

Casualties of war

women's bodies, women's lives

Stop crimes against women in armed conflict

[Inside Front cover]

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This briefing paper draws attention to the human rights abuses women suffer in armed conflict. It is based on Amnesty International's research in dozens of countries and expert analysis by other individuals and organizations.

Amnesty International has campaigned for many years to end unlawful killings, torture (including sexual violence) and other abuses that devastate the lives of men, women and children in armed conflict. The current focus on violence against women and girls is a response to the fact that their needs are frequently overlooked, while women organizing to demand their rights are often ignored.

Some testimonies and cases do not give the real names of the victims or survivors, in order to protect their identity and privacy. Many survivors of violence against women will tell their stories when offered the right circumstances, such as assurances about privacy and gender-sensitive, preferably female, interviewers.

Above: Iraqi women wait in a compound as US soldiers round up all the men at the village of Mashahdah, near Baghdad, Iraq, July 2003. © AP/John Moore
Front cover : Refugee women in a camp in Chad. Many of the refugees are injured or exhausted by the flight from Darfur, Sudan. © AI

Violence against women

The term "violence against women" means any act of gender-based violence that leads to physical, sexual or psychological harm to women and girls. Gender-based violence against women comprises acts that are directed against a woman because she is a woman, or that affect women disproportionately.

Violence against women includes:

- violence in the family or home (such as domestic violence, marital rape and slavery-like conditions);

- violence in the community (such as forced prostitution and forced labour);
- violence carried out or condoned by the state (such as rape by government officials, torture in custody and violence by immigration officials);
- violence during armed conflict, committed both by government forces and armed groups (such as attacks on civilians, who are often mostly women and girls, rape and other sexual violence).

Militarization

Militarization is the process where a society becomes increasingly dominated by military values, institutions and patterns of behaviour. Militarization often begins long before the outbreak of fighting and its legacy remains long after the main hostilities have ended. On a global level, the effects of militarization can be seen in the dramatic rise in global military expenditure and the subordination of human rights concerns to the “security” agenda. It is reflected in an increasing tendency to use force to resolve international and internal disputes.

International law

- International human rights law obliges states to respect and protect the rights and dignity of all human beings at all times and without discrimination. Traditionally, it has been seen as applying to the relationship of the state with individuals, but recently it has been recognized that the state has a responsibility to intervene when private individuals act in ways that affect the rights of others. During times of emergency and armed conflict, states may, where strictly necessary, place limited and time-bound restrictions on certain rights. There are some rights which must be respected in all circumstances. These include the right not to be arbitrarily killed, and the rights to freedom from discrimination, slavery, and torture and ill-treatment.
- International refugee law protects people who have fled abuses in conflict and other persecution across a border into another country. People who escape to other areas within their own country (internally displaced people) are covered by different and as yet only partly developed international standards.
- International humanitarian law applies only in situations of armed conflict. It lays down standards of conduct for combatants and their leaders. Broadly, it seeks to put limits on the means and methods of warfare and to protect those not taking an active part in hostilities from harm.
- International criminal law aims to prosecute and, where appropriate, punish people accused of international crimes, including war crimes, crimes against humanity and genocide.

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Amnesty International is a worldwide movement of people who campaign for internationally recognized human rights to be respected and protected.

Amnesty International’s vision is of a world in which every person enjoys all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

In pursuit of this vision, Amnesty International’s mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

Amnesty International is independent of any government, political ideology, economic interest or religion. It does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect. It is concerned solely with the impartial protection of human rights.

Amnesty International is a democratic, self-governing movement with more than 1.8 million members and supporters in over 150 countries and territories in every region of the world. It is funded largely by its worldwide membership and public donations.

[end box]

War is no excuse for rape or murder

[photo caption]

Participants in the Nepal launch of the Stop Violence against Women campaign, Banepa, near Kathmandu, March 2004. © AI Nepal

[end caption]

[Quote]

"Women will not tell you easily if they have been raped. In our culture, it is a source of shame. Women hide this in their hearts so that men don't hear about it."

A Sudanese woman talking in November 2003 about systematic rape in Darfur region, Sudan.

[end quote]

Hundreds of women and girls have been raped and sexually abused in the conflict in Darfur region, western Sudan. Most were violated by members of the Janjawid, a government-backed armed militia, but government soldiers have also been accused of rape. The UN was told in March 2004 that in Mornei, western Darfur, up to 16 women were being raped each day as they went to collect water. The women had to go to the river – their families needed the water and they feared that the men would be killed if they went instead.

Violence is an inherent part of war. But even in wars, people have the right not to be tortured or murdered. Arbitrary killings and torture – including rape – are gross human rights violations and are prohibited at all times, even during armed conflicts.

Women bear the brunt of conflict

In most of today's wars, civilian casualties far outnumber those of armed combatants. Unarmed women and men both suffer human rights violations such as indiscriminate killings and torture. However, women are subjected to certain abuses more often than men, and they suffer in particular ways. Women and girls are more likely to be the target of sexual violence, especially rape. Women face extra, sometimes insurmountable, obstacles to seeking justice, because of the stigma attached to the survivors of sexual violence, and women's disadvantaged position in society. Their role as carers, combined with higher levels of poverty, mean that the impact of war's destruction weighs particularly heavily on women.

At the same time, women are the backbone of the community. Their ideas, energy and involvement are essential to rebuilding society in the aftermath of war. To ensure lasting peace, women must be allowed to play a full part in all stages of the peace process. This was reflected in the groundbreaking UN Security Council Resolution 1325 on women, peace and security. The resolution calls for greater protection for women and girls, for those who commit crimes against women to be brought to justice, and for equal participation by women in decision-making. Activists for women's rights were essential to the passage of this resolution, and now they are campaigning to see it put into practice.

[Quote]

"Civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements."

UN Security Council Resolution 1325 on women, peace and security.

[end quote]

Amnesty International's campaign to Stop Violence against Women aims to mobilize men and women all around the world to challenge violence against women, support survivors, and press for change. As part of the campaign, this briefing seeks to raise awareness about the plight of women and girls in militarized societies and armed conflicts, and to translate public concern into action.

Discrimination, domination and violence

Do women ever live in peace, given the level of violence against them in countries all over the world? At least one in every three women has been beaten, coerced into sex, or otherwise abused in her lifetime. Usually, the abuser is a member of her own family or someone she knows. Discrimination contributes to the widespread acceptance of domestic violence and rape suffered by women in societies supposedly at peace. Most of these crimes are committed with impunity.

When armed conflict breaks out, all forms of violence increase, especially sexual violence against women. But gender-based violence is not a by-product of war. It does not start when war starts; it does not end when war ends. It arises from discrimination against women – wherever they live, women rarely have the same economic resources or control over their lives as men. Their human rights are therefore fulfilled to a lesser extent than men's.

Different women's experiences of conflict vary greatly, depending on factors such as their ethnic group and whether they are rich or poor. These differences may determine who will live and who will die.

Loaded propaganda inflames sexual violence

Wartime propaganda in many countries shows how gender stereotypes are strengthened before and during conflict. At the heart of the rhetoric is the notion that women carry a community's honour. An attack on enemy women is then seen as an attack on their entire group – and conversely the need to avenge the "sullied honour" of women is used to justify acts of violence.

Attacks on women sometimes focus on their role as mothers of the next generation. During the 30-year conflict in Guatemala, for example, soldiers told Amnesty International that they had destroyed foetuses and mutilated women's sexual organs to "eliminate guerrilla spawn". Similar atrocities were reported during recent conflicts in a number of countries in Africa, including Rwanda and the Democratic Republic of the Congo.

Women who breach society's rules of sexual conduct are frequently targeted for betraying the culture and identity of their own community. This is especially true of lesbian and bisexual women. Militarized societies tend to place even greater emphasis on the purity of their idealized women, as opposed to the "unclean" enemy. Amnesty International research in Colombia has found intensified gender stereotyping in militarized communities. In late 2002, in the city of Medellín, a 14-year-old girl was stripped in the street and a sign saying "I am a lesbian" was hung around her neck. According to witnesses, she was then raped by three men. Her body was found days later; her breasts had been cut off.

[box]

The military environment

Military culture typically prizes aggression and reinforces male stereotypes, while devaluing attributes traditionally associated with women. Armed forces encourage male bonding and expressions of virility so that soldiers trust each other and resist any display of weakness in front of their peers, which is derided as "feminine". Male aggression towards women is often tacitly tolerated, or even encouraged, as raw recruits are turned into hardened "warriors" through a brutalizing training regime.

In Argentina, for example, thousands of men and women were tortured, killed or "disappeared" during the "dirty war" between 1976 and 1983. Two naval captains testified in 1994 that all members of the navy were forced to participate in the abuses. Another former officer, Adolfo Scilingo, said: "It was to give everyone a turn, a kind of Communion".

Soldiers occupying conquered territory are removed from the moderating influence of their communities and families. At the same time, they are surrounded by a civilian population which is seen as the enemy or as inferior. Not only are soldiers given licence to ignore the normal boundaries to acceptable behaviour, but the contempt in which the "enemy" is held can find expression – when directed against women – in rape. Women are seen as embodying enemy culture, so that when destruction of the enemy culture is a military goal, violence against women is legitimized. A combination of contempt for women, military aggression and impunity gives rise to widespread, unchallenged violence against women.

When armed forces are stationed in a foreign country, the resources at their disposal, combined with the destitution of many women, also facilitate sexual exploitation.

[end box]

[Photo caption]

A woman and boy walk past a tank in Kabul, Afghanistan. © Steve Dupont

[end caption]

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'Don't give up until every child is free' No more girl soldiers

[Photo caption]

China Keitetsi, a former child soldier from Uganda. She has written a book about her experiences and has a website, www.xchild.dk, which campaigns against the use of child soldiers. She spoke to Amnesty International in 2004. © AI

[end caption]

“When I was nine years old, I came into the National Resistance Army. When I got there, there was not only me. There were many children. Some were only five years old. I thought at first it was exciting, it was like a game, they were marching left, right, and I wanted to be a part of it. The moment I became a part of it, that meant that all my rights were over, I had to think, to feel, according to my instructor.

[Box]

There are child soldiers in government and opposition forces in 178 countries, according to the Coalition to Stop the Use of Child Soldiers. An estimated 30 per cent are girls. Child soldiers are under 18: some carry arms, others are recruited for sexual purposes and as cooks, porters or messengers.

Amnesty International has confirmed reports of sexual abuse and exploitation of girl soldiers in countries including Angola, Burundi, Cambodia, Liberia, Mozambique, Peru, Rwanda, Sierra Leone and Uganda.

[end box]

Most of the kids were sent to spy. I remember some kids were sent with grenades around them with civilian clothes because the enemy didn't search children, and those kids never came back. We were bodyguards to our bosses, we cooked, we looked after them, instead of them looking after us. We collected firewood, we carried weapons and for girls it was worse because... we were girlfriends to many different officers.

Today, I can't think how many officers slept with me, and at the end it became like I don't own my body, it's their body. It was so hard to stay the 24 hours a day thinking which officer am I going to sleep with today.

We used our weapons to impress and we liked the respect we got from carrying weapons... We had guns, we could do what we wanted. We kept our guns with us 24 hours a day; the only power we had was in our trigger finger.

Every time we captured this enemy it was so hard for me because I had no reason to hate the enemy, but the other kids thought that the enemy had killed their parents and they were so brutal and you had to be a part of it, otherwise you would be looked at as a coward.

[Box]

Some girls become child soldiers to escape living in poverty, others to get away from physical or sexual abuse at home. Some girls have no choice. They are simply seized, a phenomenon which is most widely reported from Africa. Other recruits are motivated by political beliefs, revenge or a desire for respect.

[end box]

Girls who had had several children after forced sex were no longer considered useful to their units and were just dumped in a special prison. When the government changed, everyone was jockeying for power and position, and paid no attention to issues like these, like what happened to these children. There were several hundred girls put there [in the special prison]. Where are they? No one knows.

There is nothing they can give me back and that can make me recover my childhood, my innocence, but I think that what they owe

me is to make sure that no other girls go through what I went through. No other girls will have different kids from different officers.

I would like to say 'thank you' to all those that are fighting against child soldiers, and don't give up until every child is free. ”

[Box]

After conflict, only a small minority of girl combatants are included in demobilization and reintegration programmes. The needs of girl soldiers are often ignored, leaving them to fend for themselves. In Sierra Leone, approximately 30 per cent of child soldiers in rebel forces were girls. Yet between 1998 and 2002, only 8 per cent of the 6,900 children who were formally demobilized in the country were girls.

[end box]

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Rape is no accident of war, but a tool of terror

A group of armed men arrived at the home of 18-year-old Reena Rasaili in a village in Nepal late one night in February 2004. Witnesses said that they broke down the door, searched the house, and took Reena outside to interrogate her. An officer ordered five of his men to take her to a nearby cowshed. At 5am Reena was taken out and three shots were heard. Villagers found her naked body after the security forces left the village. Bloodstains on her discarded clothes and underwear indicated that she had been raped before she was killed.

The widespread use of rape in times of armed conflict reflects the unspeakable terror it holds for women, the sense of power it gives the rapist, and the unique contempt it displays for its victims. It echoes the inequalities women face in their everyday lives in peacetime. Until governments and societies ensure equality and end discrimination against women, rape will continue to be used as a weapon in war.

Rape is employed in conflicts to intimidate, conquer and control women and their communities. It is used as a form of torture to extract information, punish and intimidate. Men and boys also suffer sexual violence in conflicts, but women and girls are the principal victims.

Rape in times of conflict is committed by a wide range of men – including soldiers, other government personnel and members of armed groups. Even those mandated to protect civilians – aid workers and UN peacekeepers – have sexually abused women and girls under their care. An authoritative report from West Africa in 2002 revealed sexual abuse and exploitation of children by employees of national and international organizations, including the UN refugee agency, UNHCR, and other UN bodies. UN and NATO personnel stationed in Kosovo have used the services of women and girls trafficked into forced prostitution, and in some cases, have been involved in the trafficking. In May 2004, the UN launched an investigation into reports that its peacekeepers in Bunia, Democratic Republic of the Congo, had sexually abused civilians, despite the UN's policy of “zero tolerance” for such abuses.

[Photo caption]

A woman holds her two-year-old son as she testifies at a public hearing in New Delhi, India, April 2002. She saw one of her relatives raped and burned alive in Gujarat, February 2002. © AP/Manish Swarup

[end caption]

Targets for abuse

In many conflicts women have been targeted for sexual violence because they were suspected of sympathizing with the “enemy”. During the Indonesian occupation of East Timor (now Timor-Leste) between 1975 and 1999, many Timorese women thought to support the pro-independence movement were sexually abused by the Indonesian military.

Women may be targeted for rape not just because they are women, but also because of their social status, ethnic origin, religion or sexuality. In Rwanda, it is estimated that between a quarter and half a million rapes were committed during 100 days of genocidal violence in 1994. An Amnesty International delegation to Colombia in 2004 found that sexual violence during attacks on civilian communities by both military and paramilitary groups targeted Afro-descendent women, indigenous women, peasants and slum-dwellers above all.

[Box]

'My life means nothing'

Seventeen-year-old Tatiana Ume from the Democratic Republic of the Congo was eight-and-a-half months pregnant when her husband and two-year-old son were hacked to death by irregular militia in May 2003. When she, her mother and two younger sisters heard that the same militia intended to raid the district of Bunia where they lived, they fled. Six days later they reached a militia checkpoint, but her mother could not pay the US\$100 demanded. The militia cut her throat, killing her. When Tatiana's 14-year-old sister began to cry, she was shot in the head. Her other sister, aged 12, was taken to a nearby clearing and gang-raped. Tatiana was told to leave at once or suffer the same fate. After six days walking she went into labour and gave birth to a girl. Although she had lost a lot of blood, she had to take to the road again the following day. The baby later died, two days before Tatiana was interviewed by Amnesty International. "Today my life means nothing," she sobbed. "My sisters were raped and killed. I have no more relations. I have no children. I have no parents. I have nothing. I only ask God to take away my life so I can find peace."

[end box]

The recent history of Haiti shows the connection between political and sexual violence. The sexual terror inflicted on women after the 1991 military coup re-emerged in the chaotic months before the departure of President Jean-Bertrand Aristide in February 2004. A women's group reported 46 rapes by political factions in January 2004 alone. One woman called Eozelor was punched and then raped by three men in the street near her home. She ran crying to the police station, only to be raped there too.

In many parts of Afghanistan, insecurity has been rife since the fall of the Taleban government in November 2001. Armed groups have abducted and raped women and girls with impunity. In some cases, individual members of the police or the newly established Afghan national army appear to have colluded in the crimes.

In the Indian state of Jammu and Kashmir, widespread and systematic rapes of women by all sides in the conflict, particularly the Indian army, have been reported. Victims have been threatened with further violence if they complain. After 20-year-old Gulsham Bano and her mother, Raja Begum, were gang-raped by members of the Indian security forces in 1999, they filed a complaint. They were then harassed, threatened and told that unless they withdrew their complaint male members of their family would be killed by the security forces.

Rape is often accompanied by extreme brutality. Women and girls are beaten; they have objects forced into their vaginas; and their genitals are mutilated. In the conflict in Sierra Leone in the 1990s, rape and mutilation were used systematically to instil terror and gain military advantage.

Many girls and women who are raped do not survive. They die during the attack or later of their wounds. This is particularly true of young girls. Other medical consequences include increased transmission of HIV and serious complications in reproductive health. Fear, nightmares and psychosomatic body pain are just some of the problems experienced by survivors.

Stigma and shame

Cherifa Bouteiba, a young Algerian woman, was abducted by seven armed men in June 2001 in Chlef province. She said she was taken to the mountains and repeatedly raped for two days before she escaped. She was pregnant, and subsequently suffered a miscarriage. Her husband divorced her on the grounds that she had "soiled his honour", and she subsequently became homeless as her relatives feared that her presence put them in danger from armed groups. Cherifa Bouteiba told Amnesty International that she was living in constant fear.

Sometimes women are raped in front of others, often family members, to deepen their sense of shame. In some cases, as in Darfur, Sudan, rape is used to terrorize and humiliate an entire village.

Some survivors of rape say they would rather die than let what has happened to them become public. However, many women want their stories, if not their identities, to be known.

Vigorous condemnation of sexual violence by all those in authority and prosecution of those responsible, rigorous training programmes for military and police personnel, and public awareness campaigns are all essential components of the campaign to end sexual violence in armed conflict. For such a campaign to succeed, the stigma and shame of rape need to be directed at those who perpetrate or condone sexual violence, not those they have violated.

[Photo caption]

The parents of 18-year-old Kheda Kungaeva hold up photographs of their daughter who was abducted and killed by a Russian army colonel in Chechnya in March 2000. © Paula Allen

[end caption]

[Box/Caption]

Ten years after the genocide of 1994, the women of Rwanda are still living with the consequences. Epiphane (not her real name) is 29 years old and has three children.

"My first husband was killed during the genocide. I had a three-month-old infant during the genocide, but was still raped by militia. I was in a Red Cross camp in the south of the country. The militia came every day to kill and rape... I learned I had HIV when I got tested before the birth of my youngest, in 1999. Since I learned I was infected, my husband said he couldn't live with me. He divorced me and left me with three children, so now I don't know how to pay for food, rent, school and so on. I have no family left. My six-year-old has many health problems, and she must have HIV. She should be on anti-retrovirals, but there isn't the money. Since I was married after the war, it is difficult for me to access help from the Genocide Survivors' Fund or other sources. My greatest worry is what will happen to my children if I die. I want to get sponsors for them, so at least I can die in peace."

© AI

[end box/caption]

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Paying the price, picking up the pieces

Before a shot has been fired, increased militarization and diversion of resources into military spending make women's daily lives more difficult. Spending on healthcare, childcare and education is often cut in favour of "national security" programmes. For example, US non-governmental organizations have established that the cost of funding one F-22 fighter plane for one year could pay the annual healthcare expenses for 1.3 million women in the USA.

Once fighting starts, bereavement is inevitable. Losing family members causes immense emotional suffering to those left behind, whether women or men. However, because of the discrimination women face in society, it is even harder for them to deal with the economic and social impact of such loss.

[Photo caption]

A family in Rafah (Gaza Strip), sitting in their house which was destroyed by Israeli forces. In the Gaza Strip alone, some 18,000 Palestinians have been made homeless by the Israeli army. © AI

[end caption]

Impoverished and disinherited

In societies where a woman's status is determined by her relationship to a man, widowhood or separation has dire economic and social consequences. These are compounded when a woman cannot obtain official recognition that her partner is dead, even years after he has "disappeared". In Algeria, for example, the Personal Status Code has made it difficult for women to claim land or inheritance if their husbands or fathers have "disappeared". In Guatemala and in the Indian state of Jammu and Kashmir, the widows of those who "disappeared" in the long-running conflicts have been unable to obtain state benefits. In Cyprus, women whose husbands "disappeared" during the war with Turkish forces in 1974 were prevented from remarrying, as the church was reluctant to grant them divorces.

[Box]

The 'disappeared', 'ghosts who return to haunt'

Those whose relatives have "disappeared" must live with the emotional turmoil of not knowing the fate of their loved ones. There is a growing recognition that "disappearance" is a form of torture or ill-treatment inflicted not only on the "disappeared", but also on their close relatives.

In Bosnia-Herzegovina, the name of the town of Srebrenica is used to describe post-traumatic syndrome. A judge

of the International Criminal Tribunal for the former Yugoslavia defined this as “the syndrome displayed by the women, children and old people who did not die and who... still have no news of their husbands, brothers, uncles, grandfathers. Thousands of amputated lives... robbed of the affection and love of their kin now reduced to ghosts who return to haunt them day after day, night after night.”

[end box]

In Rwanda, after the 1994 genocide, women could not inherit property unless they were explicitly named as beneficiaries. This meant that thousands of widows and daughters had no legal claim to the homes, land or bank accounts of their dead husbands or fathers. Widows whose husbands worked for state enterprises or large companies also faced great difficulties in obtaining their husbands’ pensions. Women who had lost everything – families, houses, property – found themselves raising their surviving children and the children of other dead family and friends with virtually no resources. Since 1994, the legislation on land rights has gradually been improved, but customary law, which often overrides written law, remains biased against women on issues of inheritance and land ownership.

[Box quote]

“That was the beginning of a new type of suffering. Staying in my parents’ old house has robbed me of my freedom. I feel constantly tense, desperately needing a private place for my family... I want my children to be able to move around as they wish and to play freely with their toys... I become so depressed that I cannot eat, and this depression has an effect on my husband and children.”

A Palestinian woman in the Occupied Territories, where tens of thousands of people have been evicted by Israeli forces who have destroyed their homes. The loss of the family home brings about a particular set of problems for Palestinian women, including in some cases a rise in domestic violence. The women often feel unable to complain because their problems are not seen as a priority, and they face enormous practical and financial difficulties.

[end box]

The struggle to survive

Destruction of communities, land, resources and infrastructure affects everyone. However, women suffer the greatest burden when, as is often the case, their roles in their family and community mean that they relied on the lost facilities. The impact on women’s economic and social rights – including their right to food, water, health, housing, employment and education – can pose as much of a threat as more direct forms of violence.

Often women are responsible for providing food and water for their families. If distribution systems have been polluted or destroyed, it is women who will have to go further afield in search of supplies, often entering minefields or areas where they may be at risk of assaults.

Some women find that their traditional skills and activities, such as food production, are no longer possible because of destruction, environmental pollution or because they have had to abandon their homes. They may then be forced into illegal activities, which put them at risk from the authorities. Sudanese women, for example, who fled north to escape the decades-long conflict in the south, turned to illegal brewing. Many were imprisoned, usually for four months, resulting in further hardship for their children.

If homes have been destroyed or families have been evicted, as happened in the 1990s to Kurdish communities in Turkey and various ethnic groups in Myanmar (Burma), women are particularly hard hit because of their responsibility for providing shelter and food for their families.

[Photo caption]

A Sierra Leonean survivor of amputation caring for her baby, 2001. In a decade of internal armed conflict in Sierra Leone, thousands of civilians were raped, abducted, forcibly recruited to fight, mutilated and killed. © ICRC/ Nick Danziger

[end caption]

[Box]

The toll on women’s health

Conflict and insecurity take their toll on women’s health in a number of ways: physical wounds caused by war-related injuries; vulnerability to disease aggravated by fatigue, malnutrition and displacement; damage to the healthcare system; inaccessibility of health centres and hospitals due to insecurity; and widespread sexual violence and the attendant transmission of HIV and other diseases.

Discrimination against women and cultural restrictions work against women receiving appropriate healthcare. For example, in Afghanistan, discrimination against women in education means that there are few women healthcare workers, yet cultural practices dictate that injured or ill women must be treated by women.

Rape victims may be infected with sexually transmitted diseases including HIV/AIDS. In societies where women and girls have suffered systematic rape, the risk of a rapid spread of HIV increases dramatically. In Liberia, where an estimated 40 per cent of civilians suffered some form of sexual abuse during the conflict, clinics in Monrovia reported in 2003 that all female patients tested positive for at least one sexually transmitted infection. Most of the patients said they had been raped by former government militia or armed opposition forces. In post-conflict Rwanda, an estimated 70 per cent of rape survivors live with HIV.

People known to be living with HIV face stigma and social rejection. Health services may be severely under-resourced and access to treatment may be manipulated for political reasons. It is not only the availability of medicines that will determine the future of people with HIV. Proper nutrition, decent housing and personal and financial security all affect survival chances.

[end box]

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Fear and flight: the search for safety

[Quote]

"We ran, I had the little one on the back and two on my hands and two with my older brother. We were hiding in the forest and I had only one little bag of clothes and nothing else. For three days I could only feed my children with water. I was pregnant and I lost my baby. I was very weak but everybody had to help themselves. I was worried that we would all die. Some people who came by gave us food."

S. a 38-year-old mother of six from Abu Sin, Darfur, Sudan.

[End quote]

Armed conflict is a major reason why today, 40 million people worldwide are displaced within their own countries or are refugees seeking protection abroad. According to some estimates, up to 80 per cent of refugees are women and children.

Women in flight are often the main providers of food, shelter and care for children and other relatives. Many are coping with the absence of male relatives. The anguish of abandoning their homes can be intense; and for those who lose children in the chaos and confusion, the trauma can last a lifetime.

[Photo caption]

An Albanian Kosovan woman carries her daughter into a refugee camp in Macedonia, April 1999. Thousands of people fled their homes in Kosovo during 1999 to escape ethnic fighting and NATO bombardment. © Rex

[end caption]

Women on the move face journeys involving physical hardship and lack of shelter, food and other basic necessities. In war-torn regions they are sometimes trapped in areas where no aid can reach them. The conflict in the Democratic Republic of the Congo has resulted in approximately 2.7 million people, the majority women and children, being internally displaced. Many have no external support at all.

[Photo caption]

Afghan refugee women attend a gathering to discuss peace and solidarity in Afghanistan in December 2001. More than 500 delegates attended the meeting in Peshawar, Pakistan. © AP/Charles Dharapak

[end caption]

Sometimes people are forced to flee as an intentional strategy of war. This was the case, for example, during the conflicts in Central America in the late 1970s and early 1980s; in the former Yugoslavia in the 1990s; in East

Timor (now Timor-Leste) in 1999; during the recent conflicts in Burundi and Angola; and in western Sudan in 2004.

Women fleeing without the protection of their communities or male relatives are at increased risk of gender-based abuse and violence, including rape. Women and girls in flight may be forced to offer sex in return for safe passage, food, shelter or documentation. Government officials (such as immigration officials or border guards), smugglers, pirates, members of armed groups and male refugees have all been known to abuse refugee women in transit. The government of Colombia reported in 2003 that 36 per cent of displaced women in the country have been forced to have sexual relations with men.

Camps – haven or horror?

If they reach a camp for refugees or the internally displaced, women and girls often find that food and other resources are in short supply, and that what is available is not distributed equitably. The UN Development Fund for Women, UNIFEM warns that women and girls face discrimination in camps in the distribution of everything from food to soap and plastic sheeting.

Often women and girls are at risk of sexual exploitation by those who control access to food and supplies. Sometimes, the very officials entrusted with their care, including peacekeepers and humanitarian workers, abuse displaced women and girls.

"I have to sleep with so many men to make 1500 so that I can feed myself and my child. They pay me 300 each time, but if I am lucky and I get an NGO worker he can pay me 1500."

Young refugee mother in Guinea, 2002.

The strains, boredom and frustrations of camp life are blamed for increased domestic violence and marital rape. Poorly planned camps, designed without taking women's needs into account, can also expose women to violence. In Uganda, for example, it was reported in 2002 that women forced to leave the camp in search of water and firewood were abducted and sexually assaulted.

The needs of women are often overlooked, as men – whether officials or refugee leaders – make decisions and allocate resources. It is only recently, for example, that sanitary protection has been included in the UNHCR's list of essential supplies, even though the majority of refugees are women.

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Collateral damage? Women, weapons and war

Sometimes civilians are killed or injured because they are targeted directly or because combatants fail to take sufficient steps to avoid harming them. Sometimes it is the nature of modern weaponry that puts civilians, and therefore women and children, at risk.

Indiscriminate weapons, including chemical, biological and radiological weapons, lead to large-scale civilian deaths and cause serious harm to surviving women's reproductive health. Other weapons, such as anti-personnel landmines and other unexploded ordnance, are particularly dangerous for children and women because of the patterns of their lives. Such weapons leave a long-term destructive legacy. They make it much more difficult to rebuild homes and grow food – tasks which often fall to women. Caring for the casualties also falls disproportionately on women.

When Iraqi forces used chemical weapons against the Kurds of Halabja in 1988, they killed an estimated 5,000 people outright and injured thousands more. By 1998 there were reports that an increasing number of children in the area were dying of leukaemia and lymphoma. In early 2004, an in-depth medical study suggested increased rates of infertility, babies born with disabilities, and cancers.

[Quote]

"On the first day of my visit to the labor and gynaecological ward in the hospital, there were no women in normal labor and no one had recently delivered a normal baby... the staff in the labor ward told of the very large proportion of pregnancies in which there were major

malformations.”

A doctor describing conditions in Martyrs' Hospital, Halabja, Iraq, 1998.

[end quote]

[box]

Seventeen-year-old Hikmat al-Malalha, her mother Nasra and cousin Salmiya were killed on 9 June 2001 when a flechette shell hit their tent in Zeitoun, a Bedouin village near Gaza City in the Israeli-Occupied Territories. Flechette shells are filled with up to 5,000 potentially lethal five-centimetre long steel darts (flechettes). Three other family members were wounded. In October 2002, Israeli non-governmental human rights organizations petitioned the Israeli Supreme Court seeking a ban on the use of flechettes in the Gaza Strip - one of the most densely populated places in the world. The petition was rejected in mid-2003.

[end box]

Landmines continue to kill and maim

There are an estimated 15,000 to 20,000 new landmine casualties each year. Injured women and girls are less likely to receive treatment than men and boys. Women also have less access to rehabilitation and artificial limbs.

[Photo caption]

A landmine survivor being fitted with a prosthetic leg at a workshop in Luena, eastern Angola, in 2001. © Panos Pictures/J.B. Russell

[end caption]

[box]

There are thought to be around 639 million small arms in the world, produced by more than 1,000 companies in at least 98 countries. Eight million new weapons are produced every year. Further dangers to women are created by the large number of arms often left in circulation after conflicts, together with habits of using force to solve problems. Amnesty International, together with other international non-governmental organizations, has launched a campaign to reduce arms proliferation and misuse, and persuade governments to introduce a binding arms trade treaty. Visit the Control Arms campaign website: www.controlarms.org

[end box]

Injured men are often given priority when resources are scarce. In many of the countries littered with landmines, such as Afghanistan, Cambodia, Croatia and Mozambique, women cannot free themselves from their family and village duties for the two to three weeks required for treatment. Cultural restrictions on women travelling, or on being treated by male healthcare workers, may also prevent women from receiving treatment.

[photo caption]

Ahlam Abd al-Zahra Idris lost her legs when her house in Basra, Iraq, was shelled by Coalition Forces on 21 March 2003. Her baby was wounded along with other members of her family. © AI

[end caption]

In the aftermath of war, mine removal programmes sometimes ignore women's needs, such as the routes they follow to collect water or firewood, grow food or take produce to market. Women's higher rates of illiteracy, their social exclusion and their heavy workload mean they are less likely to receive information about mines and de-mining programmes.

[Box]

Anti-personnel landmines were banned by the Mine Ban Treaty in 1997, but 51 states have still not agreed to it. Clearing landmines left in the ground from previous conflicts will take decades or longer. In some countries – including Burundi, Colombia, the Democratic Republic of the Congo, Georgia, India, Myanmar, Pakistan, Nepal, Philippines, and the Russian Federation – landmines continue to be laid by government forces or armed groups. [end box]

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Tear down the barriers to justice

A key factor allowing violence against women to continue is the failure to hold those responsible to account.

Ensuring justice means more than punishing perpetrators. It must include establishing the rule of law and a just social order based on concern for human security rather than military security.

Crimes committed with impunity

Rape and other gender-based violence during wartime have long been prohibited, both domestically and internationally, but these crimes are often ignored and rarely prosecuted. Rape is a crime with one of the lowest conviction rates in the world – around 10 per cent in peacetime. In situations of conflict the prospect of justice is even more remote.

There are many reasons for this widespread impunity. Fear, intimidation and the stigma associated with sexual violence deter women from pursuing justice. Women from marginalized communities may feel totally alienated from the legal system, and in some areas, the legal system has completely broken down as a result of conflict.

Often, laws are inadequate in the area of sexual violence against women. Even when countries have appropriate legislation in place, they may not implement it effectively. Although sexual slavery and rape against war-affected individuals have been incorporated into Colombia's new Penal Code, for example, no cases had been brought by the start of 2004, despite the submission of copious testimonies.

[Photo caption]

A Chilean human rights activist is escorted by police out of a Congress meeting in Valparaíso, Chile in June 2000. The meeting was interrupted when human rights activists started to shout slogans demanding that those responsible for abuses during the rule of General Pinochet be brought to justice. © Claudia Daut/Reuters [end caption]

Rules of evidence and procedure which fail to take account of women's experiences can also work to prevent women seeing their abusers convicted. For example, forensic evidence is often required, but is expensive, difficult or impossible for women to obtain.

Where those accused are government soldiers, a complaint may fall within military jurisdiction, an additional source of impunity in countries around the world. Prosecuting members of armed opposition groups is even more difficult. Although all parties to an armed conflict are bound by the basic principles and certain rules of international humanitarian law, in practice very few means exist of enforcing these legal obligations against members of armed groups.

[Box]

Indonesia has so far failed to cooperate with UN-sponsored efforts to investigate and prosecute crimes against humanity and other serious crimes, including rape, carried out in East Timor (now Timor-Leste) by the Indonesian military and pro-Indonesian militia in 1999. To date, none of the nearly 350 people indicted in connection with rape and other grave crimes have been transferred from Indonesia to Timor-Leste for trial. [end box]

Beyond the Geneva Conventions

The Geneva Conventions of 1949 focused primarily on the needs of combatants and on the treatment of former combatants, such as prisoners of war. However, they prohibited rape, indecent assault and other crimes committed largely against women. Two Additional Protocols to the Geneva Conventions were adopted in 1977, to strengthen, among other things, the protection of civilians in time of conflict. The second Protocol focuses on

internal conflicts.

The Geneva Conventions and their Additional Protocols have limitations, but if they were universally enforced they would provide significant protection to women and girls in armed conflicts. In reality, however, they are often breached by both government forces and armed groups. Their provisions for the universal prosecution and punishment of those who commit war crimes have seldom been enforced.

In the 1990s, largely in response to atrocities including widespread rape and sexual abuse of women in the former Yugoslavia, the international community took steps to address crimes against women in armed conflicts.

Legal advice and global campaigning by women's rights advocates contributed to groundbreaking developments in international law at the UN international criminal tribunals, established to look into crimes committed during the conflicts in the former Yugoslavia and then in Rwanda. The Tribunals' statutes and judgments established individual responsibility for abuses against women in both conflicts. They defined wartime rape as a distinct crime and recognized it as torture, and in certain circumstances as a means of "ethnic cleansing", and an element of genocide.

Criminal responsibility for rape was attributed, not only to actual rapists, but also to those in command of them. The Tribunals convicted men of acts such as sexual enslavement, forced nudity and sexual humiliation – in addition to rape and sexual assault – recognizing such acts as serious international crimes.

The statutes and judgments of the Tribunals established important principles, helping to recognize sexual violence as a weapon of war and a tool of terror and destruction. Their rules of procedure sought to address the sensitivities of victims and witnesses, allowing the use of pseudonyms and electronic disguise of voices and photographic images. The Tribunals also recommended protective measures for victims and witnesses, and counselling and support.

While these developments at the international level have established important principles and precedents, they have been slow and costly, and relatively few convictions have been obtained. International mechanisms can only ever be a complement to national remedies, rather than a substitute for them.

[Box]

A number of indigenous women have been raped by Mexican government soldiers in the state of Guerrero over the past decade. All the cases have been transferred to military jurisdiction, which has consistently failed to conduct proper investigations, guaranteeing that the rapists go unpunished.

Seventeen-year-old Valentina Rosendo Cantú, a member of the Tlapaneca (Me'phaa) indigenous group, was raped by soldiers near her home in Barranca Bejuco, Guerrero state, in February 2002. A formal complaint was lodged. While denying any involvement, the military set about gathering information in a highly intimidatory manner, arriving en masse in Valentina Rosendo's community and asking her to identify her attackers from among a large group of soldiers.

Two months later, the case was transferred to the military justice system. An appeal for the case to be heard by civilian judicial authorities was unsuccessful, and it was submitted to the Inter-American Commission on Human Rights.

[end box]

Genuine justice

The pursuit of justice through the courts is not sufficient to give women victims redress, nor to ensure that such crimes will not happen again.

Women who have been abused have the right to see their abuser brought to justice, and also to reparation. The underlying principle is that the harm done must, as far as possible, be repaired.

[Photo caption]

An Indonesian woman protests in Jakarta in May 2003 against the internal armed conflict in Nanggroe Aceh Darussalam. Indonesian government forces are fighting an armed independence group, the Free Aceh Movement. Both sides have been accused of serious human rights abuses. © AP/Tatan Syuflana

[end caption]

There are five elements to reparation:

- financial compensation;
- medical care and rehabilitation;
- restitution (seeking to restore the victim/survivor to her previous situation);

- guarantees of non-repetition;
- other forms of satisfaction such as restoration of dignity and reputation, and a public acknowledgment of the harm suffered.

Women from across Asia who were used as sex slaves by the Japanese Imperial Army during the Second World War have campaigned for justice for years. The former “comfort women” are demanding a public apology from the Japanese government, a memorial, a thorough inquiry, and the inclusion of their story in Japanese school textbooks, as well as compensation for their suffering and prosecution of their abusers.

Although individual representatives of the Japanese government have issued a series of apologies, they have not spoken for the government as a whole. Japan has made no acknowledgment of legal liability and has undertaken no prosecutions.

[Box]

International Criminal Court

The work of women’s advocates and human rights organizations is reflected in the 1998 Statute of Rome establishing the International Criminal Court. The Rome Statute broke new ground in recognizing a broad spectrum of sexualized violence as crimes against humanity, war crimes and elements of genocide. These include rape; enforced prostitution, forced pregnancy and sterilization; and gender-based persecution. The crime of sexual slavery received its first treaty recognition, and trafficking in people was recognized as a form of enslavement for the first time.

International Tribunal for the former Yugoslavia

In 1998 the International Criminal Tribunal for the former Yugoslavia tried three Bosnian Muslims and one Bosnian Croat on charges of murder, torture (including rape) and ill-treatment at the prison camp of Celebici. Three were convicted: one because he had authority over those who committed the crime and knew, or should have known, that there was a risk of such crimes. Another was convicted of torture for several rapes he committed himself. The Tribunal treated rape as torture and as a war crime.

[end box]

[Page 12-13]

Women activists show the way

[Photo caption]

Algerian women march to demand the repeal of laws which discriminate against women, March 2002. © Reuters/Zohra Bensemra

[end caption]

[Quote]

“It was there in that torture chamber that I learned about the special treatment they reserve for women... They can’t stand it when they see a woman who thinks for herself, who wants to change the course of history, who wants to change her country’s future.”

Nora Missem, a women’s human rights defender, was detained in Central America in the late 1970s and early 1980s. Her jailers tortured her, including through repeated gang-rapes.

[end quote]

Human rights defenders – women and men – play a vital role before, during and after conflict. They warn the world of impending problems, monitor the conduct of hostilities, provide emergency assistance and uncover crimes. In the aftermath, they are essential to ensuring that peace and reconstruction processes are fair and sustainable.

All human rights defenders face increased pressures and risks during armed conflicts. Gathering information, interviewing survivors and publicizing abuses all become more difficult. Given how traditional attitudes to

women's sexuality are often invoked in the rhetoric of war, women human rights defenders who focus on issues such as sexual orientation and reproductive rights are particularly at risk of hostility and violence.

Esperanza Amaris Miranda, a member of the Popular Women's Organization which has campaigned for women's rights for more than 30 years in Colombia, was abducted from her home in October 2003 by three armed men – apparently members of army-backed paramilitary forces. A few minutes later, Esperanza's body was found lying in the road. She had been shot dead.

A passion for justice

Despite facing enormous personal risks, women have come together in countries in every region of the world to lead the demand for justice. They are at the core of the human rights movement seeking justice for those murdered, “disappeared” or tortured by members of the security forces.

Women consistently try to meet their communities' needs, even in the most difficult of circumstances. Medica Zenica, based in Bosnia-Herzegovina, established mobile health clinics during the conflict in the early 1990s to provide medical care and psycho-social assistance to women survivors of sexual violence. Similarly, in Algeria, the Wassila network, a loose association of women's and children's groups, health workers and other individuals formed in 2000, documents the testimonies of women victims of violence, and offers them medical and psychological care.

[Quote]

“History will acknowledge the crucial role of women human rights defenders in building up sane and safe societies.”

Marieme Helie-Lucas, founder of Women Living Under Muslim Laws.

[end quote]

Women's groups have joined across national, ethnic, political and religious divides to involve women in peace processes and help end conflicts. Such coalitions have been seen in places as diverse as Papua New Guinea (Bougainville), Northern Ireland, Guinea, Israel/Occupied Territories, Liberia, Serbia, Sri Lanka and Sierra Leone.

Women's non-governmental organizations in Djibouti, Eritrea, Ethiopia, Somalia, Somaliland and Sudan formed a coalition, Strategic Initiatives for Women in the Horn of Africa, to link their campaigns on the issue of violence against women. In 2004 they joined Amnesty International's Stop Violence against Women campaign.

Building for peace

Once conflicts have ended, women are frequently prominent in efforts to rebuild their shattered societies. The genocide in Rwanda claimed about half of the country's health workers and left hundreds of thousands of rape survivors living with HIV. In the wake of the massacres, women came together in organizations such as the widows' association AVEGA to provide social support and health services.

[Quote]

“We've... had to carry on with our lives and care for Rwanda's children. Otherwise, what would happen to the next generation?... We have little choice but to rebuild our nation and try to heal the wounds ourselves.”

Member of Rwandan widows' association AVEGA.

[end quote]

It is vital that women are active participants in the decisions that affect their lives before, during and after conflicts. That is the only way to ensure that women's concerns and needs are on the agenda and get the priority they need.

Peace negotiations are unlikely to succeed if violence, grievances and tension continue to simmer. Communities have to agree on ways to resolve future issues and disputes, and how to integrate former soldiers into the community. Nations have to develop more just, equitable and democratic systems which can move towards eliminating poverty and discrimination. Women have to play their full part if these processes are to be successful and sustainable.

[Photo caption]

A member of feminist peace movement Ruta Pacifica (The Peaceful Way) observes a minute's silence for the dead of Colombia's 40-year-old internal conflict, 2000. © Panos Pictures/Paul Smith

[end caption]

UN Resolution 1325

A broad coalition of women's organizations and gender advocates in the UN system raised support for the UN Security Council Resolution 1325 on women, peace and security and publicized it internationally. This resolution establishes the importance of involving women in negotiating peace agreements, planning refugee camps and peacekeeping operations, and reconstructing war-torn societies. It makes the pursuit of gender equality relevant to every Security Council action. Resolution 1325 has led UN representatives to consult women's organizations on field missions, such as those in Kosovo and Afghanistan. Women activists are now focused on ensuring that the UN "practises what it preaches" by implementing and complying with the Resolution.

The best guarantee of the implementation of UN Resolution 1325 is to work from the community level upwards, ensuring that women are truly represented at the core of all peace-building initiatives. Peace is not only a goal, but a process involving fundamental changes in individuals and societies.

Despite the concerted efforts of women activists around the world, the enormous potential of UN Resolution 1325 has yet to be realized. Governments have failed to live up to their promises to implement it in full. They have yet to ensure that women play a key role in the design and implementation of all peace-building initiatives. Few, if any, have ensured that women have equal access to resources and services. The record on incorporating a gender perspective into peace agreements and transitional government structures, making certain that women have the right to participate at all levels of decision-making, is patchy at best. There is little evidence of special attention to the health, rehabilitation and training needs of women and girls in disarmament, demobilization and reintegration initiatives.

The gains over recent decades by the human rights and women's movements prove that change is possible, despite the difficulties and setbacks. Women's advocates and activists have achieved some notable successes at the international level. Trafficking in human beings has been placed firmly on the agenda of the international community. The understanding of sexual violence in war has deepened, for example by having rape recognized as an element of genocide and a war crime. There has been progress in establishing women's right to control their sexual and reproductive choices as a human right.

Women's organizations around the world, often working in difficult and dangerous circumstances, are involved in countering discrimination and violence. The results of their activism have changed the international agenda and helped countless individual women and girls. Amnesty International's campaign to Stop Violence against Women aims to support and bolster the continuing efforts to stop crimes against women in conflict.

[Quote box]

"On numerous occasions, in the face of the destruction of traditional societal networks and the massive assassination of leaders, women took on new responsibilities and raised the moral challenge to the country to acknowledge the loss of thousands of their children in massacres and 'disappearances'... Even in the worst moments these women kept alive the flame of hope for the recovery of their loved ones, and that justice would be applied to those responsible for their disappearance."

Peru's Truth and Reconciliation Commission, acclaiming the National Association of Relatives of the Abducted, Detained and Disappeared, ANFASEP, which was made up largely of poor Quechua-speaking women from Ayacucho, Peru.

"... the international community only cared about women when they were being raped - and then only as some sort of exciting story. We see now that they really don't give a damn about us. What we see are men, men, men from Europe and America and even Asia, listening to men, men, men from Kosovo... Sometimes they have to be politically correct, so they include a woman on a committee or add a paragraph to a report.

But when it comes to real involvement in the planning for the future of our country, our men tell the foreign men to ignore our ideas. And they are happy to do so under the notion of cultural sensitivity.”

Kosovar woman secretary in UNMIK, the UN Interim Administration Mission in Kosovo.
[end quote box]

[Back cover]

WHAT YOU CAN DO

All of us can do something to help end crimes against women in armed conflicts. Together, we can make a difference.

Join Amnesty International's campaign to Stop Violence against Women.

- N Contact your local Amnesty International office to find out what activities you can participate in.
- N Visit the Amnesty International website, www.amnesty.org/actforwomen, to take part in the campaign online.
- N Support Amnesty International's campaigns by making a donation. You can donate money to Amnesty International either via your local Amnesty International office, or by visiting www.amnesty.org/donate.
- N Spread the word. Talk to your friends, family and any organizations you belong to about the worldwide scandal of crimes against women in armed conflict.
- N Write to your government. Through the UN system, all governments can help counter crimes against women in armed conflict. UN Resolution 1325 spells out what needs to be done. Its agenda includes special measures to prevent violence against women and girls and to protect all their human rights; giving women access to justice and rehabilitation; and actively involving women in all stages of the peace process.
Ask your government what it is doing to make the promises spelt out in UN Resolution 1325 a reality. In particular, ask it what steps it is taking to ensure that:
 - ü appropriate medical, psychological and legal help is available to women and girls who have survived sexual violence in armed conflict;
 - ü women are fully involved in all discussions about the nature and distribution of healthcare and rehabilitation programs.