

## **SIDA Conference on Gender Based Violence\***

**Statement by**

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Distinguished participants and Excellencies,

It is an honour for me to address you on the occasion of SIDA's Action Plan against gender-based violence (GBV), a subject grossly neglected in development work.

### **Introduction**

The gender perspective to violence is a relatively new trend within the human rights movement as well. Its basic premise is that identities are socially constructed beyond biological sex; therefore, they are negotiable and mutable. It was initially coined to contextualize violence against women (VAW) and identify its causes and consequences that transcend the injury caused to the individual victim.<sup>1</sup>

More recently, the term GBV is used with reference to violence encountered by men, such as, for instance, in the sexualized attacks on Iraqi male prisoners in Abu Ghraib or hate attacks on gay men or transgendered persons. Although, this broad application of the term has enabled identifying forms of violence within unequal power hierarchies previously overlooked, since all forms of violence are essentially gendered, if not used with precision, the term GBV may obscure rather than reveal the distinguishing features of diverse experiences of gendered violence.

In this regard, there is sufficient evidence to show that women (and girls) are the primary victims of gender-based violence simply because they are women. This is a universal, structured and systematic phenomenon, which is motivated - across ethnic groups, classes and societies - by a common patriarchal culture which through values, laws, and institutions delegates women to a subordinate position.<sup>2</sup>

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\* SIDA conference in conjunction with the official launch of the Action Plan for Sweden's work against gender based violence in development cooperation. 12 September 2008, Stockholm.

<sup>1</sup> The preamble of the 1993 Declaration on the Elimination of Violence against Women states:

“... violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.” This means that women experience violence not because they are vulnerable beings but because of disempowering forces of a patriarchal gender order which privileges male prerogative to use violence in order to ensure conformity to prescribed gender norms. Accordingly, the Declaration places VAW within the wider concept of gender-based violence.

<sup>2</sup> Patriarchy, whether in traditional or more discrete / subtle forms, continues to determine gender relations in all societies. My 2007 annual report to the Human Rights Council is devoted to the intersections of culture and VAW (A/HRC/4/34).

Violence against men, on the other hand, which is often linked to the contestation of power among men themselves, as in struggles over land, wealth, status, power, etc., was the driving force behind sufferings throughout history and the emergence of the international human rights system as a response to these sufferings following two devastating wars in the first half of the last century.

Power differentials among men are also grounded in hegemonic masculinity<sup>3</sup> which promotes heterosexual normality and establishes itself by marginalizing and suppressing alternative male identities. In this respect, there is a link between VAW and violence against marginalized masculinities as they are both rooted in hegemonic constructions of gender identities.

However, by and large, while men experience violence as a result of differential access to power at any given time, women experience violence because of systematic denial of autonomous power, which explains their continued invisibility as actors and as victims in public life.

### **GBV During and After Armed Conflict**

During and after armed conflict, GBV becomes even more complex and distorted. In order to develop effective programmes for remedy and reconstruction it is important to be conceptual clear and evidence based. Gender analysis at all levels of programming is a powerful tool in this regard.

Of the 17 official country visits I have undertaken so far, with the exception of a few, most have experienced or continue to experience some form of conflict.<sup>4</sup> While acknowledging that GBV is indiscriminate, as a Special Rapporteur on violence against women, I focus mainly on women's experiences – in this case in conflict situations, some of which I will share with you today.

As a general rule, it is also important to bear in mind that the subordinate position of women would inherently expose them, more so than any other group, to atrocities when fighting breaks out – thus warranting priority attention. Under most conflict situations,

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<sup>3</sup> Hegemonic masculinity is a concept advanced by Robert Connell, who goes beyond sex-role theory and locates masculinity in a structure of gender relations and argues that masculine identities are multiple and there is a hegemonic form of masculinity (not necessarily the most common) at the center of a system of gendered power, i.e. patriarchy. Yet, all forms of masculinities, including hegemonic masculinity, are not static, they are an active social construct responding and re-configuring itself to specific situations. The fact that men dominate across a spectrum of violence needs to be understood within the social construction of manhood. A strategy of peace must engage with this fact. See: R. Connell. 2000. "Arms and the man: using the new research on masculinity to understand violence and promote peace in the contemporary world." In I. Breines, R. Connell, I. Eide (eds.). *Male roles, masculinities and violence*. UNESCO Publishing: 21-34.

<sup>4</sup> Countries visited include: in 2004: El Salvador, Guatemala, Occupied Palestinian Territory, Darfur – Sudan; in 2005: Russian Federation (including Chechnya), Iran, Mexico, Afghanistan; in 2006: Turkey, Sweden, the Netherlands; in 2007: Algeria, Ghana, Democratic Republic of Congo; in 2008: Saudi Arabia, Tajikistan, Moldova. Mission reports can be accessed at: [www.ohchr.org](http://www.ohchr.org) (under thematic mandates of the special procedures of human rights bodies).

causes and consequences of VAW become particularly difficult to tackle as interventions are most often limited to humanitarian services that aim to meet emergency needs. The particularities of how women experience armed conflict is rarely factored into either relief or reconstruction programmes. As a matter of fact, until recently, the word “women” did not appear in the literature on the history of war and peace.

Nature of conflicts are diverse and how and why they are transformed into war varies from case to case, but what is common to all conflict situations is the intensification of pressure and control over women and an increasing militarization of the society at large.

Militarism is not only about military institutions but rather a generalized dominance of militaristic values. In this respect, militarism is imbued with a masculine value which favors violence and rigid notions of manhood and womanhood.<sup>5</sup> However, military masculinity is also a fragile one, requiring constant reinforcement, which is provided particularly in two ways: (i) reliance on weapons for self-assertion and (ii) the traditional role of women to breed and raise “good soldiers”. Such militarized environments empower both public and private patriarchy, while on the one hand, reinforcing sexist and oppressive state agendas –with distorted military budgets and, on the other hand, obscuring gender relations.

Armed conflict is the ultimate expression of militarism. It exemplifies the hierarchy of interests and power which operate within the framework of deadly weapons and hard masculine behaviour, which also provoke a violent response by men who do not necessarily engage in violence in their “normal” life or by women who may find themselves having to participate as combatants. While all lives are shattered during war, fighting among men carries the possibilities of multiple forms of violence for women both within and beyond group boundaries.

### ***Inter-group confrontations:***

When fighting breaks out between enemy groups women become the war zone. Rape, sexualized torture, prostitution, sexual slavery and forced marriages are used as war strategy, which in turn, attract trafficking networks to direct their operations to conflict zones.

Women are also sexually violated by the enemy as a way to dishonour communities. This is the cheapest and easiest way to destabilize and destroy entire societies. As will be recalled, in the war in the former Yugoslavia, the rape and impregnation of Bosnian women were used as methods of ethnic cleansing.

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<sup>5</sup> Understanding and cataloguing how masculinities and femininities are constructed, sustained and changed under changing circumstances would necessarily help challenge biological essentialism that tends to associate manhood with a natural tendency towards violence and womanhood towards peace. Biological essentialism cannot be sustained by evidence, although male identity construction and male preoccupations may entail closer encounter with aggression and violence and statistically men have higher rates of violent behaviour, not all men engage in such behaviour.

During a Security Council debate, retired Major General Patrick Cammart, former Commander of MONUC, in the DRC, said “... it has probably become more dangerous to be a woman than a soldier in an armed conflict.” Such violence occurs because of a general break down in law and order as well as a strategy by or with the consent of officials to provide comfort for soldiers / combatants, push civilian population out of a territory, instill terror or humiliate and torture them. The perpetrators include official armies as well as those controlled by civilian armed groups; regrettably humanitarian aid workers and UN peace keeping forces have also been involved.

The extreme sexual violence used during the armed conflicts in DRC has eroded all notions of humanity, unleashing the exercise of brutal fantasies on women’s bodies simply because it was possible to do so. The foreign armed groups engaged in such acts to destroy local communities, and the Congolese militia, soldiers and the national police to punish Congolese opposition groups. Such violence is also increasingly becoming a normal feature of civilian life as former militia are integrated into society as civilians and as the norms of war are internalized into everyday male behaviour. Men are not immune from sexual assaults; however, such incidents are less likely to be reported, since sexual violence against men is a direct threat on manhood and is received with greater stigma.

Where masculinity becomes severely damaged under detention, at check points, in refugee camps or in one’s own home during raids, VAW becomes a compensatory response. The legitimized and unrestrained use of violence in combat and the normalization of violence at home reinforce each other.

In the case of the Palestinian Territories OPT, where a permanent state of conflict prevails due to over 60 years of occupation, enactment of masculinity is challenged daily and men are deprived of the sources of their male identity, the ability to support and defend their land and families. Ironically, it is the Palestinian women who pay the price. As articulated by Nahla Abdo, Palestinian women “are placed in a double jeopardy, having to face both the patriarchal-national ‘self’ and the foreign oppressive ‘other’”. In the course of the Palestinian / Israeli conflict, the reproductive role of women has become a major tactic changing the conflict into a war of demographics trapping women into what has been characterized in the literature as a “military womb”, thus reducing women’s life choices.

### ***Intra-group tensions:***

Displacement and dispossession caused by conflict and war alters everyday life, manipulates identities and destroys community sanctions, making women and girls subject to rigid patriarchal control and vulnerable to domestic violence, incest, among others.

When patriarchal boundaries of the fighting groups weaken, group maintenance is ensured by coercive enforcement of control over women who are the markers of group identity. This also provides fertile ground for fundamentalist and other extremist groups to seize power and impose conservative totalitarian norms over the group. The coming to

power of the Taliban in Afghanistan, which totally cleansed public space from women, was largely facilitated by the destruction of the social fabric of society due to years of conflict. Similarly, the expansion and hardening of occupation in the OPT and the vacuum in governance left by of the Palestinian Authority enabled tribal and extremist groups to assert their hard line patriarchal values on the Palestinian people. This situation systematically weakened the Palestinian women's movement as well as the negotiating power of women in their individual lives.

During my visit to Chechnya, I received many testimonies of domestic abuse as well as acts of violence and intimidation committed by Chechen authorities against women accused of not conducting themselves in accordance with societal and religious norms. You may all recall the 2005 media reports of how a young Chechen woman, who was accused of being unfaithful with a Russian man, was detained by the authorities, tortured and ridiculed in public. As a result of the severe abuse, the woman suffered a miscarriage.

In Tajikistan, the challenges of the post independence economic transition and the changing demographics due to the civil war as well as male migration due to extreme poverty, have resulted in revitalizing traditional practices such a polygamy and early marriages, whereby, not only increasing women's vulnerability to abuse but also undermining the emancipative gains women made during the Soviet era.

### ***Inter-connectedness of VAW within and outside the home / in peace and in war***

There is an intimate link between the transgressions on women within their own group and that by the enemy and, as these acts become reinforced through impunity, they become normalized into everyday life persisting long after the fighting is over. War on women in conflict and in peace brings high returns for the perpetrators with minimal cost.

The signing of a peace accord is enthusiastically welcomed by the international community as signifying peace and stability. Attention and efforts shift from emergency needs to strengthening state institutions and maintenance of stability. Generous funds are allocated for disarmament, reintegration, reconstruction and rehabilitation, however, little attention is paid to women's agency during the conflict, the fundamental ways in which conflict has altered society and how it has distorted gender relations. A woman I spoke to in DRC said: "Before the conflict thieves would come to our home and steal whatever there is of value, now they first rape all the women and girls, then take our valuables".

In many of the post-conflict countries I visited, I found stability to be extremely fragile and justice grossly sacrificed.

In Guatemala, after 36 years of a brutal civil war, a fairly good Peace Accord -with provisions specifically designed to protect the rights of women and indigenous peoples- was signed in 1996. Despite its achievements, inadequate implementation has precluded women and indigenous groups' benefiting from its provisions and contributed to the atmosphere of insecurity and violence that still characterizes Guatemalan society. The

problems of socio-economic inequality and exclusion that sparked the civil war remain unresolved, leaving women, particularly those of indigenous descent, at risk of violence due to the compounded discrimination they face based on sex, ethnicity and class.

Similarly, in Afghanistan, although women played a role in the Constitutional Loya Jirga and won a near 25 % representation in the parliament in the last election, their situation remains dramatic and severe violence against them all-pervasive. The traditional patriarchal gender order remains unchallenged. Protective social mechanisms and rule of law is lacking and poverty and insecurity continue to prevail in the country. VAW is tolerated and perpetrators enjoy impunity because the law enforcement and justice systems are generally dysfunctional and are biased against women.

In El Salvador, however, while sharing many of the post- conflict syndromes, there are some interesting nuances in the experience of women. Women comprised 30% of the combatants in the civil war but they were largely left out in the peace process and the machismo culture remained largely intact. Nonetheless, since the opposition group (FMLN) acquired a legitimate political space in the post-conflict period, this enabled the women in their ranks to participate in the political party structures, the parliament, trade unions and the like. Furthermore, women's non-traditional experience in the conflict as well as their frustration and anger with the discriminatory treatment in the reintegration programs gave them a new sense of feminist consciousness which has created a climate to challenge discriminatory practices within the FMLN itself, as well as within the wider society. This has resulted in considerable gender equality achievements particularly at the legislative level, notwithstanding the continuing resistance from the conservative forces in the Salvadorian society.

## **Moving Forward**

The reality on the ground with respect to good practices in responding to conflict and post-conflict situations is generally not too encouraging. However, much has been achieved in acknowledging the gendered aspects of conflict and the specific ways in which women and other marginalized groups experience conflict. Today, rape during war is a crime that is punishable by the International Criminal Court. The Security Council has adopted two landmark resolutions pertaining to women, conflict and peace: Resolutions 1325 (2000) and 1820 (2008).<sup>6</sup> The Secretary General of the United Nations has launched a campaign on VAW (2007) and has recently appointed an advisor on sexual violence to the DRC (2008).

Women themselves have been organizing for years for alternative peace initiatives as well as service providers to victims of violence at great risk to their own lives. These initiatives provide a supportive base to develop more consolidated and effective strategies. However, there are no easy recipes, intervention strategies need to be guided by a careful assessment of the dynamics of each conflict situation and the distinct experience of different groups and backed by political determination and sufficient

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<sup>6</sup> In this regard, SC Resolution 1620 on violence against children during armed conflict must also be acknowledged.

resources. Comparative analysis of conflict and post-conflict situations can also reveal insight into what works and what does not.

In this respect, I would like to suggest that four factors in particular should be examined with diligence in designing peace and re-construction programmes in the post-conflict era:

- 1) The nature of the gender order prior to, during and/or after the conflict.
- 2) The nature of the conflict.
- 3) The prevailing international order – the extent to which there is a supportive international civil society and committed diplomacy with respect to gender issues.
- 4) The position of oppositional interests in the post-conflict period.

Some lessons learned from the cases discussed above are:

(i) The voice of oppositional sides in the conflict must gain legitimate space in peace to clear the ground for an enabling environment where women's rights issues can be addressed and prioritized. There is need for caution that women's interests are not merely co-opted into ethnic/class interests.

(ii) Involvement of women and inclusion of women's rights in peace agreements is in themselves are essential but not sufficient, there is need for political determination to enforce the gender equality provisions but, most importantly, there is need for a strong gender and human rights consciousness and strategic alliances in civil society to demand the compliance of the State and the international community with the peace agreements.

(iii) VAW must be treated as a continuum – without singling out certain acts as more important - and as part and parcel of the overall status of women, which requires simultaneously providing immediate specialized assistance for victims, such as rehabilitation and health and social services, addressing the root causes of gender inequality and supporting women's political, social and economic empowerment. In this respect, development and re-construction programs need to identify both practical and strategic objectives that expand women's capabilities and their options while responding to immediate needs. The current international guidelines and resources for GBV often limit funding sources and program options. For example, while domestic violence is the most commonly encountered form of GBV in all conflict situations, emergency programming cannot address it.

(iv) Women are not only victims of conflicts but they are also active agents in coping with the atrocities, protecting their families, identifying and helping victims of violence. Local women's groups and other civil society actors actively responding to the problems on the ground often struggle with little funds and are overwhelmed by the scope and scale of the problems they encounter. Most often these women themselves are victims of violence and are trying to re-build their lives and extend help to others in dire need.

Supporting local and collective initiatives through innovative funding modalities and development programmes can contribute towards a long-term preventive approach.

(v) In identifying strategic alliances for building peace the existence of multiple masculinities provides an opportunity as some men also have a stake in ending GBV and establishing an egalitarian and democratic society.<sup>7</sup>

(vi) Budgets that get distorted during conflict to finance mainly the security sector are rarely revised to ensure that sufficient resources are allocated for the justice sector, particularly for reparation, and empowerment programmes in the post-conflict phase. In this respect, gender budgeting, which has emerged as an effective but under-utilized tool, can be used to guide the allocation of national, bilateral and multilateral resources.

(vii) Ending impunity and ensuring that crimes against women are given equal and adequate attention in criminal proceedings and reparation programmes. Stability without human security and justice simply does not work!

I would like to end with a final word on the Special Rapporteur mandate on VAW which I consider to be an invaluable tool for monitoring gendered violence as it not only focuses on the victim but also on causes and consequences of violence. However, such instruments lack follow up and funding mechanisms. As a result, there is no way of ensuring that recommendations in my country mission reports are implemented or integrated into the programmes of the government, the UN or other international agencies working in the country concerned. SIDA can contribute towards developing creative approaches and funding modalities to respond to this gap. I hope this conference can be instrumental in exploring some ideas in this regard.

Thank you for your attention!

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<sup>7</sup> For a discussing on why men have a stake in changing patriarchal gender relations see: Y. Ertürk.2004. "Considering the role of men in gender agenda setting: conceptual and policy issues." In *Feminist Review*. 78: 3-21. The following quotation from James Baldwin: an African-American civil rights advocate and scholar, who was writing in the 1950s about race relations has great relevance for gender relations as well. He said; "it is only when a man is able to surrender a dream or a privilege he has long cherished or a privilege he has long possessed – that he is set free – he has set himself free for higher dreams and for greater privilege" (1961. *Nobody knows my name*. New York. Dell Publishing).