seek information from non-governmental organizations who can provide appropriate information.

The project involves building a multi-million dollar golf course and tourist complex on common land regarded by the Tepoztlán community as sacred. It is backed by a major development company, the state governor and the government...

Local people have organized repeated peaceful protests. In April 1996 Leticia Moctezuma Vargas and her daughters joined a rally which was broken up by police. Leticia said that police seized old women by the hair and beat her and her children, including her 11-year-old daughter... Leticia saw three policemen drag Marcos Olmedo Gutiérrez, an elderly member of the community, wounded but alive, into a police vehicle. He was later found dead. He had been killed by a bullet in the back of the head ...

One area for priority action should be field visits. **Both country and thematic experts should be encouraged to carry out joint visits involving the Special Rapporteur on violence against women. Steps should be taken to ensure that, particularly pending the training of all UN personnel in**

On 1 July 1996 Leticia Moctezuma Vargas received two threatening phone calls. A man said: 'Stop interfering in politics' and 'You should take it easy with your politics or we will kill you'. The following day there was another threatening call.. The anonymous caller, this time female, said: 'Take it easy or things will go bad for you, take it easy or we will kill you' ...

gender perspectives, delegations include at least one member with gender expertise. In the meantime, Amnesty International recommends that each delegation should include a 'gender-adviser', a woman knowledgeable about the situation of women in the country being visited who could be from the UN, for example, the Division on the Advancement of Women or a specialized agency, such as UNIFEM, or a non-governmental organization. In addition, it is essential that women interpreters are used in interviews with women who have been subjected to human rights violations such as rape and sexual abuse. All delegations should have time and resources to seek out women and women's organizations. They should be encouraged to look at violations of women's human rights from a broad perspective, and include in their analysis the impact of violations of their economic, social and cultural rights.

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Amnesty International recommends that all the thematic and country mechanisms should commit themselves to producing a report for the Commission on Human Rights within the next five years which focuses on a gendered analysis of human rights violations within their theme or country.

Amnesty International notes with interest that resolution 1997/17 requests the Secretary-General to submit a report to the next session of the Commission on the opportuneness and resource implications of the appointment of a special rapporteur to encourage the promotion and protection of economic, social and cultural rights in general. **If the Commission decides to establish such a special rapporteur, the mandate should specifically include the violations of these rights as they affect women.**

The treaty bodies

Each of the major human rights treaties establishes a treaty body responsible for monitoring the provisions of the treaty by states parties²⁷. Like the country and thematic mechanisms of the Commission, their response to the gender-sensitive application of international human rights standards is extremely mixed.

It is encouraging to see that the report of the September 1997 meeting of the Chairpersons of the treaty bodies²⁸ recalled the importance of incorporating gender perspectives into all their activities. They noted that considerably more could be achieved in this area and have invited the Division for the Advancement of Women to prepare a background paper, and are encouraging the reconvening of the 1995 Expert Group to review progress made so far.

There are a number of approaches that the treaty bodies can take to improving their gender perspectives and all of them need to be pursued. Firstly, as the *Guidelines* produced by the Expert Group emphasize, “[e]ach treaty body needs to review the articles of its treaty and any comments and general recommendations made under the various articles to ensure that a gender perspective is integrated into respective minimum obligations and standards”.

²⁷ The treaty bodies are: the Committee on Economic, Social and Cultural Rights, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination (CERD), the Committee on the Elimination of Discrimination against Women (CEDAW), the Committee against Torture and the Committee on the Rights of the Child

²⁸ UN document A/51/482, paragraphs 43 and 44

The comments and general recommendations produced by most treaty bodies are a valuable method of developing an authoritative understanding of the treaty and establishing a clear yardstick by which to measure state party adherence to the treaty. **For example, Amnesty International would encourage the Committee against Torture to look at Article 1 of the Torture Convention** which states that “... *the term “torture” means any by which severe pain or suffering ... is inflicted by or at the instigation or acquiescence of a public official or other person acting in an official capacity*” (emphasis added). The Committee has yet to look at the possible interpretations of this wording for a range of gender specific human rights violations, for example, FGM if the practice occurs in a state-run or state-licensed hospital or if the state fails to criminalize this practice or take reasonable steps to ensure its elimination.

Secondly, the treaty bodies need to ensure that governments know that they are required to provide information on the varying form and level of enjoyment of rights set out in the treaty by women and men. This can be encouraged through the guidelines for reporting, designed to give governments this type of guidance.

Thirdly, the UN and governments should seek ways of publicizing the treaty body system and the schedule of reporting to non-governmental organizations in the countries of states parties who can provide relevant gender sensitive information. This process would be facilitated by governments’ reports being made available in good time and accessible, either by the government concerned or the UN.

Fourthly, the treaty bodies should ensure that discussion of the report includes full attention to the impact of the treaty’s implementation on women. It is most regrettable that some treaty bodies have failed to take opportunities presented by governments’ reports. The initial report of Canada to the Committee against Torture,²⁹ for example, included information about measures to prevent sexual harassment in public employment, abuse of children by teachers, and ill-treatment of individuals confined to

“In September 1996, the Chairman of CERD **Publicly admitted the view of his Organization: Strategies for Incorporating Women into the UN Human Rights System: *Human Rights of Gender, Violence, Numbers, Reports*** were “fundamentally misconceived”. A similar indifference to gender issues can be found in both the Committee against Torture (CAT) and its establishing treaty, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ... As of 1 December 1996, CAT was composed of nine men and one woman. Gender issues have not featured either in the work of the CAT or in its guidelines for reporting, despite the increasing attention that other parts of the UN system are giving to the gendered aspects of torture.”

²⁹See CAT/C/5/Add.15, 1989

mental institutions. This information could have legitimately given rise to questioning that could have become a normal part of the Committee's consideration of reports.

Gender perspectives in the proposed International Criminal Court³⁰

Amnesty International believes it is essential to establish a permanent international criminal court which can be an effective complement to national jurisdictions when they are unable or unwilling to bring to justice those responsible for genocide, other crimes against humanity and serious violations of international humanitarian law. **The statute of the court must include clear provisions that will ensure the effective investigation and prosecution of crimes of sexual and gender violence.**

Rape, enforced prostitution and some forms of other sexual abuse carried out by government officials or armed opposition groups on a systematic or large scale are crimes against humanity. These forms of sexual violence also violate international humanitarian law when committed in armed conflict. **Both should be within the jurisdiction of the court.**

The statute and rules of the court should take into account the special circumstances both of cases involving violence against women and those involving children, without prejudice to the rights of suspects and accused to a fair trial. **Special measures will be needed to deal with the particular demands of investigating, prosecuting and judging crimes involving violence against women. It will be essential to have fully trained female staff to investigate reports of sexual violence.** Women who have suffered such violence may be reluctant to come forward to testify. Creative use of the court's powers to protect witnesses will be particularly important if it is to successfully prosecute cases concerning women.

Amnesty International believes that there should be a strong commitment to achieving a balanced representation of women among all the courts' officers - in the office of the prosecutor, the judges and the registry - selected from a broad pool of candidates from all regions of the world and all legal systems. Given the importance of crimes against women which will fall within the jurisdiction of the court, the office of the prosecutor will need to have a significant number of women with experience in investigating and prosecuting such crimes and all staff should receive training in gender sensitive approaches to their work.

³⁰ For further information on Amnesty International's position see *The International Criminal Court: Making the right choices - Part I: Defining the crimes and permissible defences and initiating a prosecution* (IOR 40/01/97) and *Part II: Organizing the court and guaranteeing a fair trial* (IOR 40/11/97)

Gender inclusive language

The 1995 UN Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives in UN Human Rights Activities and Programmes recommended that the language used in the formulation of new human rights instruments and standards should be gender inclusive and that the Centre for Human Rights should establish a guideline on gender inclusivity in all the official languages of the UN.³¹ Amnesty International, which has hitherto used the expression *droits de l'homme* in its French language publications, has taken the decision to change its own usage and, on the occasion of the 50th anniversary of the UDHR, to promote a non-sexist and gender inclusive language of rights.

While it is not proposed that historical usages be changed (for example, *Declaration Universelle des Droits de l'Homme*), Amnesty International has identified four reasons for adopting gender inclusive terms in the current language of rights. Two of these relate specifically to the French language; the others have a general application.

Firstly, the expression *droit de l'homme* derives from the French 1789 Declaration of the Rights of Man which attributed rights to men which were deemed irrelevant to women. Secondly, there are ambiguities in current usage as to whether the term may be said to encompass both men and women understood as equal beings. Thirdly, human rights activists, as well as some governments and intergovernmental organizations, have moved towards the rewriting of terms that may be understood as

“Ngawang Sangdrol was a Buddhist nun who believes a ~~death sentence should be imposed on all Tibetans for~~ Tibetan independence. She was sentenced to three years in jail. This was increased to nine years in 1993 when she was convicted with 13 other imprisoned nuns of composing and recording pro-independence songs inside Drapchi Prison. The songs were recorded on a tape-recorder smuggled into the prison... On the tape each nun dedicates a song or poem to their supporters. ‘All of you outside who have done all that you can for us in prison, we are deeply grateful to you and we will never forget you,’ sings one. ‘We are beaten and treated brutally,’ sings another, ‘but this will never change the Tibetan people’s perseverance.’”

Despite her suffering, Ngawang Sangdrol continued to proclaim her beliefs. In 1996, while undergoing punishment for a breach of prison rules, she shouted ‘Free Tibet’. As a result, Ngawang Sangdrol and four other nuns who were also being punished were reportedly beaten by prison guards.

Ngawang Sangdrol was subsequently singled out for severe punishment. She was held in a solitary confinement cell with reduced food rations for several months. In July 1996 her prison sentence was doubled to 18 years, the longest sentence passed on a woman political prisoner in Tibet.”

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³¹ Paragraph 71

sexist. Lastly, language constitutes a crucial element in the construction of social and cultural identity and in the representation of social relations. **Sexist terminology can be seen as negating the advancement of women in recent decades in most societies, and undermining the commitment by the UN and its members to equality for women by the year 2000.**

In conclusion

The drafters of the UDHR were not aware of the extent and severity of the abuse of women's human rights - it has taken five decades for that information to begin to emerge -but its message has a clear relevance for women today. The wording in the Preamble remains highly pertinent to women today:

"... disregard and contempt for human rights have resulted in barbarous acts that have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people ..."

The advances made in recent years to give to give meaning to the provisions of UDHR as they affect women's enjoyment of their rights are important but they are not enough. **1998 could be a wonderful year for women's human rights** but only if there is a clear commitment by the UN to push ahead with the integration of a gender perspective into all areas of its work; and only if governments support this approach at the international level and take determined action at the national level.

Amnesty International believes that governments are not only obliged not to violate women's human rights; they are obliged to protect and promote those rights, as is recognized in paragraph 215 of the Beijing Platform for Action, which continues:

*"The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform men and women alike about them."*³²

Paragraph 232 (o) calls on governments to:

"Ensure that all women and non-government organizations and their members in the field of protection and promotion of all human rights - civil, cultural, economic, political and social rights, including the right to development - enjoy fully all the human rights and freedoms in accordance with the Universal Declaration of Human Rights and all

³² Paragraph 217

other human rights instruments and the protection of national laws”.

It is of the utmost importance that governments have recognized these points; now they need to act on them.

“I would like to give you a message. Please do your best to tell the world what is happening to us, the children. So that other children don't have to pass through this violence.”

The 15-year-old girl who ended an interview with Amnesty International with this plea was forcibly abducted at night from her home on 26 December 1996. She was taken by the Lord's Resistance Army (LRA), an armed opposition movement fighting the Ugandan Government. She was made to kill a boy who tried to escape. She witnessed another boy hacked to death for not raising the alarm when a friend ran away. She was beaten when she dropped a water container and ran for cover under gunfire. She received 35 days of military training and was sent to fight the Uganda People's Defence Forces (UPDF), the government army. We cannot reveal her name because the LRA sometimes hunts down those who escape and takes its revenge on them and their families.

This report is our response to her. It is a call to recognize what is happening to a generation of northern Ugandan children from Gulu, Kitgum and neighbouring districts. It is estimated that since 1995 between five and eight thousand children, most from the Acholi people, have been abducted by the LRA and forced to become child soldiers...

It is a call to put an end to the human rights abuse to which children are subjected. Children are beaten, murdered and forced to become combatants. Girls are raped and used as sexual slaves by more senior soldiers. But in addition, becoming an involuntary part of the LRA means being made to abuse others. The killers of attempted escapees, captured government soldiers and civilians are themselves abused children. They are being abused by being forced to commit human rights abuses. This is deliberate. The children are often traumatized by what they have done and, believing that they are now outcasts, they become bound to the LRA.

... This report is addressed to the LRA and its foreign backer, the Sudan Government. Amnesty International does not take any position on the political program of government or armed opposition. However, the LRA's systematic abuse of human rights as its method of operation undermines its claim to represent a way forward for northern Uganda. The Sudan Government provides the LRA with food, weapons and communications. It uses the LRA as a militia to attack the Sudan People's liberation Army (SPLA), an armed opposition movement fighting the Sudan Government. The Sudanese authorities allege that the SPLA is supported by the Uganda Government. Many of the human rights abuses described in this report took place in military bases inside Sudan where Sudanese troops mix freely with LRA soldiers. It is within the power of the Sudan Government to prevent human rights abuses taking place and to ensure that abducted children are returned to Uganda."

Uganda "Breaking God's commands": the destruction of childhood by the Lord's Resistance Army, Amnesty International, AFR 59/01/97, September 1997