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BREAKING THE SILENCE ON ABUSES AGAINST LESBIANS

"We lesbians and gay men throughout the world have the right to live in peace and with the assurance that our human rights will be respected."

Fundación Xochiquetzal, Nicaraguan lesbian rights group

Box:

At risk in law

In Greece, in November 1991, Irene Petropoulou, the editor of the lesbian and gay magazine, *Amphi*, was sentenced to five months' imprisonment and a fine for a comment she published that asked why so many men wanted to correspond with lesbians. Irene Petropoulou was acquitted by the Athens appeal court in September 1993.

In the United States of America, consensual homosexual acts in private are punishable by imprisonment in several states.

In June 1992 the Nicaraguan government amended the country's Penal Code in such a way that could allow imprisonment of adults who engage in consensual homosexual conduct in private. Further, this amendment could be used to curb the freedom of expression and association of lesbians and gay men.

A battle for daily dignity

"To end abuses against lesbians, human rights activists on every continent must make their voices heard, taking their place alongside courageous women who, despite stigmatization and violence, publicly affirm that their rights are human rights." Meg Satterthwaite, Chair, Members for Lesbian and Gay Concerns, Amnesty International USA

In Iran, lesbianism is punishable by death. Any woman convicted four times of Mosahegeh (lesbianism) may be sentenced to one of the following punishments: cleaving in two halves lengthwise, pushing off a cliff, or stoning to death. A lesser punishment is 100 lashes for each party.

For lesbians in many parts of the world, the struggle for human rights is a fight for basic survival. Facing governments, families, and communities that question their very right to exist, these women may be killed, imprisoned, or beaten simply because of who they are.

For others, the human rights struggle is a battle for daily dignity. In many countries fundamental human rights such as the right to freedom of expression are denied to lesbians solely because of their identity.

There is no universal term for women who are involved in same-sex sexual relationships. These women (referred to here as lesbians) exist in every sector and are members of all groups of society. Through their public actions and organizations, lesbians are often targeted by governments seeking to control their identities and activism. In addition, their most private actions, and their very identities, are stigmatized and frequently criminalized.

Lesbians face double discrimination: vulnerable to certain abuses just because they are women, lesbians are further marginalized because of their sexual orientation. In some countries, involvement in a lesbian relationship can cost a woman her life. In others, laws regarding public behaviour and morality may be used to target lesbians.

Lesbians suffer the full range of human rights abuse: from daily discrimination and harassment to arbitrary imprisonment, "disappearances," and extrajudicial executions.

In many countries, homosexuality remains illegal. A woman imprisoned solely on the basis of her homosexuality would be considered a prisoner of conscience by Amnesty International. The criminalization of their sexual acts not only means that lesbians face a constant threat of prosecution, but also that their legal rights are indirectly affected.

Compounding the impact of these abuses is the silence that often surrounds them. Because lesbians themselves frequently do not have access to the resources needed to call attention to ill-treatment, abuses committed against them are even more difficult to monitor and punish. Some women may be afraid to publicize the abuse, since when the violations are made public, lesbians are often additionally stigmatized and thus unable to gather public support. Further, because many lesbians are unable to be public about their sexual identity for fear of reprisal, they suffer without public acknowledgment of the abuses inflicted on them.

Abuses against lesbians frequently go unreported by local, national, and international human rights organizations. Amnesty International calls on the world community to break the silence shrouding these abuses: we must hold governments responsible for these actions. Human rights activists around the world are speaking out against such abuses. Amnesty International calls on governments everywhere to respect and uphold the human rights of lesbians.

Front caption: Amnesty International demonstration for gay rights in the United States of America.

UNIVERSAL AND INDIVISIBLE

"...the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights"

Vienna Declaration and Programme of Action, United Nations World Conference on Human Rights

BOX

UNIVERSAL AND INDIVISIBLE

"While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights."

Vienna Declaration and Programme of Action adopted by the United Nations World Conference on Human Rights

Every woman has the right not to be tortured, killed, arbitrarily detained or made to "disappear". This fundamental principle does not vary according to local culture or politics. Whether you are a trade unionist in Indonesia, a villager in Sudan, a nun in Haiti, an academic dissident in China, a member of an ethnic minority in the United States of America, a Roman Catholic or Protestant in Northern Ireland, or a member of the Tutsi or Hutu communities of Rwanda, you have the right to be safe from state violence. The international community has agreed that these rights are **universal** and **inalienable**. They cannot be taken away from any human being.

In many countries throughout the world, the denial of civil and political rights -- and human rights violations -- occurs precisely when women take action to gain their right to development and their economic, social or cultural rights. Civil and political rights -- the right to speak out and protest against government policies and actions -- are necessary if ordinary people are to be the real beneficiaries of development policies. Human rights are **indivisible**.

ALL HUMAN RIGHTS FOR ALL

Marsinah's body was found by a group of children in a shack over 100 kilometres from her home. It was bloodied and covered in bruises. There were strangulation marks on her neck. A blunt instrument had been thrust into her vagina causing terrible injuries.

A few days earlier Marsinah had been leading a strike at the watch factory where she worked in Porong, Sidoarjo, East Java, in Indonesia. She was brutally murdered, almost certainly with the knowledge and acquiescence of the military, because she was a trade unionist who stood up for workers' rights.

There are women like Marsinah all over the world. They are forced by economic necessity into working for miserable rates of pay. Employers see women workers as cheaper and more docile than men. Sometimes, however, the appalling conditions encourage women to organize and fight back. Energetic leaders like Marsinah are thrown up. When they struggle to win their economic and social rights, they are denied their most basic civil and political rights: the right not to be tortured and the right to life itself.

In Brazil a woman lawyer -- one of those brave enough to stand up for the rights of the poor -- became a victim of human rights violations herself. Márcia Maria Eugênio de Carvalho frequently defended rural workers in labour suits against powerful local landowners. In January 1993 she was killed by unknown gunmen who ambushed her car near Recife, the state capital of Pernambuco. To Amnesty International's knowledge, nobody has ever been charged with her murder.

The extent of local state authorities' acquiescence and participation in the activities of gunmen hired to intimidate and kill rural activists in land and labour disputes in Brazil has been confirmed by recent investigations. In 1993 the federal Attorney General's office reported that the police had been directly involved in 80 of 173 assassinations involving hired gunmen under investigation. Impunity for such killings remains the rule.

The pain and horror of murder and torture do not vary according to a country's culture, religion, politics or state of development. Neither poverty nor tradition can justify repression. All women, everywhere, are entitled to all their human rights.

Picture captions:

All human rights are interconnected: a women's rally in the Phillipines

(c) Brenda Prince/Format

In Sudan women whose hair is uncovered risk flogging. The Sudanese Government has argued that Islamic religious values must take precedence over nternational human rights standards.

(c)Sarah Errington/Hutchinson Library

No Safe Haven!

Women as Refugees

"...one pulled me aside and said: 'No safe passage before sex!'...he forced me down, kicked me in the stomach and raped me in front of my children."

Refugee from Ethiopia

BOX

A ruptured world

In 1994 there were 23 million refugees worldwide and millions more people who had been displaced from their homes within their countries.

Eighty per cent of refugees and displaced people are women and their dependent children.

Less than 50 per cent of those who succeed in gaining asylum in the wealthy countries of the North are women.

International law prohibits the forcible return of refugees to countries where their lives or freedom are in danger.

Many governments assert that people fleeing persecution or danger are simply looking for a better standard of living. Some of the world's wealthiest countries use this excuse to deny refugees protection.

Those hearing asylum applications often fail to categorize violations of women's rights as persecution. The asylum process itself works against women victims of rape and sexual abuse, many of whom are too ashamed or traumatized to tell their stories.

Flights of fear

The number of women and children who are known to be refugees has soared in recent years – to more than 18 million. Most have been forced to flee wars or civil strife and the consequent threat of human rights violations.

Refugee women are particularly vulnerable during flight, when they may be attacked by pirates, bandits, the security forces or other refugees. Many have also been sexually exploited by border guards.

A refugee woman from Ethiopia described her journey:

"We were four people: my two children, four and two years old, our guide and myself. On our way we were stopped by two men who asked us where we were going. When we explained, one pulled me aside and said: 'No safe passage before sex!'...he forced me down, kicked me in the stomach and raped me in front of my children. He knew I was pregnant."

Once in refugee camps women remain at risk. They suffer sexual violence from officials and male refugees, who may regard them as common property, force them into prostitution, or demand sexual favours in exchange for vital rations.

Even when women are applying for asylum, officials may demand sex in return for refugee status. A Rwandan refugee in Kenya recalled:

"...the official said that if I wanted a positive recommendation to the US embassy, I would have to spend the night with him...I was so scared I never went back to that office again."

Governments should recognize the particular plight of women refugees and offer them sanctuary. Their failure to do so is adding every day to the appalling suffering already being endured by millions of women and children who have been forced from their homes.

Box

The plight of the displaced

Mrs Magwaza fled with her children in July 1994 after armed men attacked and burned their home in Umlalazi, KwaZulu-Natal. Like millions of other displaced women, she failed to find sanctuary. In despair, she hanged herself.

Most displaced women and their dependent children never get as far as seeking asylum abroad. In their desperate search for safety, they are effectively refugees within their own countries, struggling to survive far from their homes.

CAPTIONS

Refugees from the war in Bosnia-Herzegovina arriving in Croatia.

(c) Howard J. Davies

Women and children fleeing from their village near Kumsangir in Tadzhikistan after fighting broke out between pro-government and opposition forces.

(c) AP

RAPE - A WEAPON OF WAR

"... nothing prepared me for the actual experience. It lives on inside me. I still bleed a lot. It was done not by just one man, but by a group of them...And it was a side-show; lots of people came to watch."

A Kurdish woman raped by Iraqi security officers

BOX

Women's bodies, soldiers' booty

Rape by soldiers of vanquished women has a long history. The Crusaders in the 12th century raped women in the name of religion. English soldiers in the 18th century systematically raped Scottish women during the subjugation of Scotland. Rape was a weapon of terror used by the German army in the First World War, a weapon of revenge used by the Soviet army in the Second World War.

Half a century ago, rape was outlawed by the Geneva Conventions, the international rules governing conflicts. They state: "Women ... shall be protected in particular against rape, forced prostitution and any other form of indecent assault".

Rape by soldiers is an act of torture, and clearly prohibited by the rules of war and by international human rights standards. Yet sexual abuse of women is reported in almost every modern armed conflict, whether internal or international. Women are raped because their bodies are seen as legitimate spoils of war.

Rape is not an accident of war. Its widespread use in times of conflict reflects contempt for its victims, a contempt born of the inequalities women face in their everyday lives in peacetime. Until governments live up to their obligations to ensure equality, and end discrimination against women, rape will continue to be a favoured weapon of the aggressor.

Rape: an act of torture

Twenty-three women, ranging in age from just 13 to 80, were gang-raped by Indian soldiers in the Kashmiri village of Kunan Poshpura in February 1991.

Three years later, the plight of the women was desperate. According to a local non-governmental organization, one woman, five and a half months pregnant when raped, delivered a still-born child two weeks later. Two of the raped women, one of them the mother of six, had committed suicide. Others still needed medical treatment for injuries sustained during the rape. The whole village has been blighted:

"No marriage had taken place in the village in the last three years. All girls, raped and non raped, are single. All the married raped women have been deserted."

Rape has since been regularly reported in Jammu and Kashmir, used to punish women suspected of being sympathetic to armed separatists and to intimidate the local population. A handful of soldiers have been prosecuted or disciplined for rape, but in most cases there is no investigation and the guilty go free.

Rape by soldiers is a form of torture experienced by women all over the world. A senior United Nations official reporting on the conflict in the former Yugoslavia stated:

"...rape was being used as an instrument of ethnic cleansing... There are reliable reports of public rapes, for example, in front of a whole village, designed to terrorize the population and force ethnic groups to flee."

Rape by the security forces is a particularly oppressive form of torture as many women are too afraid and ashamed to speak out about what has been done to them. Some obliterate the experience from their conscious memory because recalling the trauma is unbearably painful.

When a soldier rapes a woman, that rape is no longer an act of private violence, but an act of torture for which the state bears responsibility. The persistent failure by governments the world over to investigate and punish abuses by their own forces has allowed rape to become a tool of military strategy. Women pay the price in life-long psychological damage, serious physical injury, pregnancy, disease and death.

caption:

Indian women in New Delhi protesting against rape

c.AP

A mother and her young baby born in prison in El Salvador. Maria was raped by a soldier when she was arrested: her baby Mariza was born in Ilopango Women's Prison.
Jenny Matthews/Format

YOUR RIGHTS IN INTERNATIONAL LAW

"All human beings are born free and equal in dignity and rights."

Universal Declaration of Human Rights

"...discrimination against women violates the principles of equality of rights and respect for human dignity."

Convention on the Elimination of All Forms of Discrimination against Women

BOX

INTERNATIONAL LAW TO PROTECT WOMEN'S RIGHTS

Women's rights are human rights; they are protected by international law developed over the past century. In recent years, the international community has recognized that these rights need specific protection as well. Nearly all governments have pledged to uphold treaties protecting the human rights of women and girl-children.

Some of the most important of these international treaties are:

- * The Geneva Conventions limiting the use of violence in armed conflict
- * The Convention and Protocol relating to the Status of Refugees
- * The International Covenant on Economic, Social and Cultural Rights
- * The International Covenant on Civil and Political Rights, and its two Optional Protocols
- * 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

A number of declarations have been adopted by the International community. These are not legally binding, but states have made public commitments to implement them. Important human rights declarations for women and girl-children include:

- * The Universal Declaration of Human Rights
- * The Vienna Declaration and Programme of Action of the UN World Conference on Human Rights
- * The Declaration on the Elimination of Violence against Women

KNOW YOUR RIGHTS

Women's human rights are now protected by a large body of international law. Governments often violate international law, sacrificing the rights of their citizens for political expediency and self-interest. Their failures do not detract from the importance of this law. Rather, they emphasize the need for all citizens to know their rights and how they can make governments live up to their commitments. Informing women about their rights and using the mechanisms of international law are among the ways we can work towards building a more just and humane society. People who are aware of their rights stand the best chance of obtaining and defending them.

Women's rights are specifically promoted in many human rights conventions. Both the international human rights covenants – one on civil and political rights, the other on economic, social and cultural rights – stress the important principle that governments should ensure that women and men have equal access to all these rights.

The rights include: equal treatment before the law; freedom from arbitrary detention and torture; equal pay for equal work; special protection for mothers; an adequate standard of living, education and health care.

When police or soldiers rape women, they are committing torture. All forms of torture and ill-treatment are outlawed by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Governments must investigate torture allegations and prosecute (or extradite for prosecution) those allegedly responsible.

Discrimination against women is prohibited by a special treaty – the Convention on the Elimination of All Forms of Discrimination against Women – which obliges governments to eliminate unfair and biased treatment of women in political and public life, in matters of nationality, in education, health care, employment, marriage and family relations.

* For more information on your rights and how to get help from the many UN bodies set up to deal with violations, write to: Centre for Human Rights/ United Nations Office at Geneva/8-14, avenue de la Paix/1211 Geneva 10/Switzerland, or to: Centre for Human Rights/United Nations/New York, NY 10017/United States of America.

front caption:

A Namibian woman holds her voter registration card in the country's first-ever elections
UN/M. Grant

Human rights are women's right: women in Colombia demonstrate against violence
Jenny Matthews

Translators: *Most of this text is the same as that used on the back cover of the appeal case leaflets*

THEME LEAFLETS BACK COVER

JOIN OUR CAMPAIGN!

Women are the invisible victims of the 1990s. Most of the casualties of war are women and children; most of the world's refugees and displaced people are women and children; most of the world's poor are women and children. Human rights violations against women are rampant partly because they remain largely hidden.

Every year, according to the United Nations Children's Fund (UNICEF), more than a million infant girls die because they are born female. Because of their gender women are at risk of a range of violent abuses by private organizations and individuals.

Women are in double jeopardy. Discriminated against as women, they are also as likely as men, if not more so, to become victims of human rights violations. Few countries treat their women as well as their men.

The past two decades have seen women's organizations spring up around the world. Some work for their "disappeared" relatives; some are community activists, fighting for basic rights such as freedom from want; some are lawyers seeking justice for the unrepresented; some campaign against torture, some against domestic violence, some for equal treatment at work or for land rights and access to credit.

This wave of courage, creativity and commitment has all too often met a wall of government indifference and sometimes government repression of the cruellest kind. Few governments recognize the work of women's human rights organizations as a legitimate exercise of fundamental civil and political rights.

Amnesty International is a worldwide voluntary movement that works to prevent some of the gravest violations by governments of people's fundamental rights. The main focus of its campaign is to: free all prisoners of conscience, people detained anywhere for their beliefs or because of their ethnic origin, sex, colour or language, who have not used or advocated violence; ensure fair and prompt trials for political prisoners; abolish the death penalty, torture and other cruel treatment of prisoners; end extrajudicial executions and "disappearances".

In 1995 the main focus of Amnesty International's campaigning work will be on human rights violations against women. We are joining with countless women around the world to campaign for governments and armed political groups to uphold women's fundamental human rights.

Text for box

What you can do

If you would like to join our campaign to uphold women's human rights, contact Amnesty International in your country [insert section address, etc], or write to Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.