CENTER FOR WOMEN'S GLOBAL LEADERSHIP

INTERNATIONAL CAMPAIGN FOR WOMEN'S HUMAN RIGHTS

1992–1993 REPORT

"WOMEN'S RIGHTS ARE HUMAN RIGHTS"

Center for Women's Global Leadership
Douglass College, Rutgers University

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"Women's Rights Are Human Rights"

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Table of Contents

Foreword

Center for Women's Global Leadership: An Introduction 1

Women's Global Leadership Institute 1992 2
- Background 2
- Working Group Reports of the 1992 Institute 5
- Fundamentalism Resolution 13
- Personal Narratives of Selected Institute Participants 15
  - Roma Balzer (Aotearoa/New Zealand) 15
  - Florence Butegwa (Uganda/Zimbabwe) 18
  - Susana Chiarotti (Argentina) 23
  - Eleanor Conda (Philippines) 28
  - Leni Marin (US/Philippines) 31
- Women's Global Leadership Institute Participants 34

International Campaign for Women's Human Rights 37
- Background 37
- 16 Days of Activism Against Gender Violence Campaign 1992 39
- Strategic Planning Institute 1993 42
- Global Campaign and Tribunal: Vienna 1993 46
- Recommendations to the UN World Conference on Human Rights 48

Center Staff, Consultants, Associates and Policy Committee 55

International Advisory Committee 56

APPENDIX I: PETITION TO THE UN CONFERENCE ON HUMAN RIGHTS

APPENDIX II: STATEMENT OF THE GLOBAL TRIBUNAL ON VIOLATIONS OF WOMEN'S HUMAN RIGHTS

APPENDIX III: INFORMATION ON HOLDING HEARINGS AND TRIBUNALS

APPENDIX IV: DOCUMENTATION FORM

Foreword

This report covers the activities of the Center for Women's Global Leadership from the beginning of the *International Campaign for Women's Human Rights* in late 1991 up to the **UN World Conference on Human Rights** in June, 1993. This is the first of several reports on the *Global Campaign* activities of the Center for Women's Global Leadership. The second and third reports will be published in April 1994. They are: The Global Campaign and Tribunal on Violations of Women's Human Rights: Vienna 1993 and Beyond, and Testimonies from the Global Tribunal on Violations of Women's Human Rights. There will also be a video on the Tribunal and Global Campaign available later in the spring, produced and directed by Gerry Rogers, Augusta Productions and sponsored by the Center.

We would like to express our appreciation to all those who have provided financial support for the Global Tribunal on Violations of Women's Human Rights, the Global Campaign for Women's Human Rights and the Center for Women's Global Leadership.

Funders include:

Rutgers, the State University of New Jersey
Asia Foundation
CIDA (Canadian International Development Agency)
Ford Foundation
Ruth Goodman (through the Associate Alumnae of Douglass College)
Holdeen India Fund
International Centre for Human Rights and Democratic Development
Joe and Emily Lowe Foundation
The John D. and Catherine T. MacArthur Foundation
The Ministry of Foreign Affairs of the Government of the Netherlands
OXFAM/UK and Ireland
San Francisco Foundation
Shaler Adams Foundation
The Tides Foundation/Resourceful Women
UNIFEM (United Nations Development Fund for Women)
Unitarian Universalist Service Committee

This report was prepared by Susana Fried and Rosa Briceño, with the assistance of Charlotte Bunch, Maritza Burgos, Sam Frost, Diana Gerace, Cici Kinsman, Denise Poche-Jetter, Niamh Reilly and Sita Venkateswar.

Center for Women's Global Leadership: An Introduction

The Center for Women's Global Leadership was founded in 1989 as a project of Douglass College, Rutgers University. Its establishment represents a milestone in the study of women on a global basis; it is one of the first centers in the United States seeking to deepen an understanding of the ways in which gender affects both the exercise of power and the conduct of public policy internationally. The Center views women's leadership as vital to ending female subordination and to formulating more effective responses to world problems. Leadership includes encouraging individual women as leaders and advancing women's collective leadership on policy issues.

Providing opportunities for women of diverse backgrounds to come together to expand their skills, to make contacts, and to develop strategies globally is our central goal. The Center also works to increase the visibility of the leadership that women as a group have demonstrated in providing new approaches to public policy issues that are often ignored at the global level. We have built on the leadership of Rutgers University in addressing issues of gender and politics and work closely with the Center for the American Woman and Politics (CAWP), the Institute for Research on Women, the Laurie New Jersey Chair in Women's Studies, the Center for Women and Work, and the Women's Studies Program, as part of an overall consortium called the Institute for Women's Leadership.

The Center's activities are based on the core belief that women's leadership and transformative visions are crucial in every policy area from democratization and human rights, to global security and economic restructuring. Further, such global issues are interconnected and have both local and international dimensions. The creation of effective policy alternatives demands the full inclusion of gender perspectives and women in all decision-making processes, and requires an understanding of how gender relates to race, class, ethnicity, sexual orientation and culture.

The Center seeks to make abuses of women's human rights more visible, by challenging the current understanding and implementation of international human rights policy and processes. In collaboration with women's groups around the world, the Center endeavors to hold governments and the international human rights community accountable for the promotion and protection of women's human rights. In particular, the Center organizes around the theme "Violations of Women's Human Rights" and plays a leading role in the on-going Global Campaign for Women's Human Rights. As a result of such collaborative efforts, violations of women's human rights from rape and battery, to economic discrimination and other forms of gender-based persecution, are now being placed on the international human rights agenda and can no longer be simply dismissed as "private" or "cultural" concerns.

In response to the initiatives of women in every region, the international community has begun to recognize the systemic nature of gender-based violence. The reconceptualization of human rights to include gender-based violations is now a significant topic in many human rights and women's organizations. This involves adding women's specific experiences to existing concepts of civil and political rights, as well as addressing the impact on women of the secondary status of socio-economic rights on the international human rights agenda. The Center has focused on violence against women as the issue that clearly and urgently highlights the importance of expanding human rights to include women. Developing more analysis and mechanisms for implementing women's rights as human rights in other areas as well as the Center's on-going work.

Women's Global Leadership Institute 1992

BACKGROUND

A two-week residential institute is at the core of the Center's program. The first *Women's Leadership Institute* was held June 3-15, 1991, and the second June 14-27, 1992. The institutes are designed to provide opportunities for women leaders around the world to exchange experiences and to look for global responses that complement their local actions. They are also intended to strengthen women's leadership, furnishing a more coordinated international focus so that women's voices can inspire a feminist transformation of perspectives, not just on "women's issues," but on all global issues. We see the Institutes as opportunities for women to move from international networking to building coordinated international strategies.

The first Institute brought together 23 women from diverse regions who have been leaders locally, as policymakers, researchers and activists, on various aspects of the topic "Women, Violence and Human Rights." The second Institute gathered another 20 women who are at the forefront of the struggle against gender violence; its goal was to build on the work of the first Institute and to develop strategies for addressing gender violence as a violation of human rights. Participants for both Institutes were selected through an open application process. Each year, we received over 200 applications, all of which were screened by Center staff in close consultation with our international advisory committee and with other contacts in the regions from which applicants came. All participants were chosen for their ability to communicate and multiply the work generated by the Institute in their own regions.

The Institute format included full group plenaries, workshops, skills sessions, panels with outside resource people, public events, and small working groups. Participants considered how to build more effective global cooperation and discussed major issues of violence against women, including legal instruments for countering violence; connections between issues of militarism, debt crisis, economic restructuring, and violence against women; schemes to incorporate gender violence into human rights and development agendas; and strategies for balancing a respect for culture with the need to challenge traditions that oppress women.

Some participants of the 1992 Women's Global Leadership Institute and Center staff.

Highlights of the 1992 Women's Global Leadership Institute

The work of the 1992 Institute built upon the theoretical and strategic frameworks developed at our first Institute in 1991, which is documented in our **1991 Women's Leadership Institute Report: Women, Violence and Human Rights**. Throughout the 1992 Institute, participants explored gender violence in all its dimensions. They considered how to strengthen global cooperation and how to use a "women's rights as human rights" framework in their own work against violence against women.

As an important part of this effort, we conducted interviews with several Institute participants about the history of organizing around women's human rights issues in their countries. These personal narratives are included as part of this report, and they reflect both the individual struggles for women's human rights in particular contexts as well as common themes in organizing around this issue globally.

Discussion at the 1992 Institute noted the gross inadequacies of existing human rights mechanisms to protect women's human rights. The international human rights community has finally begun to recognize gender-specific human rights violations and gender-based persecution, but their scope remains narrow. For example, they recognize as gender-specific forms of torture state actors' use of rape, or of threats to harm children. The women at the Institute focused on the need to expand existing interpretations of what constitutes human rights violations so that the Universal Declaration of Human Rights can be fully realized for all women and men. The framework, and the strategies developed in the course of the Institute underscored the need to challenge two divides that have historically affected the human rights of women, and to assert the integrity, coherence, and intrinsic indivisibility of human rights.

The first divide is that between the public and the private, a division that defines the role of the state as one which regulates the public sphere and public interaction among private actors. The "home" or "personal relations" (even in public places) are generally viewed as free from public accountability, and hence are sites where systematic forms of violence against women take place. For instance, we must continually contend with the notion that rape, battery, sexual harassment, economic discrimination and female infanticide are "domestic" or personal issues and that the actions of spouses, intimate partners, relatives, employers and co-workers are contained within the "private" realm.

In countering the distinction between public and private, and in claiming women's rights as legitimate human rights concerns, it is important to identify how forms of gender-based persecution do, in fact, fall within the human rights agenda. For instance, rape, sexual surgery, forced pregnancy, or sterilization abuses can be regarded as forms of torture. Or, when a sexually active women faces systemic violence as punishment for her activity, she is denied her rights to liberty, to security of person, and to freedom of movement and thought--all of which are rights guaranteed by the *International Covenant for Civil and Political Rights.*

The second divide obstructing the concept of absolute and comprehensive human rights is that which distinguishes between socio-economic and cultural rights on the one hand, and political and civil rights on the other. Women's lives and experiences challenge such a dichotomous view of human rights. For example, the right of women to control our bodies and our lives is an issue of women's civil rights as persons and citizens. Issues of reproductive rights remain inseparable from issues of female poverty and from the impact of the economic crisis on a global as well as a local scale.

This coincidence of concerns is clear when a poor woman, for example, who is about to give birth, must undergo the brutal treatment of searching for a hospital that will accept her. This can readily be considered inhuman treatment or punishment, not to mention a denial of her right to "access to adequate health care facilities," which is a right protected by the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW).

These divisions are deeply ingrained at all levels--theoretical, legal, and practical–with efforts to protect "political and civil" human rights receiving most of the international attention and available resources.

It is no coincidence that violations of such rights have been narrowly interpreted by state actors in the "public" arena. This category of violations usually includes abuses to which men become vulnerable in times of social and political upheaval, such as unlawful arrest, military or police harassment, torture when in detention, and the denial of free speech and free association. Women are also victims of such violations, but even in times of peace, or in countries in which there is a democratic political system, women are systematically subject to other violations or to the threat of violence.

While many of these abuses are concealed by the sanctity of the "private" arena, there are specific violations, such as forced pregnancy, genital mutilation, or female infanticide, that are committed in the name of tradition, culture, or religion. As such, they are often protected from scrutiny out of an alleged deference to cultural or religious freedom. Both in response to such constrictive notions of culture and in recognition of the fact that fundamentalisms of all varieties are a growing threat to women's human rights, participants at the Institute drafted a resolution against the use of fundamentalism to restrict women's personal and political freedom (see page 14).

In order to develop feminist strategies for the legal implementation of women's human rights at the national level, many women advocated a re-evaluation of the conceptual and practical dimensions of women's relation to the state. Often, a government may foster female human rights abuse by failing to enforce the existing laws and policies that should protect women. For example, there is an almost universal failure to restrain, or enforce restraining orders issued against violent spouses, which frequently leads to the murder of battered women.

Further, while a state may not actively sponsor female human rights violations, it often facilitates the conditions which foster the abuse. For example, in Pakistan, four male witnesses are required to "prove" that a rape has occurred. Otherwise, a woman who brings charges of rape is prosecuted for adultery. The participants' recommendations in this area, then, include a call both for the development of a feminist notion of women's citizenship and for state responsibility in protecting women as public and political actors.

Throughout the world, women's groups and organizations are calling attention to structural injustice, organizing on a number of fronts for the expansion of the definition of democracy and for the realization of women's full citizenship. For example, in Chile, the umbrella women's organization *Mujeres por la Vida* utilizes the slogan "Democracy in the country, democracy in the home" to insist upon the equitable sharing of power and decision-making in the domestic sphere. This slogan exemplifies the challenge of giving real content to the slogan of the *1994 International Year of the Family*, "Building the smallest democracy at the heart of society."

Similarly, in considering possibilities for action for the *World Conference on Population and Development* in Cairo, September 1994, we can draw upon the work of women in Brazil who have been organizing around women's reproductive rights as an issue of women's access to full citizenship.

All of these issues were addressed in the Institute by small groups, which were formed by participants during the second week of the Institute for the purpose of doing in-depth work in specific areas of interest. The working groups concentrated on the following topics: *Women's Rights as Human Rights; Public Advocacy; Legal Strategies; Women's Health and Violence;* and *Strategies for Educating/Organizing Women at the Grassroots Level on Violence Against Women as a Human Rights Issue.*

WORKING GROUP REPORTS OF THE *1992 WOMEN'S GLOBAL LEADERSHIP INSTITUTE*

The working groups began with an examination of the recommendations made during the 1991 Institute, and proceeded to expand the definition of the issues and to develop new strategies for action. The Institute participants agreed that the state must be held directly responsible for its failure to protect women from the pervasive violence that systematically violates their human rights to life, to liberty, to freedom of movement, to speech and association, as well as freedom from economic, social and cultural discrimination. The protection of human rights must also be understood to require greater accountability on the part of private individuals, whose daily acts of violence against women constitute forms of cruel, inhuman and degrading treatment.

Women's Rights as Human Rights Group Report

This group identified as primary the need to build a consensus within the international community that women's rights are human rights. Toward this end, they proposed the following strategies to link women's rights and human rights:

1. Re-Interpretation of the Issues.

* Academics, human rights activists, and women's groups should engage in and encourage more gender-specific research and publications on the reinterpretation of existing human rights covenants and protocols. Such reinterpretation might take up, for example, the question of how international legal instruments against slavery and torture apply to women's experiences in such areas as prostitution, trafficking in women, domestic violence, and sexual exploitation.

* For women's human rights to be fully realized, special attention be given to the removal of the discrimination that women experience in the socio-economic and cultural spheres. This requires a re-examination of the relationship between women's rights and both socio-economic rights and the right to development. Socio-economic rights can be approached from the critical angle of sex discrimination, and can include issues of women's rights to access to property, to land, and to education, all of which fall under the rubric of "development" and which therefore can be advanced in the human rights agenda.

2. Practical Interpolation of Human Rights and Women's Rights in Legal Proceedings.

* Women's advocacy groups must use international human rights conventions in local court procedures to both create precedents linking women's rights to human rights, and generate awareness of this link in the judiciary. Media coverage of such cases is also important as a means to raise public awareness on the issue of women's rights as human rights.

3. Utilization of International Human Rights Complaints Procedures and Regional Mechanisms by Women's Groups.

* Such use will put pressure on human rights bodies to recognize women's rights as human rights, will provide a channel for the redress of violations of women's rights, and will establish a practice of working with women's rights as human rights. For example, we might utilize the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) as another framework for promoting women's human rights.

* Guidelines for State reporting to the Committee under CEDAW should be published in simplified form and distributed to women's groups. This will enable them to prepare alternative reports, lobby Committee members, and critique official country reports.

4. Development of Informational Materials and Practical Procedures.

* We need to distribute more information and develop more training programs to acquaint women's groups with international human rights instruments and the relevant complaints procedures. Such a program might include a regular women's diplomatic training course on international and regional human rights procedures (such as the Strasbourg Human Rights School, the Prince Edward Island Diplomatic Training Program in Canada).

* We must urge the inclusion of more women in these types of training programs, and encourage financial donations to support such participation.

5. Collection and Publishing of Disaggregated Statistics on Different Aspects of Violence Against Women.

* National and local groups should challenge the way in which police and hospitals record injuries and causes of death. We must emphasize the need to investigate suicides and accidental deaths for the possibility of gender-related violence.

* We must sponsor research on the incidence, prevalence, and health consequences of gender-related violence in order to better establish the links between violence and human development, and to emphasize the cost to development of violence against women.

* We must lobby key international agencies, such as UNDP, UNICEF, and WHO, and demand that they incorporate the issue of violence against women in their agendas.

Public Advocacy Group Report

This group suggested that in our advocacy work, rather than using a clinical, ahistorical, and victimization approach, we must promote a political, critical and contextualized approach that asserts women's human rights. This involves fostering a vision that empowers women, promotes self-determination and seeks to expose the roots of women's oppression. In this sense, the core of any advocacy strategy is the empowerment of women. This group's recommendations are as follows:

1. Explication of Linkage Between Women's Rights and Women's Lives.

* In all our messages and materials we must promote an integrated or holistic notion of human rights. We must detail the relation between the economic, political, and cultural rights of women, and their manifestation in women's everyday lives.

* We must explore the links between economic issues and the violation of women's human rights. Therefore, we must develop materials that explicitly describe the connections between the global economy, structural adjustments policies, and violence against women.

* We must identify the connections between the violation of the human rights of marginalized groups (indigenous nations, migrant groups, etc) and the violations of women's human rights.

2. Multiple Level Strategic Planning and Political Organization.

* We must organize at several levels: international, regional, national and local. We must also target different arenas in our public advocacy work: social institutions, public policy, women, and women's groups.

* We must increase public awareness

  -- by identifying and lobbying member government representatives to the United Nations, to ensure that each country's agenda, and each country's documentation for the Human Rights Conference, incorporates women's rights as human rights.