



United Nations
Educational, Scientific and
Cultural Organization

• THE STATUS OF WOMEN: COUNTRY BRIEFS ON
• ACHIEVEMENTS AND GAPS ERADICATING SEXUAL AND
• GENDER BASED VIOLENCE IN THE GREAT LAKES REGION
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By: Jo-Ann Rodrigues
Gender Equality, Social and Human Sciences Sector
UNESCO

TABLE OF CONTENTS

Introduction	3
Acronyms	4
Angola	5
Burundi	7
Central African Republic	9
Democratic Republic of Congo	12
Republic of Congo	14
Kenya	16
Rwanda	18
Sudan	21
Tanzania	23
Uganda	25
Zambia	28
General Conclusions	31

Introduction

Over a period of one month (November 15 – December 15 2010) a review of 11 countries in the Great Lakes Region was conducted for the purpose of highlighting achievements and gaps in addressing sexual and gender-based violence (SGBV).

To deliver a comprehensive overview, country constitutions, penal codes, CEDAW country reports and concluding statements from the Committee, Demographic and Health Surveys, Multiple Cluster Indicator Surveys, and National Action Plans on Security Council Resolutions 1325 and 1820 were studied where documents were available. To provide context and first-hand testimony, findings from human rights reports and NGO documentation were also included.

The research is by no means exhaustive. Some areas not addressed in greater detail are the effects that SGBV has had on the spread of HIV/AIDS, women-headed households and women ex-combatants. Polygamy, marital rape, stigma and traditional or customary law were not explored in great detail and are areas which require further inquiry in terms of its impact on women's rights and gender discrimination.

The role of education, religion, income in different regions within countries are other areas that require further research to determine the likelihood of SGBV being perpetrated as well as who the perpetrators are. In addition to males and parents subjecting women and children especially to SGBV, teachers were identified in several surveys as perpetrators.

Notable in this preliminary study is the lack of data on SGBV against men or documentation of consequent effects on gender relations or health, for example, due to this violence.

Finally further inquiry needs to be made in terms of the role of women in government, the judiciary, police and army. While affirmative action is generally appreciated in terms of providing space for women to take an active role in decision-making bodies, there was articulated concern that quotas were considered caps on women's participation and that in these roles the presence of women did not necessarily improve the overall status of women within the countries studied.

Acronyms

AIDS – Acquired Immune Deficiency Syndrome
CEDAW – Convention on the Elimination of Discrimination Against Women
CSOs – Civil Society Organisations
DDR – Disarmament, Demobilisation, Reintegration
DHS – Demographic Health Survey
DRC – Democratic Republic of Congo
GBV – Gender-Based Violence
FGM – Female Genital Mutilation
HIV – Human Immunodeficiency Virus
HRW – Human Rights Watch
ICRC – International Committee of Red Cross
IDP – Internally Displaced People
MICS – Multiple Indicator Cluster Survey
MSF – Médecins Sans Frontières
NAP – National Action Plan
NGOs – Non-Governmental Organisations
SGBV – Sexual and Gender-Based Violence
SCR 1325 – Security Council Resolution 1325 on Women, Peace and Security
SCR 1820 – Security Council Resolution 1820 on Sexual Violence
UNICEF – United Nations Children’s Fund
UNIFEM – United Nations Development Fund for Women
UNDP – United Nations Development Programme
UNPFA – United Nations Population Fund ICTR – International Criminal Tribunal for Rwanda
USAID – United States Agency for International Development
WHO – World Health Organization
YWCA – Young Women’s Christian Association

Angola

Angola's most recent conflict spans several decades beginning in 1975 to 2002.¹ Women have faced widespread discrimination in terms of Disarmament, Demobilisation and Reintegration (DDR).

As the country works towards establishing peace and security more effort by the government is required to include women in such processes. In addition, more concerted efforts need to be applied to addressing discrimination against women as well as SGBV.

Achievements

- The Angolan Constitution guarantees equal treatment under the law and the same rights regardless of gender for all citizens.²
- The Ministry of Family and Promotion of Women (MINFAPW) worked with the United Nations Population Fund (UNPFA) on the "Strategy and Strategic Framework for the Promotion of Gender Equality by the year 2005" which was approved by the Cabinet on November 7, 2001.³
- Rape is punishable under the Criminal Code.⁴
- MINFAPW established a Family Counselling Centre in 2000 to provide legal assistance and provide psycho-social assistance to the victims of violence.⁵ In 2001 the ministry signed an agreement with the Lawyers' Association of Angola to assign lawyers to the Centre.⁶
- The Angolan Women's Organization (AWO) has set up centres for female victims of violence in all provincial capitals, legal counselling centres in four provinces (Benguela, Luanda, Cbinda and Huila and a shelter for women victims of violence in Luanda province.⁷
- Women's representation in the National Assembly after the 2008 elections was 37.37% - an increase from the 1992 elections which was 10.5%.⁸

Gaps

- The Angolan Delegation observed in its country report to the Convention on the Elimination of all Violence Against Women (CEDAW) Committee that discrimination was inherent in the Angolan Penal Code. It stated that among other crimes only women could be punished for abortions and infanticide (Article 358) and only women could be victims of rape (Article 392).⁹
- The report also stated that there was insufficient action in enforcing the law to protect women from violence and discrimination as well as reinforce their rights.¹⁰
- The country delegation went on to report that "Cultural and traditional factors also play against women as the women is always to blame and must accept violence as being part of the way of life of the Angolan woman."¹¹
- Women who are heads of households because they are widows, have lost sons or have been abandoned by their husbands (sometimes soldiers they were forced to marry) are particularly

¹ <http://www.eisa.org.za/WEP/angoverview.htm>

² [http://www.icrc.org/ihl-](http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/959295348a698899c12570a500421ade/$FILE/Constitution%20Angola%20-%20EN.pdf)

[nat.nsf/162d151af444ded44125673e00508141/959295348a698899c12570a500421ade/\\$FILE/Constitution%20Angola%20-%20EN.pdf](http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/959295348a698899c12570a500421ade/$FILE/Constitution%20Angola%20-%20EN.pdf)

³ Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 17.

⁴ Ibid p. 14.

⁵ Ibid p.. 19.

⁶ Ibid.

⁷ Ibid.

⁸ http://www.ipu.org/parline-e/reports/2007_E.htm; http://www.ipu.org/parline-e/reports/arc/2007_92.htm

⁹ Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 14

¹⁰ Ibid p.19

¹¹ Ibid p.19.

vulnerable to sexual abuse, poverty and/or other forms of violence because they challenge established gender-norms of men as providers for the family.¹²

- Women have been forced into prostitution due to poverty.¹³
- Initiatives for DDR fail to address the needs of women either in terms of being eligible for benefits offered to male combatants or in terms of support as non-combatants who contributed to war efforts of outfits like Union for the Total Independence of Angola (UNITA).¹⁴
- The US Department of State's Country Report on Human Rights Practices observes, "There were no prosecutions for violence against women (in 2006). Police were likely to view such abuse as a family matter, not a violation of law."¹⁵
- There is no National Action Plan (NAP) on Security Council Resolution 1325 (SCR 1325).

Observations

Statistics on violence against women, female ex-combatants as well as the effects of war on both women and men are difficult to find. The Multiple Indicator Cluster Survey (MICS) which provides some statistics on the prevalence of gender-based violence and women's health is not available on the internet.¹⁶ As well the Demographic and Health Survey (DHS) which would also provide such information is currently working on a survey for Angola.¹⁷

It is evident that there are actions in place to help women subjected to violence in terms of counselling and legal assistant however there does not appear to be any analysis on how effective these institutions are in reinforcing women's rights and assisting in their empowerment. As well, there appear to be few actions in Angola on gender-sensitisation and no documentation of the results from such action. Cultural norms that discriminate against women seem to prevail.

Finally, as a country that has experienced decades of armed conflict, it is interesting to note that no information is readily available on women's involvement in peacebuilding and conflict resolution.

¹² "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/our-work/accord/angola/women-conflict.php>; "Struggling Through Peace: Return and Resettlement in Angola," August 2003 Volume 15, No. 16 (A) p. 23; Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 48.

¹³ Angola: Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, March 6, 2007 <http://www.state.gov/g/drl/rls/hrrpt/2006/78718.htm>; "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/our-work/accord/angola/women-conflict.php>;

¹⁴ "Struggling Through Peace: Return and Resettlement in Angola," August 2003 Volume 15, No. 16 (A) p. 23; "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/our-work/accord/angola/women-conflict.php>

¹⁵ Angola: Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, March 6, 2007 <http://www.state.gov/g/drl/rls/hrrpt/2006/78718.htm>

¹⁶ http://www.childinfo.org/mics3_surveys.html

¹⁷ This resource would usually provide some information on gender-based violence. Current data available is on Malaria and Health. http://www.measuredhs.com/countries/country_main.cfm?ctry_id=76&c=Angola

Burundi

Burundi experienced almost 16 years of civil war which ended in 2009.¹⁸ Initial search for data and statistics on SGBV turns up few results. The last recorded DHS that can be found was released in 1987. Médecins Sans Frontières (MSF), the International Committee for the Red Cross (ICRC) and United Nations Children's Fund (UNICEF) are among the international organizations that have documented gender-based violence (GBV) and attended to the needs of those who have experienced it.¹⁹

National elections were held over a four month period in 2010.²⁰

Achievements

- The constitution guarantees rights of women as per CEDAW and a commitment against discrimination.²¹
- Initial work has been done on SCR 1325 by Burundi. It reported to CEDAW of its intention to create a steering committee to implement it. Further information on this committee could not be found.²²
- The penal code identifies penalties for rape in section 2.²³
- Burundi's constitution has a 30% quota for women in Parliament.²⁴

Gaps

- In its concluding statement, the CEDAW Committee found, among other things, the Penal Code contained laws discriminatory to women.²⁵
- The Committee also expressed concern that the 30% quota for women in parliament would lend itself to being a cap for how many women could participate in government instead of a measure of affirmative action.²⁶
- It appears women, the community, judiciary are not only unaware of women's rights as identified in CEDAW but lack information specifically to help survivors of sexual violence seek proper medical treatment, legal assistance and support from non-governmental organisations (NGOs) working in this area.²⁷
- There is a prevalence of gender inequality and discrimination in Burundi noted in CEDAW's concluding statements, the shadow report submitted by Burundi ACAT (Action by Christians for the Abolition of

¹⁸ "We'll Tie You Up and Shoot You: Lack of Accountability for Political Violence in Burundi." Human Rights Watch, May 2010 p. 8.

¹⁹ http://www.unicef.org/protection/burundi_27252.html; <http://www.icrc.org/eng/resources/documents/misc/69fbvf.htm>; http://www.msf.org/msfinternational/invoke.cfm?component=article&objectid=14FF2307-A697-4FA9-8CD375699378AB1B&method=full_html

²⁰ "We'll Tie You Up and Shoot You: Lack of Accountability for Political Violence in Burundi." Human Rights Watch, May 2010 p. 8.

²¹ "Concluding observations of the Committee on the Elimination of Discrimination against Women." CEDAW/C/BDI/CO/4 2008, p. 2. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/298/43/PDF/N0829843.pdf?OpenElement>; La Constitution de la Republique du Burundi, *Article 19*, http://ddata.over-blog.com/xxxxxyy/1/35/48/78/Burundi/constitution_burundi.pdf

²² Ibid.

²³ Penal Code, Article 382-387

<http://www.droit-afrique.com/images/textes/Burundi/Burundi%20-%20Code%20p%E9nal.pdf>

²⁴ Article 129 http://ddata.over-blog.com/xxxxxyy/1/35/48/78/Burundi/constitution_burundi.pdf

²⁵ "Concluding observations of the Committee on the Elimination of Discrimination against Women." CEDAW/C/BDI/CO/4 2008, p. 3. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/298/43/PDF/N0829843.pdf?OpenElement>

²⁶ Ibid p.4.

²⁷ Ibid. and El-Bushra, Judy. "Evaluation Finale Du Projet Renforcement de la Prévention des Violences Sexuelles et Prise En Charge Communautaire des Victimes des Violences Sexuelles." Rapport Final, Londres, UK, Juin 2006, p. 6.

Torture) and the OMCT as well as CARE International's assessment on its project to prevent and manage sexual violence in Burundi.²⁸

Annotated Bibliography

"Evaluation Finale Du Projet Renforcement de la Prévention des Violences Sexuelles et Prise En Charge Communautaire des Victimes des Violences Sexuelles." Rapport Final, Londres, UK, Juin 2006

This report evaluates the capacity of communities in Burundi to prevent sexual violence and take care of sexual violence survivors. It observes a lack of

- a) psychological help
- b) using existing legislation to hold perpetrators accountable,
- c) centres that specialize in treating sexual violence survivors
- d) sensitivity from the community

Included in its recommendations are finding men to support the cause of sexual violence survivors, finding ways for survivors to sustain themselves economically and developing criteria for health care workers on how to treat survivors.

²⁸ Ibid and "NGO Report on Violence Against Women in Burundi" OMCT and L'ACAT Burundi, January 2008.

Central African Republic

The Central African Republic (CAR) has experienced several coups in the past decade.²⁹ At the height of violence after an attempted third coup in 2002 CAR's population experienced grave violations to human rights with women and girls experiencing SGBV and rape.³⁰

The ramification of such violence has been an established culture of violence according to the 2006 MICS.³¹

Female Genital Mutilation (FGM) is practiced in the country and certain types of violence against women are considered normal.

Achievements

- CAR is a party to CEDAW.³²
- The CAR Constitution recognizes equality before the law regardless of gender. It also recognizes that women and children are to be protected by the state from violence.³³
- CAR is a signatory of the Rome Statute on 7 December 1999 and thus acknowledges that rape and sexual violence committed against the civilian population is considered a crime against humanity and a war crime.³⁴
- Jean-Pierre Bemba, leader of the Movement for the Liberation of Congo (MLC) and commander of the Congolese troops who committed acts of sexual violence in the 2002 conflict, was arrested by Belgian authorities in 2008.³⁵ He was charged with war crimes and crimes against humanity.³⁶

Gaps

- Stigma attached to rape and sexual violence hindered accurate data collection of these acts during the armed conflict in 2002.³⁷
- Both men and women experienced sexual violence between 2002-2004.³⁸
- The World Health Organization (WHO) reports 5000 women were sexually assaulted as a result of the armed conflict in CAR and continue to go without psychological support or medical treatment for physical trauma.³⁹
- The average age for first sexual relations among girls is 14 years.⁴⁰ The rate of child pregnancies is as high as 40%.⁴¹

²⁹ Addressing Emergency Obstetric Care and Sexual Gender Based Violence (SGBV) in Central African Republic, http://www.who.int/hac/crises/caf/emergency_obstetric_care_caf/en/index.html

³⁰ "International investigative mission War crimes in the Central African Republic," Fidh (International Federation for Human Rights) no. 355 February 2003

³¹ Multiple Indicator Clusters Survey 2006, p. 193

³² Unfortunately CAR has not submitted a country report since becoming a party to the convention. http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

³³ CAR Constitution 2004? Article 5 and 6

³⁴ <http://www.icc-cpi.int/Menus/ASP/states+parties/African+States/Central+African+Republic.htm>;

³⁵ Ibid.

³⁶ <http://www.icc-cpi.int/Menus/ICC/Situations+and+Cases/Situations/Situation+ICC+0105/>

³⁷ "International investigative mission: War crimes in the Central African Republic," International Federation for Human Rights, February 2003, no. 355 p. 26 and "Central African Republic: State of Anarchy. Rebellion and Abuses Against Civilians," Human Rights Watch, September 2007, p.96-97

³⁸ "Report on the International Symposium on Sexual Violence in Conflict and Beyond," Quote from speaker: Marie-Solange Pagonendji-Ndakala, Brussels 21-23 June 2006

³⁹ "Addressing Emergency Obstetric Care and Sexual Gender Based Violence (SGBV) in Central African Republic," http://www.who.int/hac/crises/caf/emergency_obstetric_care_caf/en/index.html

⁴⁰ Ibid.

⁴¹ Ibid.

- 15% of pregnant women have Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) with a 35% transmission rate to the child.⁴²
- One-fifth of women interviewed in the MICS were married before they were 15 years old and more than half were married before they were 18 years old.⁴³
- 35% of women have been victims of violence since they were 15 years old.⁴⁴
- Women living in the capital, Bangui, were found to experience the most physical violence in CAR.⁴⁵
- The MICS observed that 40% of women interviewed who experienced physical violence did not seek help as they figured it was unnecessary.⁴⁶ 10% did not seek help because they felt this was just a part of life.⁴⁷ One in five victims did not seek assistance because they did not know who to turn to and 5% feared further abuse.⁴⁸
- 17% of women are victims of physical violence; 81.5% of women are victims of emotional violence; 11.5% of women are victims of sexual violence.⁴⁹
- 28% of women are circumcised in CAR with the practice carried out especially in the centre of the country.⁵⁰
- A review in Brussels of the state of CAR for the purposes of renewing development funding found low representation of women in state institutions: only 11 out of 105 Members of Parliament and 4 out of 22 ministers are women. In the judiciary, the situation is as following: judges: 5 women against 43 men; registrars: 6 women against 83 men; notaries: 3 women against 5 men; lawyers: 7 women against 50 men; administrators: 1 woman against 15 men.⁵¹

Observations

While it is acknowledged that SGBV took place during armed conflict since 2002, the stigma attached is a reason many observers believe many SGBV acts have not been accounted for.

The findings from the MICS also highlight that part of the reason such information is not reported either in war time or relative peace time is because woman who feel it necessary to be medically attended to, do not know where to go or fear further reprisal.

The MICS also noted that Muslim women appeared less likely to report that they had been physically or sexually abused by their husbands.⁵² Researching instances of violence against women from different religions may be a point of future interest.

Analyzing the correlation between education and the occurrence of FGM would be another area worth looking into. The MICS observed that those with no education were 30% more likely to experience FGM than those with secondary or higher education (14%).⁵³

It also states that on the basis of ethnicity the 59% of Banda woman will have undergone FGM and 44% in the Mandja community.⁵⁴

⁴² Ibid.

⁴³ MICS 2006 p. 179

⁴⁴ Ibid., p.197

⁴⁵ Ibid.

⁴⁶ Ibid p. 215.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid p. xviii. Original Source : Institut Centrafricain de la Statistique, des Etudes Economiques et Sociales – unable to access this document online

⁵⁰ Ibid p.184


⁵¹ Development Partner Consultation for the Central African Republic | Brussels 26 June 2007

⁵² MICS 2006, p.197 and p. 207.

⁵³ Ibid p. 184-185.

⁵⁴ Ibid p.185.

It has been difficult to find any information on steps taken in CAR to develop a NAP on SCR 1325. The United Nations Mission in Central African Republic and Chad (MINURCAT) will be pulling out on Dec 31 2010.⁵⁵ Research and analysis on the possible outcomes in implementing SCR 1325 could yield data on sustainable capacity-building and economic measures.



⁵⁵ <http://www.un.org/en/peacekeeping/missions/minurcat/>

Democratic Republic of Congo

The reality for civilians in the Democratic Republic of Congo (DRC) has been a sustained climate of war since approximately 1996.⁵⁶

Civilians have been deeply affected due, in part, not only by the conflict but because of sexual violence committed by armed groups.⁵⁷ According to the UN statistics published in 2007, approximately 350 rape cases are reported every month in North Kivu.⁵⁸ The North Kivu Provincial Commission for the Struggle Against Sexual Violence reported 800 new cases in April 2008.⁵⁹

Achievements

In its country report to CEDAW, the Ministry for the Status of Women and the Family noted that the Ministry of Justice and Human Rights and the UN were developing a program to combat sexual violence against women.⁶⁰ It also mentioned that it worked with the Women's Action Network and Civil Society Organisations (CSOs) to launch a campaign to combat sexual violence against women in 2003, published a guide on CEDAW in addition to the Ministry of Health setting up a committee to prevent violence against women and children.⁶¹ The Ministry noted that results from these initiatives were not apparent at the time the report was submitted.

The CEDAW Committee acknowledged other actions taken by the government. It observed that a national program was established to promote Congolese women in 1999; that a gender mainstreaming document was released in 2004 and a new Constitution adopted.⁶²

The Constitution passed in 2005 among other things commits to gender equality, protecting the rights of women and clearly stating that sexual violence against anyone is a crime against humanity and punishable by law.⁶³

The Penal Code states rape is punishable by law with a sentence that can range from 5-20 years. Any sexual relations with those 14 years or younger is considered statutory rape.⁶⁴

The Ministry of Gender, Family and Children is working with United Nations Organization Stabilization Mission in the Democratic Republic of the Congo's (MONUSCO) gender office to implement SCR 1325.⁶⁵

⁵⁶ Combined fourth and fifth periodic report of the Democratic Republic of the Congo on the evaluation of the status of implementation of the Convention on the Elimination of All Forms of Discrimination against Women, May 2004 p. 2 and "Humanitarian catastrophe in North Kivu, Democratic Republic of Congo: Overview," November 10, 2008

⁵⁷ "No End to War on Women and Children: North Kivu, Democratic Republic of Congo." 2008 p. 6.

⁵⁸ Ibid p. 8. *Can't access direct document from UN site.

⁵⁹ Ibid p. 8.

⁶⁰ Combined fourth and fifth periodic report of the Democratic Republic of the Congo on the evaluation of the status of implementation of the Convention on the Elimination of All Forms of Discrimination against Women, May 2004 p. 47.

⁶¹ Ibid.

⁶² Concluding comments of the Committee on the Elimination of Discrimination against Women: Democratic Republic of the Congo," CEDAW/C/COD/CO/5 August 26, 2006, p.2

⁶³ Constitution de la République Démocratique du Congo 2005, Articles 11-15. <http://www.presidentrdc.cd/constitution.html>

⁶⁴ Code Pénal Congolais, Décret du 30 janvier 1940 tel que modifié et complété à ce jour

Mis à jour au 30 novembre 2004, 45^{ème} Année Numéro Spécial 30 novembre 2004 1 Code Pénal Congolais Journal Officiel n° Spécial 30 novembre 2004, Article 170. A Human Rights Watch Report notes that the Congolese Penal Code applies to both civilian and military courts though I am unable to verify this myself. See "Seeking Justice:

The Prosecution of Sexual Violence in the Congo War," Human Rights Watch, March 2005 Vol. 17, No. 1(A), p. 28.

Gaps

- The CEDAW Committee found that the Constitution does not explicitly define discrimination against women to identify direct and indirect discrimination that should be prohibited.⁶⁶
- The Committee also observed a lack of legislation regarding violence against women and to reinforce gender equality. It expressed concern that gender equality and gender mainstreaming initiatives lacked sustainable efforts.⁶⁷
- Men and boys are being raped by combatants.⁶⁸
- Challenges for survivors of sexual violence to receive medical care include insufficient funds; stigma; survivors unable to make the journey because they are too ill and/or they live too far away from a medical centre; and health care centres do not exist in their area.⁶⁹
- Survivors are prone to contracting HIV/AIDS, having complications with pregnancy, having unwanted pregnancies, having miscarriages in addition to other diseases or ailments.⁷⁰
- There is inconsistency regarding the application of laws on sexual violence. This has led to impunity or punishments delivered arbitrarily and illegally.⁷¹ As well, there is prevalent ignorance on legislation to combat sexual violence as well as fear tactics employed to prevent sexual violence survivors pursue legal recourse.⁷²
- Sexual Violence survivors suffer psychosocial problems.⁷³
- “Only 42 women (8.4%) were elected to the post-transition National Assembly, making it an extremely male-dominated institution, with 458 seats filled by men.”⁷⁴

Observations

Two points of interest arise from initial research. There appears to be a climate of impunity for perpetrators and a lack of consistent, reliable, methodical data collection of SGBV by the government.

There is also data missing regarding the involvement of women in conflict resolution or peacebuilding actions namely the implementation of SCR 1325.

⁶⁵ <http://monusco.unmissions.org/Default.aspx?ctl=Details&tabid=932&mid=1096&ItemID=10863> More information on donor countries for the implementation of SCR 1325 can be found at this site.

⁶⁶ Concluding comments of the Committee on the Elimination of Discrimination against Women: Democratic Republic of the Congo,” CEDAW/C/COD/CO/5 August 26, 2006, p.4

⁶⁷ Ibid.

⁶⁸ . “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” Human Rights Watch, March 2005 Vol. 17, No. 1(A), p. 20-21.

⁶⁹ Ibid p. 19-21 and “I have no joy, no peace of mind: Medical, psychological and socio-economic consequences of sexual violence in eastern Congo,” MSF Amsterdam: 2004 p. 20, 29.

⁷⁰ “I have no joy, no peace of mind: Medical, psychological and socio-economic consequences of sexual violence in eastern Congo,” MSF Amsterdam: 2004 p. 20.

⁷¹ A Human Rights Watch researcher was informed by the President of the Front for National Integration (FNI) in 2004 that four FNI fighters were arrested in 2004. There was no formal investigation or trial yet two out of the four were executed and the other two imprisoned. “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” Human Rights Watch, March 2005 Vol. 17, No. 1(A), p.19 and “I have no joy, no peace of mind: Medical, psychological and socio-economic consequences of sexual violence in eastern Congo,” MSF Amsterdam: 2004 p.30.

⁷² . “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” Human Rights Watch, March 2005 Vol. 17, No. 1(A), p. 30-31 and p.36-37.

⁷³ “I have no joy, no peace of mind: Medical, psychological and socio-economic consequences of sexual violence in eastern Congo,” MSF Amsterdam: 2004 p. 27.

⁷⁴ Élections Présidentielles, Parlementaires et Provinciales 30 July and 29 October 2006 EISA Observer Mission Report No 25, 2007, p. 24.

Republic of Congo

The Republic of Congo has experienced civil war intermittently between 1993 and 2002.⁷⁵ As neighbour to the DRC, the Republic of Congo has been a recipient of refugees fleeing the conflict on the other side of the border.⁷⁶

Within its borders it is evident SGBV is a reality with few enforced repercussions.

Achievements

- Congo's country report states that, "By virtue of its incorporation in Congolese domestic law, the [CEDAW] Convention has become a standard applicable within the Congolese legal order. It has the legal value of a law and citizens may invoke it as such before the Congolese courts."⁷⁷
- Article 18 of the Constitution guarantees the same rights to men and women in the private, political and social life of its citizen as well as equal treatment before the law.⁷⁸
- As of 2002 the Ministry for the Advancement of Women delivered a training workshop in gender and development for 32 women leaders from various associations and 7 members of its own staff.⁷⁹ It also launched awareness campaigns on sexual violence in Brazzaville, Pointe-Noire, Owando, Oyo, Lekana, and Ouesso.⁸⁰
- 85 000 women and youth attended courses on peace and sustainable development.⁸¹
- The Women's Research, Information and Documentation Centre (CRIDF) was established in 1999 for "meetings, exchanges, information, education and communication, training, guidance and social and economic advancement of women."⁸²
- A plan of action in matters pertaining to the advancement of women (PNPF) was developed for 2000-2002.⁸³
- A 2010 report on the Poverty Reduction Strategy (PRS) for Congo by the WHO observed that "(t)he government adopted a national policy on gender in January 2008 and the related action plan in January 2009."⁸⁴
- The report also noted that the CRIDF will provide help for 27 women's savings and loan associations and open 10 training centers for income generation programs to assist women and girls.⁸⁵
- Finally it stated that "a study has been conducted to review school textbooks for sexual stereotyping, with the aim of eliminating inequalities between girls and boys in education" as well as attempts to gather and record data on violence against women and children.⁸⁶

⁷⁵ Background Note: Republic of Congo, Bureau of African Affairs, September 29, 2010

<http://www.state.gov/r/pa/ei/bgn/2825.htm>

⁷⁶ Republic of Congo: A Harsh Status Quo For Refugees From The DRC

<http://www.doctorswithoutborders.org/news/article.cfm?id=4393&cat=field-news&ref=related-sidebar>

⁷⁷ Initial, second, third, fourth and fifth periodic report of State parties: Congo April 8, 2002, p. 18.

⁷⁸ Ibid. Primary source could not be found in initial internet research.

⁷⁹ Ibid, p. 28.

⁸⁰ Ibid, p. 30.

⁸¹ Ibid, p. 31.

⁸² Ibid.

⁸³ Ibid p.32

⁸⁴ The Republic of Congo Joint Staff Advisory Note on the Poverty Reduction Strategy Annual Progress Report, January 5, 2010, Section 2.1.8.

⁸⁵ Ibid.

⁸⁶ Ibid.

Gaps

- There is no NAP on SCR 1325.
- When presenting its report to the CEDAW Committee, the country delegation reported that Congolese men and women are unaware of their rights under national law and international treaties. Furthermore it states that “Even if informed of her right to (press charges for crimes committed against her), a woman who has been despoiled of her property will not dare to go to court for fear of repudiation, divorce or of sorcery that may be practiced against her or her children.”⁸⁷
- There is no law, according to the delegation, that defines or punishes sexual harassment.⁸⁸ As well it states that there is no public appetite to criminalize it.⁸⁹
- The last election held in 2007 saw only 10 women elected which is 7.30% of the National Assembly seats.⁹⁰
- “Between March 2000 and December 2002, 548 victims (99.3% women) of sexual violence were admitted to the emergency ward at Makélékélé hospital in Brazzaville (the capital). The ages of the victims ranged between 6 months and 69 years.”⁹¹
- As a result of such violence victims have experienced transmission of diseases, unwanted pregnancies, exposure to AIDS, psychological trauma, stigma from family and the community.⁹²
- As of 2003 MSF observed that sexual violence continued after the civil war where 60% of cases involved rapists who knew their victim (in some cases a neighbour, friend or family member).⁹³
- MSF reported that in 2002 no verdicts were delivered in rape cases.⁹⁴
- Although the Family Code sets the minimum age for women to be married at 18 years, the 2005 DHS found that 30% of women between the ages of 25-49 were married before they were 18.⁹⁵
- 31% in the same age bracket reported that their first sexual relations were before their 15th birthday.

Annotated Bibliography

“Evaluation of psychological support for victims of sexual violence in a conflict setting: results from Brazzaville, Congo,” *International Journal of Mental Health Systems*, 3:7, April 1, 2009.

This publication uses data collected by MSF from their program treating sexual violence victims from 2000-2003 in Brazzaville. It notes how many women initially opted for receiving psychological treatment in addition to medical treatment received for sexual violence. It reviews initial psychological assessments identifying whether victims are experiencing Post Traumatic Stress Disorder (PTSD) or early/delayed psychological consequences of trauma. Finally it reviews data collected and follows up with victims to determine whether the treatment has helped them cope with their experience. Its conclusion: “We found the benefits of post-rape psychological support to be present and lasting in this conflict situation.”⁹⁶

⁸⁷ Initial, second, third, fourth and fifth periodic report of State parties: Congo April 8, 2002, p. 33

⁸⁸ Ibid, p.37.

⁸⁹ Ibid.

⁹⁰ http://www.ipu.org/parline/reports/2071_E.htm

⁹¹ “Program of the “Tika/Bika viol! I say no to rape!” Campaign,” March 8, 2003
<http://www.doctorswithoutborders.org/news/article.cfm?id=909&cat=field-news>

⁹² Ibid

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Congo DHS 2005, p.102

⁹⁶ “Evaluation of psychological support for victims of sexual violence in a conflict setting: results from Brazzaville, Congo,” *International Journal of Mental Health Systems*, 3:7, April 1, 2009, p. 1.

Kenya

Kenya experienced a violent election process between 2007-2008. One of the outcomes of this was increased sexual violence against women and children 2008.⁹⁷

Steps have been taken to legislate affirmative action to create gender balance, address gender-based violence and hold itself accountable to reinforce human rights with the establishment of the National Commission on Gender and Development as well as the National Commission on Human Rights.⁹⁸

Cultural stereotypes persist however supporting existing gender inequalities.

Achievements

- A new Kenyan Constitution was passed earlier this year. As of May 2010 the proposed constitution guarantees equal treatment of women and men. It also commits to non-discrimination between men and women with respect to the political, economic, cultural and social arenas.⁹⁹
- The Kenyan Penal Code recognizes the act of rape as a crime.¹⁰⁰
- There has been an overall decline in FGM from 1998 to 2003 from 38% to 31%.¹⁰¹
- District Police Stations have Gender desks where gender violence survivors can file a report.¹⁰²
- Despite reported cases of GBV against women candidates during the 2007 elections 7.12% of women were elected to the National Assembly.¹⁰³
- According to the Kenyan government, between 1997 and 2002 there has been a slight increase in the number of women voters; the number of women parliamentarians increased from 4.1% to 8.1% following the 2002 General Elections; women contestants constituted 7.9% parliamentary candidates compared to 5.7% in the 1997 General Elections; and of the 210 elected members of parliament in 2003, 10(4.8%) were women as compared to 4(1.9%) of 210 in 1997.¹⁰⁴

Gaps

- Rape is prevalent and has increased.¹⁰⁵
- 1 out of every 4 women experience violence from their husbands; 40% experience physical violence and 16% experience sexual violence from their husbands.¹⁰⁶
- 40% of women who have never been married report having experienced physical abuse since they were 15 years old.¹⁰⁷
- FGM continues to be practiced more often in rural populations than urban. Those without an education are more likely to be circumcised than those with an education.¹⁰⁸

⁹⁷ "Situation of Violence against Women and Children in Kenya: Implementation of the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment." OMCT, June 2009.

⁹⁸ A table with a summary of legislation is listed at the end of this brief.

⁹⁹ Proposed Constitution published by the Attorney-General in accordance with section 34 of the Constitution of Kenya Review Act, 2008 (No. 9 of 2008), Article 10 (b) and Articles 27 (3) and (4).

¹⁰⁰ "Penal Code: Chapter 63," Laws of Kenya Published by the National Council for Law Reporting with the Authority of the Attorney General. Revised Edition 2009 (2008), Articles 158-160.

¹⁰¹ Kenya Demographic Health Survey of 2003 p. 250.

¹⁰² Combined fifth and sixth periodic reports for Kenya to CEDAW, October 16, 2006, p.8.

¹⁰³ "The Elusive Quest for Women's Empowerment in Electoral Politics: A Synopsis of the 2007 Electoral Year, Second Rapid Assessment and Gender Audit of Electoral Processes in Kenya (Raga II)," Women's Shadow Parliament-Kenya 2008 p. 16.

¹⁰⁴ Combined fifth and sixth periodic reports for Kenya to CEDAW, October 16, 2006, p. 21.

¹⁰⁵ Between 2000 and 2004 the number of reported rapes rose from 1,675 to 2908. Combined fifth and sixth periodic reports for Kenya to CEDAW, October 16, 2006, p.8; Approximately 500 teachers in Kenya were dismissed from schools due to sexual abuse charges in 2010. <http://abcnews.go.com/International/1000-teachers-fired-kenya-sex-probe/story?id=11833823>.

¹⁰⁶ Kenya Demographic Health Survey of 2003 p. 243.

¹⁰⁷ Ibid p. 241.

¹⁰⁸ Ibid 250. In the North Eastern Province 99% of women are circumcised; Combined fifth and sixth periodic reports for Kenya to CEDAW, October 16, 2006, p. 9.

- Increased and consistent delivery of gender sensitization with a focus on gender-based and sexual violence is required for those receiving and processing cases submitted by survivors of GBSV violence in police stations including those conducting forensic examinations to collect evidence for court.¹⁰⁹ It was noted by the OMTC (World Organisation Against Torture) that “many officers still regard domestic violence, including marital rape...as a private affair. In many cases, law enforcement agents have been known to ridicule women reporting such matters.”¹¹⁰
- Women contestants in the 2007 general elections were subjected to “verbal abuse, emotional threats and blackmail or physical and sexual assaults, which led to serious injuries, and in one case, to death.”¹¹¹
- There was also evidence in certain areas that women voted based on their husband’s choice.¹¹²
- The Gender Violence Recovery Centre (GVRC) in Mombasa...reported “that cases of sexual violence have doubled since the elections crisis and there has been an increase in sexual assaults, most of whose victims are girls under the age of 18.”¹¹³
- The number of female ministers declined from 3-2 out of a total of 32 ministers between 2003 and 2006.¹¹⁴
- In 2006 there was no representation of women in public service bodies like provincial administrations; at the District Commissioners administrative unit, the number of women decreased from 3 in 2003 to 2 in 2006.¹¹⁵
- In 2003 women made up 8% of members in the National Assembly, 6% of Ministers, 13% of Assistant Ministers, 3% of District Commissioners, 20% of District Officers, 13% of Councilors and 21% of Deputy Secretaries.¹¹⁶
- Kenya does not have a NAP for SCR 1325.

Observations

Although the Kenyan government is progressing in recognizing women’s rights a key gap remains. Without consistent gender sensitization actions attacks on female candidates running for elections, for instance, will continue. Although rape is punishable by law it has not deterred a rise in occurrences of rape. As well, gender desks installed at police stations have not reached their full potential in servicing victims, in part, due to a lack of training on how to handle victims of SGBV.

On the other side of the political crisis that arose in 2007-2008, tangible steps need to be taken to involve women in capacity building and peace building. The development of a NAP for SCR 1325 and 1820 would be a step in making this possible as well as attending to the need to promote gender sensitivity.

¹⁰⁹ “Status of Gender Desks at Police Stations in Kenya: A Case Study of Nairobi Province,” Series No. 22, Institute of Economic Affairs – Kenya, September 2009 p.19.

¹¹⁰ “Situation of Violence against Women and Children in Kenya: Implementation of the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.” OMCT, June 2009, p. 9.

¹¹¹ Report of the Commonwealth Observer Group for the 2007 General Elections in Kenya, Commonwealth Observation Mission 2008, 17 January p. 6.

¹¹² Ibid p. 6.

¹¹³ <http://www.un.org/apps/news/story.asp?NewsID=25414&Cr=kenya&Cr1>.

¹¹⁴ The National Commission on Gender and Development 2006 as cited by the Institute of Economic Affairs – Kenya in “Profiles of Women’s Socio-Economic Status in Kenya,” June 2008 p. 35.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

Rwanda

Part of Rwanda's recent legacy is the genocide that took place in 1994. Cognizant of its past and in particular SGBV experienced in the conflict many systems and bodies have been put in place to bring perpetrators to justice, empower women as well as heal them.

Assessments published 10 years after the genocide acknowledge the number of institutions developed to promote women's rights. They also note that much more work needs to be done to implement and reinforce women's rights as well as address SGBV.

Achievements

- Comprehensive NAP for SCR 1325 including budget estimates for implementation.¹¹⁷
- A fund set-up to assist survivors of genocide (for school fees, shelter, income generation etc) – Fonds National pour l'Assistance aux Rescapés du Génocide (FARG).¹¹⁸
- Free hotlines available to contact the National Police, Ministry of Health, Ministry of Defence and Prosecution Offices to support reporting of violence.¹¹⁹
- In coordination with United Nations Development Fund for Women (UNIFEM), the Rwanda Defence Force (RDF) began the process in 2007 of installing a GBV desk within its headquarters and “at decentralized levels to coordinate GBV related issues.”¹²⁰ It will design and facilitate programs as well as collect information on GBV and violence against women among other activities.¹²¹
- Under the direction of the Ministry of Family Promotion and Gender the National Women's Council was established as a social forum for Rwandan women to come together to “solve their own problems and to participate in and have a say in the development of the country.”¹²²
- The Constitution guarantees, “at least thirty per cent of posts in decision making organs.”¹²³ It also states that The Senate shall be composed of twenty six (26) members serving for a term of eight (8) years and at least thirty per cent (30 %) of whom are women.¹²⁴
- The United Nations Development Programme (UNDP) observed that the Rwandan Forum of Female Parliamentarians (FFRP) put together a five-year strategic plan (2005-2009) that has been fully incorporated and endorsed by the Chamber of Deputies and the Senate in their own plans.¹²⁵
- 38% of Ministers in Rwanda are women.¹²⁶

¹¹⁷ Rwanda's National Action Plan (NAP) for Security Council Resolution 1325, 2009-2012.

¹¹⁸ References are made to the FARG in the 1325 NAP and African Rights' report, “Rwanda: Broken Bodies, Torn Spirits. Living with Genocide, Rape and HIV/AIDS, April 2004 p. 33. Direct source could not be accessed through the internet.

¹¹⁹ Rwanda's National Action Plan (NAP) for Security Council Resolution 1325, 2009-2012, p. 6.

¹²⁰ Ministry of Defence <http://www.mod.gov.rw/?Against-Gender-Based-Violence-in>

¹²¹ Ibid.

¹²² Law No. 27/2003 of 18/08/2003 Determining the organization, attributions and functions of the National Women's Council. http://amategeko.net/display_rubrique.php?ActDo=ShowArt&Information_ID=204&Parent_ID=2189&type=public&Langue_ID=An&ru http://www.migeprof.gov.rw/index.php?option=com_content&task=view&id=118&Itemid=173

¹²³ 04 JUNE 2003 – Constitution of the Republic of Rwanda and its Amendments of 2nd December 2003 and of 8 December 2005, Article 9.

¹²⁴ 04 JUNE 2003 – Constitution of the Republic of Rwanda and its Amendments of 2nd December 2003 and of 8 December 2005, Article 82 Amendment n° 2 of 08/12/2005)

¹²⁵ http://www.undp.org.rw/Newsroom_story8.html

¹²⁶ The Rwandan Statistical Yearbook for 2009 quotes the original source as the Permanent executive secretariat for Beijing PFA Follow-Up (2009) which could not be readily found from an internet search.

Gaps

- In the CEDAW Committee Concluding statements it was observed that “there is no explicit prohibition of discrimination against women...which addresses direct and indirect discrimination, in either the Constitution or other legislation.”¹²⁷
- The *gacaca* system¹²⁸ meant to alleviate the existing court system of genocide cases lacks protocols and/or implementation of existing protocols to guarantee the privacy and dignity of victims who provide testimonies.¹²⁹
- There is no definition of rape in the Rwanda Criminal Code.¹³⁰
- SGBV victims whether from the genocide or post-conflict suffer from lack of resources and are poor. They lack access to or awareness of medical care and support; they lack funds for medication, food, shelter, education for children and are subjected to stigma.¹³¹
- There is documentation of rape victims turning to prostitution for survival or hide the fact from their family and/or husbands.¹³²
- There is insufficient or no data from preliminary research on psychological effects of sexual violence.¹³³
- The International Criminal Tribunal for Rwanda (ICTR) has been criticized by the NGO Coalition on Women’s Human Rights in Conflict Situations, Rwandan and international NGOs, for not paying enough attention to sexual violence crimes.¹³⁴
- There is evidence based on the number of complaints filed in every province that those under sixteen years of age are especially vulnerable to sexual violence between 2000 and 2003.¹³⁵
- 31 % of women have been victims of domestic violence since they were 15 years old;¹³⁶ 61% experienced violence in the 12 months preceding the survey;¹³⁷ 13% of married women who have experienced violence from their husband or partner have experience sexual violence, 34% experienced either physical or sexual violence and 12% have experienced emotional violence.¹³⁸

¹²⁷ “Draft concluding observations of the Committee on the Elimination of Discrimination against Women: Rwanda, September 8, 2009, p. 3.

¹²⁸ A Human Rights Watch (HRW) report notes that *gacacas* are an “an adaptation of participatory, community-level truth-telling and accountability...” See: “Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda,” Sept 2004, Vol. 16, No. 10(A), p 1-2.

¹²⁹ “Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda,” Sept 2004, Vol. 16, No. 10(A), p 1-2 and 27. Also see the report by African Rights with testimony from women who have participated in *Gacaca* proceedings, left vulnerable to stigma and the fear of further aggression from perpetrators of sexual and gender-based violence.

¹³⁰ This claim is made in “Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda,” Sept 2004, Vol. 16, No. 10(A), p. 2. From an initial review of the Criminal Code (18 Aout 1977 – Decret – Loi No. 21/77 Code Penal) no definition was found for rape although punishments for rape are outlined in Articles 359, 360 and 361 in addition to violence against pregnant women in Article 325.

¹³¹ “Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda,” HRW September 2004 p.2, 24; Rwanda’s National Action Plan (NAP) for Security Council Resolution 1325, 2009-2012. p. 7; “Rwanda: Broken Bodies, Torn Spirits. Living with Genocide, Rape and HIV/AIDS, April 2004, Testimonies in chapters 6 and 7.

¹³² “Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda,” Sept 2004, Vol. 16, No. 10(A), p. 23-24, 29.

¹³³ The HRW report states that this is partly due to destruction of medical records during the genocide. This does not account for lack of data since the genocide based on initial research. Ibid, p.38.

¹³⁴ The HRW report sites: Amnesty International, *International Criminal Tribunal for Rwanda: Trials and Tribulations* (London: Amnesty International, 1998); Women’s Caucus for Gender Justice, “Summary of Panel Discussions on Victim and Witness Issues, July 27, 1999 and August 4, 1999, <http://www.iccwomen.org/archive/resources/vwicc/intro.htm>

¹³⁵ Ibid p. 12 The report reviewed Ligue Rwandaise pour la Promotion et la Défense des Droits de l’Homme (Rwandan League for the Promotion and Defense of Human Rights, LIPRODHOR), *Résultats de l’Enquête-Pilote sur les Actes de Viol et les Violences Faites aux Jeunes Filles et Femmes [Results of the Pilot Study on Rape and Violence against Young Girls and Women]* (Kigali: 2000); p. 4; Haguruka, *Résultats de l’Enquête sur les Cas de Viol et d’Attentat à la Pudeur Commis sur les Femmes et les Enfants de 1995 à 2002 [Results of Study on Incidence of Rape and Defilement against Women and Children in 1995-2002]* (Kigali: Haguruka, 2003), pp. 23-24

¹³⁶ Rwanda’s Demographic Health Survey p. 177

¹³⁷ Ibid.

¹³⁸ Ibid p.181.

Observation

What is apparent from preliminary research is that thorough implementation of existing laws needs to be done. The research also notes that statistics on SGBV are not well documented since the genocide. The DHS for 2005 does not have statistics on sexual violence experienced by minors.

Research did not result with any readily available information of GBV against men or its effects on men.

It was clear from the research that stigma around sexual violence is a huge deterrent in having victims voluntarily offer information of their experiences.

Sudan

Sudan has been in conflict since its independence in 1956 save 11 years of relative peace.¹³⁹ The conflict has revolved around resources and economic instability experienced in certain regions.

The humanitarian situation deteriorated to such an extent that two separate UN missions were installed. The United Nations Mission in the Sudan was established in 2005 and the African Union/United Nations Hybrid operation in Darfur (UNAMID) was established in 2007.¹⁴⁰

Civilians have been subjected to indiscriminate violence by all parties. Women and girls have been subjected to rape, sexual slavery (including in internally displaced peoples' camps) while also being a part of the conflict as combatants.

Societal attitudes discriminate against women and girls and the country has not signed onto the Convention to Eliminate Violence Against Women.

Achievements

- A special investigations unit has been established by UNAMID to monitor and report sexual and gender-based violent crimes.¹⁴¹
- UNAMID organized a facilitated dialogue session on the implementation of SCR 1325 inviting the North State Government's committee on UNSCR 1325 and Women representatives and signatories to the Darfur Peace Agreement.¹⁴²
- West Darfur Establishes State Committee on UNSCR 1325.¹⁴³

Gaps

- Sudan is not a party to the CEDAW Convention.¹⁴⁴
- There is stigma attached to rape and so victims are less likely to come forward for fear of reprisal.¹⁴⁵
- Survivors are prone to experiencing complications with pregnancy, having unwanted pregnancies, having miscarriages being more susceptible to disease or ailments.¹⁴⁶ They are also unlikely to seek

¹³⁹ <http://www.un.org/en/peacekeeping/missions/unmis/background.shtml> also see the following for more background information: <http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/sudan/B76%20Negotiating%20Sudans%20North-South%20Future.ashx>

<http://www.crisisgroup.org/en/regions/africa/horn-of-africa/sudan/b014-sudans-other-wars.aspx>

<http://www.crisisgroup.org/~media/files/africa/horn-of-africa/sudan/darfur%20rising%20sudans%20new%20crisis.ashx>

<http://www.un.org/en/peacekeeping/missions/unamid/background.shtml>

¹⁴⁰ <http://www.un.org/en/peacekeeping/missions/unmis/background.shtml>,

<http://www.un.org/en/peacekeeping/missions/unamid/background.shtml>

¹⁴¹ Darfur: African-UN mission sets up unit to investigate gender-based crimes

August 18, 2009 <http://www.un.org/apps/news/story.asp?NewsID=31790&Cr=Darfur&Cr1=>

¹⁴² <http://unamid.unmissions.org/Default.aspx?tabid=888&ctl=Details&mid=1062&ItemID=8994>

¹⁴³ Press Release <http://unamid.unmissions.org/Default.aspx?tabid=899&ctl=Details&mid=1072&ItemID=10588>

¹⁴⁴ <http://www.un.org/womenwatch/daw/cedaw/reports.htm#s>

¹⁴⁵ In the report, "The Way Forward: Ending Human Rights Abuses and Repression across Sudan," October 2009

Human Rights Watch observes part of the reason varied statistics on sexual violence is due to the social stigma attached to it therefore making it difficult for women to report such crimes. The eighth periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan Women abducted, raped and kept as sex slaves following the December 2006 attacks on Deriba also notes that the Criminal Code needs to be reviewed so that women reporting rape are not accused of adultery. See page 6 of the report and Articles 145 and 149 of the Criminal Code 1991.

¹⁴⁶ Eighth periodic report of the United Nations High Commissioner for Human Rights on the human rights situation in the Sudan Women abducted, raped and kept as sex slaves following the December 2006 attacks on Deribat p. 2 and 4. "Soudan, Darfour, Le viol : une arme de guerre, La violence sexuelle et ses conséquences," London, July 2004.

medical attention as facilities are too far away or they are unaware of the existence of such services.¹⁴⁷

- Sexual violence survivors suffer psychological problems.¹⁴⁸
- Women ex-combatants face difficulties being considered for the DDR program mandated by the Comprehensive Peace Agreement (CPA) in addition to facing challenges reintegrating into communities due to stigma attached to women who have been combatants.¹⁴⁹
- The CPA acknowledges that men and women are equal before the law but does not acknowledge the need for non-discriminatory laws with a gender perspective.¹⁵⁰
- A cursory study of the CPA finds no specific mention made of implementing SCR 1325 or outlining the role of women in processes to establish peace in Sudan.
- "In the Sudan as a whole, 12 percent of women aged 15-49 were married before their 15th birthday."¹⁵¹
- "[T]he poorest women (are) almost three times as likely (16 percent) to be married before age 15 as women from the richest households (6 percent). Girls in Southern Sudan are appreciably more likely (17 percent) to be married before (the) age 15 than girls in the remaining 15 States (12 percent)."¹⁵²
- FGM is widely practiced in the country and not punishable by law directly.¹⁵³
- No preliminary information was found in women's representation in Parliament.

Observations

NGOs, the UN Missions and the DHS (conducted in 2006) collect information based on their own defined collection processes. No centralized, consistent collection of data on gender-based and sexual violence appears to exist.

Advocacy on signing CEDAW would be one of the initial ways to make Sudan accountable to women and girls rights.

A coordinated National Action Plan on 1325 should be part of future steps to establish peace in the country.

The DHS found that women in Southern Sudan generally experience more complications in labour and are more likely to be married before the age of time. There is potentially some room for research on whether women's rights in the south are more adversely affected than in the north.

¹⁴⁷ Ibid p. 4.

¹⁴⁸ "Soudan, Darfour, Le viol : une arme de guerre, La violence sexuelle et ses conséquences," London, July 2004

¹⁴⁹ The report "Unrealistic Expectations: Current Challenges to Reintegration in Southern Sudan" by Julie Brethfeld notes that women ex-combatants are likely to face more challenges reintegrating if they do not have a male relative to take care of them and if they come back with children who have different fathers. It also observes that because women were not formally listed on the SPLA payroll they cannot technically be considered for DDR program t. See pages 32-33 of the report.

¹⁵⁰ Sections 1.6.2.12 and 1.6.2.16 of the CPA.

¹⁵¹ Sudan's Demographic Health Survey 2006, p. 183.

¹⁵² Ibid.

¹⁵³ Ahmed, Samira S, S. Al Hebshi, B.V. Nylund. "Sudan: An In-Depth Analysis of the Social Dynamic of Abandonment of FGM/C," UNICEF Innocenti Working Papers, May 2009, p. 6 ****The report quotes stats on FGM that names the SDHS as the source yet can't find stats that match.*

Tanzania

Tanzania appears to be a relatively peaceful African country compared with its neighbours. It has camps for refugees from Burundi and is regarded by some to be able to play an influential role in peacemaking for the region.¹⁵⁴

Within the country there is a prevailing understanding that certain types of gender-based or sexual violence is permissible. FGM continues to be practiced and, among other things, marital rape is not criminalized.

Tanzania does not have a NAP for SCR 1325 however it has one to prevent and eradicate violence (including sexual violence) against women and children released in 2001 (see note below under the “Achievements” section) and has made efforts to put gender equality mechanisms in place.

Achievements

- The Commission for Human Rights and Good Governance was established in 2001. Its medium term strategy plan published in February 2010 aims to train experts, practitioners and activists on how to mainstream gender in human rights and good governance issues.¹⁵⁵
- Amendments to the Constitution now ensure that women make up at least 30% of Parliament and states half of the eligible 10 members that the President can nominate should be woman.¹⁵⁶
- The thirteenth Constitutional amendment now states that gender is one of the areas under which one can experience discrimination. This stipulation is also included in article 12, section 5, of the Constitution of Zanzibar.¹⁵⁷
- The Ministry of Community Development and Gender released the “National Plan of Action for the Prevention and Eradication of Violence Against Women and Children for 2001 – 2015.”¹⁵⁸
- In May 2008 the President launched a national campaign, “Say No to Violence Against Women.”¹⁵⁹
- The Sexual Offences Special Provisions Act of 1998 makes it a crime for a man to rape a girl or woman, commit any kind of sexual abuse against with a child or perform FGM on anyone under 18 years of age.¹⁶⁰
- The State adopted the National Plan of Action to combat Female Genital Mutilation (2001-2015).¹⁶¹

Gaps

- FGM is still practiced in Tanzania with it occurring twice as much in rural areas versus the urban areas.¹⁶²
- There is a general consensus among Tanzanians that wife beating is acceptable. The 2004-2005 DHS reports, “Almost half (the women interviewed) agree that it is acceptable for a husband to hit a

¹⁵⁴ See “Burundian Refugees in Tanzania: The Key Factor to the Burundi Peace Process,” Africa Report No. 12, 30 November 1999 <http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/012-burundian-refugees-in-tanzania-the-key-factor-to-the-burundi-peace-process.aspx> and Grignon, François. “Tanzania must help end Zimbabwe’s military dictatorship,” The East African, 25 Aug 2008

<http://www.crisisgroup.org/en/regions/africa/southern-africa/zimbabwe/grignon-tanzania-must-help-end-zimbabwes-military-dictatorship.aspx>

¹⁵⁵ “Medium Term Strategic Plan 2010-11-2014/15,” Commission for Human Rights and Good Governance February 2010, p. v.

¹⁵⁶ Concluding observations of the Committee on the Elimination of Discrimination against Women: United Republic of Tanzania, July 16, 2008, p. 2. The Constitution was amended in the early 2000s.

¹⁵⁷ Ibid.

¹⁵⁸ <http://webapps01.un.org/vawdatabase/uploads/Tanzania%20-%20National%20Plan%20of%20Action%20For%20the%20prevention%20and%20Eradication%20of%20Violence%20Against%20Women%20and%20Children%202001-2015.pdf>

¹⁵⁹ Ibid, p.6.

¹⁶⁰ “The Sexual Offences Special Provision Act, 1998 p. 2, p. 4, p. 7

¹⁶¹ Concluding observations of the Committee on the Elimination of Discrimination against Women: United Republic of Tanzania, July 16, 2008, p. 6.

¹⁶² Tanzania Demographic and Health Survey, 2004, p. 50 Also see male perspective which also justifies wife-beating in “Gender-based Violence in Tanzania: An Assessment of Policies, Services and Promising Interventions. USAID, November 2008 p249.

wife if she argues with him (46%), if she goes out without telling him (43%), or if she neglects the children (47%). Women are less likely to find violence from a husband acceptable when a wife refuses sex (29%) or burns the food (20%).¹⁶³

- Marital rape has not been criminalized.¹⁶⁴ There is a general understanding that once married a woman must be available for sex as and when her husband wishes.¹⁶⁵
- A report by United States Agency for International Development (USAID) notes that sexual violence is committed against boys and men but no data exists. Gender-based and sexual violence statistics mostly look at women.¹⁶⁶
- According to a United States Department of State report on trafficking, it finds that “Tanzania is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation.”¹⁶⁷
- Women experience challenges seeking legal recourse for gender-based crimes that have been committed against them.¹⁶⁸
- Tanzania lacks proper procedures in place for health care workers to follow when processing a survivor of gender-based and sexual violence.¹⁶⁹

Observations

In the most recent elections held in October 2010 there were indications that female representation would drop from the last election where Tanzania was just able to meet the 30% minimum.¹⁷⁰

The 2004-2005 DHS survey notes that the “(l)evel of education shows no consistent relationship to participation in decision making.”¹⁷¹ This could be a potential area of research to support the inclusion of women in decision-making bodies.

While certain practices reinforce gender stereotypes and perpetuate gender-based violence both the DHS survey and USAID report show that a certain degree of women’s autonomy in decision making is accepted.¹⁷² There is a potential opportunity for research with regard to what decisions a woman can make with autonomy, what kind of woman (i.e. girl, married, single) can make such decisions and why society believes it is ok for women to make certain types of decisions with autonomy.

¹⁶³ Tanzania Demographic and Health Survey, 2004, p. 50 Also see male perspective which also justifies wife-beating in “Gender-based Violence in Tanzania: An Assessment of Policies, Services and Promising Interventions,” USAID, November 2008 p. 10.

¹⁶⁴ Concluding observations of the Committee on the Elimination of Discrimination against Women: United Republic of Tanzania, July 16, 2008, p. 6

¹⁶⁵ “Gender-based Violence in Tanzania: An Assessment of Policies, Services and Promising Interventions,” USAID, November 2008 p. 11.

¹⁶⁶ Ibid p.11-12.

¹⁶⁷ “Trafficking in Persons Report 2008 - Tanzania,” United States Department of State, 4 June 2008,

<http://www.unhcr.org/refworld/docid/484f9a4128.html>

¹⁶⁸ “Gender-based Violence in Tanzania: An Assessment of Policies, Services and Promising Interventions,” USAID, November 2008 p. 19.

¹⁶⁹ Ibid p. 16.

¹⁷⁰ “Tanzania’s First Female Speaker: Celebrating Gender Equality?” November 18, 2010

http://www.peacewomen.org/news_article.php?id=2412&type=news

¹⁷¹ Tanzania Demographic and Health Survey, 2004, p. 47

¹⁷² Ibid and “Gender-based Violence in Tanzania: An Assessment of Policies, Services and Promising Interventions. USAID, November 2008 p9.

Uganda

A cursory study of Uganda finds that it suffers from poverty, is experiencing the effects of conflict and is gravely affected by systemic gender inequalities highlighted by evidence of structural, physical, emotional and sexual violence.

Achievements

- Ratified CEDAW in 1985.¹⁷³
- Passed the Equal Opportunities Commission Act 2007; it commits the state to eliminating discrimination on the basis of sex and to take affirmative action in favour of marginalized groups on the basis, among other things, gender.¹⁷⁴
- Guarantees gender equality and elimination of discrimination as well as affirmative action to balance gender inequalities.¹⁷⁵
- Adopted a NAP on SCR 1325, 1820 and the Goma Declaration in December 2008.¹⁷⁶
- Uganda has a quota for 33% of women to be elected to the National Legislature.¹⁷⁷

Gaps

The DHS published in 2006 found the following trends in gender-based violence:

- “Six in ten women have experienced physical violence since the age of 15.”¹⁷⁸
- “There is substantial variation in experience of physical violence by region. The percentage of women who [have] experienced physical violence ranges from 52% in Kampala to 76% in Eastern region.”¹⁷⁹
- “...Physical violence is comparatively lower among men than among women (53% compared with 60%).”¹⁸⁰
- “[F]orced first sexual intercourse is much more common among women than men.”¹⁸¹
- “[F]our in ten women have ever experienced sexual violence (39%).”¹⁸²
- “41% of men report ever experiencing sexual violence.”¹⁸³
- “Among ever-married men, the percentage who have experienced emotional and physical violence by their wives increase with age.”¹⁸⁴
- “[M]arital status shows a strong relationship with experience of violence.”¹⁸⁵

Integral in both CEDAW and the Equal Opportunities Commission Act is a commitment to eliminating

¹⁷³ http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

¹⁷⁴ Equal Opportunities Commission Act 2007, p.2.

¹⁷⁵ Constitution of the Republic of Uganda, 1995 Article 21 as cited in The Uganda Action Plan for Security Council Resolutions 1325, 1820 and the Goma Declaration 2008, p.19. http://www.peacewomen.org/countries_and_regions/africa/east-africahorn/uganda

¹⁷⁶ Ibid. This document provides a full list of international and regional legal instruments and obligations that Uganda has committed to in addition to domestic legislation.

¹⁷⁷ *Unable to download the Uganda constitution. Citing Costantini, Cristina. “Misrepresentation: Flawed Affirmative Action in Uganda’s National Parliament,” Broad Recognition: A Feminist Magazine at Yale, December 2009.

¹⁷⁸ Uganda DHS 2006 p. 286.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

¹⁸¹ Uganda DHS 2006 p.289.

¹⁸² Uganda DHS 2006 p.291.

¹⁸³ Ibid.

¹⁸⁴ Ibid. 300.

¹⁸⁵ Uganda DHS p. 297

discrimination especially amongst minorities. Article 5 of CEDAW requires state parties to modify social and cultural practices that perpetuate stereotypes of men and women as well as notions of inferiority or superiority attributed to either sex.

The situation in Uganda demonstrates a gap in fulfilling these commitments. The UNPFA's State of World Population Report for 2010 highlights the reality of girls forced into sexual slavery by the Lord's Resistance Army¹⁸⁶. A deputy chairperson for the Acholi Elders states, "Young girls forced into sexual slavery face a lot of stigma now. Families are embarrassed."¹⁸⁷ A report published by CARE also notes concern regarding this community located in Northern Uganda observing that their cultural perspectives are deeply entrenched.¹⁸⁸

A source of tension revolves around economic empowerment. As women take on the responsibility of earning money or being paid in kind, both reports by the UNPFA and CARE find that the masculine identity is challenged.¹⁸⁹ The DHS for 2006 also found:

- "Women who are employed but are not paid in cash are more likely to report having experienced physical violence since age 15 and having experienced physical violence in the past 12 months than women who are unemployed, or employed for cash."¹⁹⁰
- "Women who are employed for cash, those who are divorced/separated/widowed, and those who live in rural areas are more likely than other women to have experienced sexual violence."¹⁹¹

It is worth noting a potential link between economic empowerment and gender-based violence.

Uganda's NAP on SCR 1325, 1820 and the Goma Declaration are comprehensive with identified strategic objectives, strategic action, performance indicators and key actors who are expected to take financial responsibility for implementing the plan. Since 2008 it is unclear if sustained efforts have been made to eliminate sexual violence in conflict, gender sensitize the judiciary, police, health care providers etc and to ensure Ugandan women are consulted on conflict resolution and capacity-building measures.

A leading women's rights advocacy organization in Uganda, Isis-WICCE, partnered up with Centre for Women in Governance (CEWIGO) to launch a monitoring report on the implementation of SCR 1325 in Uganda. The report, released in November 2010, found a high incidence of sexual violence including rape with few women reporting their case; the need for greater transparency in distribution of funds for peacebuilding initiatives in Northern Uganda; the need for more qualified health care providers to treat survivors of rape and the need for more emergency centers for women and children threatened with violence.¹⁹²

The author of the article, "Misrepresentation: Flawed Affirmative Action in Uganda's National Parliament," finds that women MP end up, to some extent, reinforcing the stereotype of women being incompetent due

¹⁸⁶ An armed rebel group located in the north. See "From Resolution to Reality: Lessons Learned from Afghanistan, Nepal and Uganda on Women's participation in peacebuilding and post-conflict governance." CARE International October 2010.

¹⁸⁷ "State of World Population Report 2010: From Conflict and Crisis to Renewal: Generations of Change," UNPFA, 2010, p.61.

¹⁸⁸ CARE p. 26

¹⁸⁹ "State of World Population Report 2010: From Conflict and Crisis to Renewal: Generations of Change," UNPFA, 2010 p. 42 and "From Resolution to Reality: Lessons Learned from Afghanistan, Nepal and Uganda on Women's participation in peacebuilding and post-conflict governance." CARE International October 2010 p. 26

¹⁹⁰ Uganda DHS p. 286.

¹⁹¹ Ibid p.286.

¹⁹² http://www.isis.or.ug/index.php?option=com_content&view=article&id=94

to practices that inhibit them from being effective. E.g. “Woman MPs must represent larger areas, but with inadequate allotments of support and capital for initiatives in their districts.”¹⁹³

Annotated Bibliography

1. Uganda: DHS 2006

Section 18.3: Experience of Violence by Women Age 15-49 and Men Age 15-54 highlights a few other areas not mentioned above. Generally there appears to be a higher incidence of physical and sexual violence in Uganda’s Eastern region.

An area of potential interest for research is the link between education and violence. There appears to be higher violence experienced by women with no or primary education.

The survey also documents teachers as the most common perpetrators of physical violence.

The study notes sexual and physical violence against men. The perpetrators include wives of men.

Preliminary data illustrates a link between violence and alcohol abuse by men (husbands). This does not preclude men who do not drink from inflicting physical and sexual abuse.

There is also data on women who seek help with in the North and Eastern regions as well as those in IDP camps more likely to seek help.

2. From Resolution to Reality: Lessons Learned from Afghanistan, Nepal and Uganda on Women’s participation in peacebuilding and post-conflict governance.

This report highlights relevant documents to reinforce women’s rights for political participation in Uganda. It highlights key concerns and challenges implementing Uganda’s NAP for SCR 1325, 1820 and the Goma Declaration.

It provides the contextual information on women’s groups that have advocated for gender considerations in the Peace Recovery Development Plan for Northern Uganda as well as obstacles they have faced.

3. The National Action Plan on United Nations Security Council Resolution (SCR) 1325, 1820 and the Goma Declaration in December 2008

This document provides a comprehensive and succinct assessment of the history of recent conflict in Uganda, gender-based and sexual violence and legal international, regional and national commitments to eradicate this violence. It also has detailed action plans to implement SCR 1325, 1820 and the Goma Declaration.

¹⁹³ Costantini, Cristina. “Misrepresentation: Flawed Affirmative Action in Uganda’s National Parliament,” *Broad Recognition: A Feminist Magazine* at Yale, December 2009.

Zambia

While Zambia has not recently experienced armed conflict, SGBV is evident in the country.

In particular customary law and traditions discriminate against women. Perpetrators of physical and sexual abuse are generally not held accountable and more often than not women are forced to suffer in silence with little to no resources.

Achievements

- The National Legal Aid Clinic for Women operates legal aid clinics for women and children in Lusaka, Ndola and Livingstone.¹⁹⁴
- The Young Women's Christian Association (YWCA) has a drop-in centre where women and girls can receive counselling and psychosocial support.¹⁹⁵
- It has also delivered training to peer educators (7 women and 3 men) who, in turn, offer awareness activities to communities and schools on sexual and reproductive health and rights as well as on HIV.¹⁹⁶
- The Zambia Association for Research and Development (ZARD) and Zambia Alliance of women (Zambia) work on educating women of their legal rights.¹⁹⁷
- According to the country report sexual intercourse with a girl under 16 years of age constitutes statutory rape.¹⁹⁸
- Women in Law and Development in Africa (WiLDAF) delivered advocacy activities to increase the participation of women in the electoral process during the 2006 elections.¹⁹⁹
- As per the Amendment to the Police Act in 1991, Victim Support Units (VSUs) were installed at police stations to provide counseling to victims and protect citizens from various forms of abuse including sexual violence.²⁰⁰
- Article 23 of the 1991 Zambian Constitution states that laws passed will be free of discrimination amongst other things against gender.²⁰¹

Gaps

- A common practice of *lobola* (bride price) renders women as the property of men.²⁰²
- Poverty has been linked to the sexual exploitation of children. In Zambia's country report to the CEDAW Committee it quotes a study by the YWCA in 1996 which notes that parents exposed their children to sexual abuse by sending them to sell food at pubs.²⁰³
- The country report states that "in practice women's equality with men before the law is eroded in customary laws and practice, particularly in the area of matrimonial and property laws. Wife battery and rape hardly give rise to court proceedings as both the victims and the law enforcement agents are compromised by cultural perceptions."²⁰⁴

¹⁹⁴ <http://www.laz.org.zm/activities.htm>

¹⁹⁵ <http://www.worldywca.org/Member-Associations/Power-To-Change-Fund-Success-stories/The-YWCA-of-Zambia-Empowers-Women>

¹⁹⁶ Ibid..

¹⁹⁷ Third and Fourth periodic reports of State Parties Zambia: 12 August 1999 p. 60

¹⁹⁸ Ibid, p. 65.

¹⁹⁹ PRELIMINARY INTERIM REPORT ON BASELINE SURVEY CONDUCTED BY WILDAF ON ISSUES RELATED TO WOMEN PARTICIPATION IN ELECTORAL PROCESSES Prepared by Dr. Njunga M. Mulikita, Consultant/Political Scientist, October 2006

²⁰⁰ ACTNo. 14 of 1999, An Act to amend the Zambia Police Act GOVERNMENT OF ZAMBIA 23rd December, 1999, Article 53 section 1 and 2.

²⁰¹ Zambian Constitution, August 1991, <http://unpan1.un.org/intrados/groups/public/documents/cafrad/unpan004847.pdf>

²⁰² Third and Fourth periodic reports of State Parties Zambia: 12 August 1999 p. 19

²⁰³ Ibid p. 22.

²⁰⁴ Ibid p. 59.

- In the last election held in 2006 only 14.56% of women were elected to the National Assembly.²⁰⁵
- The 2007 DHS for Zambia found that almost half (47 percent) of all women have experienced physical violence since they were 15 and one-third of women experienced physical violence in the 12 months preceding the survey.²⁰⁶
- The survey also found that “women who are employed and receive their payment in cash are more likely than other women to have ever experienced physical violence since age 15 (54 percent) and during the 12 months preceding the survey (36 percent). On the other hand, unemployed women are the least likely to experience physical violence, with 40 percent having experienced violence since age 15 and 25 percent during the past 12 months.”²⁰⁷
- “The highest percentage of women who reported experience of physical violence within the past year is in Luapula (46 percent). Women in Eastern province are least likely to report ever experiencing physical violence since age 15 and experiencing physical violence within the last 12 months (37 and 20 percent, respectively).”²⁰⁸
- “[O]ne in five women have experienced sexual violence at some point in their lives. The highest proportion of women having reporting experience with sexual violence is among women age 25-39 (22 percent). Women who are employed for cash are the most likely to report sexual violence (25 percent), while unemployed women are the least likely to do so (17 percent).”²⁰⁹
- “Data shows that 15 percent of women were age 14 or younger when they were first sexually assaulted, and 20 percent were in the age group 15-19 years.”²¹⁰
- “Violence during pregnancy occurs at all ages. Women age 25-39 reported the highest prevalence of violence while pregnant (11 percent).”²¹¹
- With access to statistics recorded by the YWCA, HRW reported that YWCA’s Lusaka shelter recorded ten cases of rape of adult women in every week.²¹²
- Interviewing women in Zambia HRW found that over half of them indicated that married women in many Zambian communities are taught to submit to demands for sex from their husbands and have little power to negotiate safer sex.²¹³ Women also reported “that they were beaten, slapped, shouted at, verbally abused, and raped upon discussing HIV testing and treatment with their husbands, after disclosing their HIV status to their husbands, and as a result of visiting health facilities to collect their antiretroviral treatment (ART).”²¹⁴
- As well “[n]umerous other women said that their husbands described them as “prostitutes,” suggesting that the women had extramarital affairs and as a result they suspected that they had sexually transmitted infections. As such, several women interviewed for this report told Human Rights Watch that they decided not to discuss the matter with their husbands or take HIV tests.”²¹⁵
- VSUs lack resources including sexual crime forensic kits, staff and lack of trained staff to handle victims of sexual violence.²¹⁶
- There is no NAP for SCR 1820.

²⁰⁵ http://www.ipu.org/parline-e/reports/2359_E.htm

²⁰⁶ Zambia’s DHS 2007, p.275.

²⁰⁷ Ibid, p.276.

²⁰⁸ Ibid.

²⁰⁹ Ibid, p.278.

²¹⁰ Ibid, p.280.

²¹¹ Ibid, p. 281.

²¹² “Hidden in the Mealie Meal,” Gender-Based Abuses and Women’s HIV Treatment in Zambia, Volume 19, No. 18(A), December 2007 p. 15.

²¹³ Ibid, p.19.

²¹⁴ Ibid, p.21.

²¹⁵ Ibid, p.23.

²¹⁶ Ibid p.58-59.

Observations

There are efforts being made by NGOs and lawyers to advocate for women's rights and change laws to eliminate discrimination against women. Similar actions by government bodies were not readily available upon initial research.

In 2010 a draft constitution for Zambia was released which includes recognition of equality between sexes and expresses zero-tolerance for discrimination based on gender. There is no indication based on cursory internet research that it will be adopted or what other actions will be taken with this document.

General Conclusions

The reviews, more or less, demonstrate that the countries concerned have some type of legislation to combat SGBV. Affirmative action in identified countries has, overall, resulted in a relative increase in representation of women in political, judiciary, police and army positions.

There is however a lack of NAPs on SCR 1325 and 1820. One of the outcomes related to this is little to no input from women (including victims of SGBV and war in addition to ex-combatants) in declarations and peace accords to end conflict. It has also specifically meant that women are left out or are not adequately included in DDR initiatives.

The consequences in failing to implement these resolutions are compounded by the significant negative impact culture and tradition have on women, men, their gender roles and their health in the Great Lakes countries. Taking a closer look at one result of rape for instance is that it leads to stigma and discrimination which in turn leads many women to poverty which then forces some women into prostitution to survive. This occupation then reinforces discrimination which perpetuates the cycle.

Aggravating the situation further is the variety of definitions for rape, sexual violence or harassment and gender-based violence. The result is an inconsistent approach to the elimination of violence against women and comprehensively supporting gender equality actions.

Other trends from DHS and MICS show that generally one-third of women in each country are victims of violence, that little to no education results in a higher likelihood of FGM occurring and that SGBV results in an overall decrease in the health of women. Health centres are usually far away or inaccessible due to lack of funds to reach them. Remarkable is the absence of psychological help or recorded data on such support offered in conjunction with medical treatment given to victims of SGBV when they are able to access such services. An obvious gap related to this is determining whether such assistance improves the state of women and their communities.

In developing the report it was observed that there is inconsistent or no information available on the impact SGBV has had on men. Notable as well is the lack of recorded data readily available on the role of women as combatants in war and the impact this has had on gender roles in addition to social, economic and cultural structures.

Finally due to time constraints research was not carried out on Internally Displaced People (IDPs). In preparing the report, it was noted that there is much scope for research and consistent documentation of women's rights violations and SGBV that require further investigation.