



ACTION

ON GENDER EQUALITY, WOMEN'S EMPOWERMENT AND
ENDING VIOLENCE AGAINST WOMEN IN AFRICA

Ending Violence Against Women in Africa*

*Around the world, at least 1 out of 3 women has been beaten, coerced into sex, or otherwise abused in her lifetime.

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Violence against women (VAW) is defined by the United Nations Declaration on the Elimination of Violence against Women (DEVAW) as *“any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”*¹

VAW is a manifestation of historically unequal power relations between men and women; it is complex and diverse in its manifestations, with far-reaching and long-lasting consequences and costs that impoverish women, their families, communities and nations². It is a violation of the essential basic human right to safety, security and physical integrity.

Recently, the UN Secretary General launched a multi-year campaign to intensify action to end violence against women and girls. It will run from 2008-2015 to coincide with the target date of the MDGs.

Violence against Women and Girls in Conflict and Post-Conflict Situations in Africa

Women's bodies have become part of the battleground for those who use terror as a tactic of war, whereby women and girls are raped, abducted, humiliated and made to undergo forced pregnancy, sexual abuse, trafficking and slavery.

Rape as a 'weapon of war' is especially aimed at terrorizing and subjugating entire communities, thereby affecting the social fabric of families and communities.

The vulnerability of women and girls increases dramatically during armed conflicts and its aftermath due to the disruption and dismantling of the formal and informal protection mechanisms of families, communities and the state owing to disorder, displacement and separation. The perpetrators of acts of violence include peacekeepers, military, humanitarian workers and other predatory private individuals.

Many of the survivors of rape and other sexual violence are deeply traumatized. Families and communities often reject women and girls who have been raped and sexually assaulted, and usually strip them of their social standing. When this happens, the survivor is left even more vulnerable to future attacks, because she lacks the economic, social and physical protection.

Lastly, during national peace negotiations and post-conflict reconstruction, women's and girls' role is often marginalized.

1 UN General Assembly Resolution 48/104 of 20 December 1993, Article 1.

2 United Nations. Fact Sheet – Violence against Women: Forms, Consequences and Costs. 09 October 2006: <http://www.un.org/womenwatch/daw/vaw>

UN Resolution 1325 emphasizes the responsibilities of all states and governments to put an end to impunity and to prosecute those responsible for war crimes relating to sexual and other violence against women and girls. It calls for an increase in the participation of women at decision-making levels in conflict resolution and peace processes and calls for the protection and respect of human rights of women and girls during the post-conflict reconstruction process, particularly as they relate to the constitution, the electoral system, the police, and the judiciary.

Harmful Traditional Practices and Institutions

Among the commonest harmful traditional practices are female genital mutilation/cutting (FGM/C), forced feeding of women; early marriage; taboos and practices that prevent women from controlling their own fertility; nutritional taboos; traditional birth practices; son preferences and its implications for the status of the girl-child; female infanticide; early pregnancy; dowry/bride price.

They persist because they are not questioned for the most part and are accepted as constituting part of the morality of the community.

Female genital mutilation/cutting

Female genital mutilation/cutting (FGM/C), performed on the genitals of girls and women in many parts of the world, includes a variety of operations also referred to as female circumcision, infibulation and introcision. In Africa, FGM/C is extensive. Age at the time the procedure is performed and the reasons for it vary from community to community.

FGM/C is practiced in more than half of the countries in Africa. The prevalence ranges from 98% in Somalia to 5% in the democratic Republic of Congo.³ At least 100 million women and girls in Africa have been victims of FGM/C.⁴

There are 4 types of FGM/C practiced on the continent.⁵ Type I is commonly referred to as clitoridectomy that entails excision of the clitoral hood with or without removing the part of or the entire clitoris. Type II, referred to as excision, entails removal of the clitoris and the labia minora. Type III is often referred to as infibulation and consists of removal of part or all the external genitalia and stitching the vaginal opening leaving a small opening for the flow of urine and menstrual blood. Type IV is often also called introcision and entails pricking, piercing or incision of the clitoris and/or labia.

Types I and II constitute about 85% of all FGM/C. Type III is common in Djibouti, Somalia, Sudan, and parts of Egypt, Ethiopia, Kenya, Mali, Mauritania, Niger, Nigeria, and Senegal. It is extremely severe and involves binding women's legs for 40 days to allow for the formation of the scar tissue. The excisor often has to re-open the vagina on the eve of the girl's wedding to facilitate the consummation of the marriage, or to allow for easier childbirth and then re-stitch the vaginal opening. Medical emergencies arising from FGM/C complications are common and often lead to death.

In Africa, 16 countries have criminal legislation against FGM/C,⁶ and there have been cases of arrests for being involved with the practice (Burkina Faso, Egypt, Ghana, Kenya, Senegal, and Sierra Leone).

³ See Annex 1 for list of 27 countries and prevalence rates by Berhane Ras-Work

⁴ Inter-Africa Committee research studies in 1999

⁵ "Razor's Edge-The Controversy of Female Genital Mutilation," Women's UN Report Network

⁶ Centre for Reproductive Rights, www.crpl.org

Industrialized countries that receive immigrants from countries that practice FGM also have passed specific laws criminalizing the practice.

Other approaches to resolving FGM/C include promoting “alternative rites to FGM/C,” working with religious leaders to deconstruct the misconception that FGM/C is a religious requirement, and engaging youth in campaigns against the practice.

Son preference and its implications for the girl-child

Son preference refers to a range of values and attitudes that accord a male child status over a female child. Thus, the female child is disadvantaged in the quality and quantity of parental care and investment in her development. It may lead to acute discrimination, especially in situations where resources are limited. While neglect is the rule, in some cases son preference may lead to selective abortion or female infanticide. In times of financial crisis, when parents have to make choices as to which child remains in school while the other drops out, girls are rarely selected to continue with school over boys.

Female infanticide

The practice of infanticide ensures that some female children do not live, a clear violation of the basic right to life as laid down in Article 6 of the Convention on the Rights of the Child.

Early marriage, early pregnancy, nutritional taboos and practices related to child delivery

Giving girls away for marriage at ages 11,12 and 13, to thereafter start producing children, is a practice that is well known in Africa. It is applied to safeguard girls' virginity before marriage, thereby raising family honour and the bride price.

However, because women are not yet sufficiently developed physically to bear children before 18 years of age, pregnancy before then poses a risk to both mother and child. Many countries have raised their legal age for marriage, but this does not seem to have made much difference, especially where marriage and child-bearing confer respect and elevated status on a woman.

Maternal and child health can also be negatively affected by the cultural practices and nutritional taboos that deprive pregnant and lactating women of certain nutrients essential to both mother and child. As a result, they tend to suffer from iron and protein deficiencies. There are also food taboos that are imposed on females right from birth in many communities: baby girls are weaned earlier than boys, and for most of their lives they are deprived of high-protein foods such as eggs, animal meat, fish and milk.

According to WHO, more than half of the births in developing countries are delivered by traditional birth attendants. Despite their good intentions, mortality rates are higher in the rural areas where they operate.

Trafficking in Women and Girls

Trafficking in human beings is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”⁷

The majority of trafficking victims are women and children. Trafficking usually involves different actors, including families, local brokers, and criminal networks.

A trafficked person’s rights to liberty and security, to freedom from torture or other ill-treatment, and to redress and reparation are all violated. The individual is exposed to a series of human rights abuses, not only at the hands of traffickers, but also during subsequent violations in the criminal justice system.

Half of Africa’s 53 governments admit that trafficking is a serious concern; however, due to its illegal and clandestine nature and lack of data, the exact extent is unknown

The underlying socio-economic and cultural factors that increase inequality and discrimination make women and children even more vulnerable to becoming victims of trafficking. When poverty is acute, a young girl may be regarded as an economic burden and her marriage to a much older man can be a family survival strategy.

United Nations Special Rapporteur on Violence Against Women – notes the following:

*“... the lack of rights afforded to women serves as the primary causative factor at the root of both women’s migration and trafficking in women. The failure of existing economic, political and social structures to provide equal and just opportunities for women to work has contributed to the feminisation of poverty, which in turn has led to the feminisation of migration, as women leave their homes in search of viable economic options. Further, political instability, militarism, civil unrest, internal armed conflict and natural disasters also exacerbate women’s vulnerabilities and may result in an increase in trafficking”.*⁸

Trafficking in African women and children for forced prostitution or labor is exacerbated by war, poverty, and nonexistent birth registration systems, according to a recent study by the United Nations Children’s Fund (UNICEF).

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Trafficking Protocol), supplementing the United Nations Convention against Transnational Organized Crime (UNTOC), provided the first international definition of trafficking in persons. The

⁷ United Nations Convention against Transnational Organized Crime and UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

⁸ Radhika Coomaraswamy –the United Nations Special Rapporteur on Violence Against Women – notes the following:

Trafficking Protocol emphasizes the need to balance criminal justice concerns with a human rights approach to the protection and assistance of victims.

Governments, intergovernmental organizations and civil society groups are adopting various socio-economic responses and legal reforms for the prevention of trafficking, protection of victims and prosecution of traffickers. Unfortunately there are no developed mechanisms in most parts of Africa to monitor and evaluate the impact of these practices or the lack thereof.

