

Health and human rights: women and sexual violence

Supporting local efforts to document human-rights violations in armed conflict

At the end of 1999, 56 of the 188 AUN member states were involved in violent conflicts, resulting in 35 million refugees and internally displaced people, mostly women and children. Many were victims of deliberate and systematic attacks including sexual assault. The civil conflict in Liberia began in December, 1989, after 10 years of ethnic tension and violence, during which seven different fighting factions struggled for control of the country. Because the fighting occurred mainly in rural areas, nearly three-quarters of the population were forced to flee their villages. Civilians were subjected to illegal detention, strip searches, beatings, torture, rape, and murder. In 1996, Liberia had the largest percentage of uprooted people of any country in the world.

In the past decade the international community has begun to recognise and document sexual violence against women and girls during conflict. Documenting sexual violence and human-rights violations against women presents a unique challenge that requires special documentation methods. Reporting the experience of rape and sexual abuse will affect the woman and her community differently according to the attitudes of the individual, her family members, and her culture. Although a woman may be willing to report the killing of her family members, she may be reluctant to admit that she was raped. To document sexual violence accurately requires an intimate understanding of attitudes, languages, and regional practices.

Women's Rights International (WRI) was founded with the specific purpose of developing methods that can accurately document and address human-rights violations against women. The organisation works with rural women in countries at war or who are living under state-sponsored violence, using participatory action-oriented research. The women who are affected by a certain issue choose the research questions, design the survey, and collect the information themselves. In 1994, WRI began a collaboration with the Women's Health and Development Program (WHDP) at the Mother Patern College of Health Sciences in Monrovia, Liberia, to document the experiences of women, including sexual violence and coercion, during the

Japan's "comfort women"

It was not until 1993 that the Japanese government stopped denying its involvement in the creation of comfort stations—establishments that saw the systematic rape, torture, and in some cases murder, of approximately 200 000 so-called comfort women. Women from Asia and the Netherlands, many of whom were girls at the time, had been a gift from Emperor Hirohito to his troops during the Second World War. Numerous attempts by the women to claim justice for their abduction and brutal treatment through the Japanese courts have failed, including a recent case brought by 46 Filipino women. Last month, to continue to put pressure on the Japanese government, the Violence Against Women in War Network (VAWW-Net Japan), the Korean Council for the Women Drafted for Military Sexual Slavery by Japan, and the Asian Center for Women's Human Rights (ASCENT) convened the women's international war-crimes tribunal on Japan's military sexual slavery. At this symbolic hearing in Tokyo, 78 former comfort women from countries including North and South Korea, Peoples Republic of China, Taiwan, Philippines, Malaysia, Indonesia, and the Netherlands gave evidence and demanded accountability.

The evidence-gathering process took many forms. In Manila in the Philippines, 30 elderly women told their stories through an interpreter. With tears rolling down their faces they exposed the pain and humiliation of their experiences more than 50 years ago. As young girls they had been forced into army brothels where they were raped by as many as 60 soldiers from the Japanese imperial army each day. Their stories were stark testimony to the horror experienced by those forced into sexual slavery. The women had recently been rejected by their families for speaking out. One woman told of her devastation after her 30-year-old daughter refused to speak to or see her on learning the details of her sexual abuse by the military for 5 months during the 1940s. One survivor from Korea told of how she became pregnant as a result of multiple rapes. The soldiers cut her fetus out with a bayonet and removed her uterus. Another, an Indonesian woman, was 16-years old when taken from her home with 80 others and kept in one room to "service" the soldiers. She explained to interpreters that every Friday a doctor would examine her, and that once the examination was complete the doctor would rape her. The tribunal was told that at the end of the war, in order to hide evidence of one of the stations, women had been grouped there and the station bombed. Two Japanese veterans and six expert witnesses also provided testimony. Prominent international lawyers including Gabrielle Kirk McDonald, previously president of the International Criminal Tribunal for the former Yugoslavia, served as judges and prosecutors. The judges indicted Emperor Hirohito for these war crimes.

In addition, on Dec 11, there was a 1-day public hearing in Tokyo on crimes against women in recent conflicts. This hearing, coordinated by Women's Caucus for Gender Justice, brought together women who have survived violations in recent and ongoing wars and conflicts. Women presented testimonies from many countries including Sierra Leone, Burundi, Colombia, Vietnam, Somalia, and Korea. One 25-year-old woman from Chiapas, Mexico, spoke of going to a public hospital to give birth in August, 1999, where the doctor advised her that a caesarean section was necessary. She later found that she had been sterilised. A widow with five children from Sierra Leone told of how her town was attacked by rebel forces in December, 1999, and how she had escaped into the bush with her children. They were without food for 3 days and on the fourth day ten masked men raped her while swearing their allegiance to the rebel leader. They left her bleeding, helpless, and separated from her children. It is clear that impunity for violence against women continues.

Sexual assault has always occurred in armed conflict and for many years was seen merely as an inevitable consequence of war. In the last few years the ad hoc international criminal tribunals for Rwanda and the former Yugoslavia have set a strong precedent that rape is a war crime and a crime against humanity. By contrast, the Second World War international prosecutions in Nuremberg and Tokyo were almost silent on sexual crimes against women. Current developments in the ad hoc tribunals are welcome and it is heartening that the proposed international criminal court includes ample reference to sexual crimes.

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war. During ongoing conflict, a team of Liberian health workers designed, wrote, and carried out a population-based survey, interviewing 205 randomly selected women in urban neighbourhoods, markets, camps for internally displaced people, and high schools in Monrovia. They found that nearly half the women they interviewed had experienced physical or sexual violence and coercion by soldiers and fighters.¹ Because they designed the survey themselves, the Liberian women were able to draw on their own experiences and understanding of violence against women during the war to document important risk factors and characteristics of sexual violence. For example, the team knew that when a woman was detained by a fighter and forced to cook for him, that detention was often associated with sexual violence. The survey data showed that being forced to cook was a significant risk factor, providing statistical evidence for what the Liberian women knew about human-rights violations during the war. Additionally, Liberian women knew that there were many interpretations of the word "rape", and that if they simply asked women if they were raped they would not have accurately documented every instance of sexual violence. Instead they used Liberian English to ask women about forced sex. Finally, the Liberian women knew that sexual violence during the war occurred along a continuum, with forced sex at one extreme, voluntary relationships with fighters at the other extreme, and sexual relationships in exchange for economic support and safety falling somewhere in between. In their survey they asked about the entire continuum, documenting a broad spectrum of physical and sexual violence and coercion by soldiers and fighters.



The refugee camp in Liberia, 1995

Sando Moore

team decided to document what was happening to Liberian women during the war, but they did not feel it was safe to identify perpetrators. The team took special precautions to protect their own safety and the safety of the women they interviewed. They chose not to document the identities of individuals, fighting factions, or details of when and where violent events occurred, but to establish a record of the scope and scale of physical and sexual violence against women. This type of information has been used in other conflicts to establish the need to prosecute rape in international tribunals. In the former Yugoslavia, for example, evidence of rape on a massive scale was based primarily on data that did not identify perpetrators. Those data prompted the UN Commission on Human Rights in 1993 to pass the first resolution to identify rape as a war crime.

The collaborative partnership between WRI and WHDP has developed innovative ways to support Liberian women in organising a programme to address the effects of physical and sexual violence in their lives. The first workshop involved 11 traditional birth attendants in a displaced people camp in Liberia in 1994. As a result of the workshop, these women formed a group to promote mutual understanding, support, and willingness to speak for one another's rights. They organised the women in the camp to elect a woman as camp leader, something that had never happened before. When a woman's husband died and her brother-in-law tried to take her house, as is customary by tribal inheritance law, they collectively went to the chief and persuaded him to let the woman keep her house. In April, 1996, fighters attacked the camp and the occupants fled. Several weeks later, the women returned to the camp to find that their garden had been demolished and their stick and thatch houses had been looted. However, within a year the women's group had grown to include several hundred women who were addressing immediate concerns such as violence against women in the camp.

During ongoing armed conflict the international community focuses its resources on emergency humanitarian aid, supporting food distribution and

emergency medical care. Active armed violence and a government that is unstable or in constant upheaval create a difficult context for documenting human-rights violations and for developing programmes to address war violence. Small international non-governmental organisations, however, can work directly with local groups to collect information and establish programmes during war. When information on human-rights violations is collected immediately it is more accurate and more useful to local and international agencies.² In addition, the protracted nature of many conflicts makes it ethically irresponsible to wait until the conflict is over to set up programmes for people who could have benefited from them earlier. Local groups should retain control of decisions about the purpose for collecting data, what data are collected, and when and where the data are disseminated. Donor partners and international organisations that support local programmes must be aware that it could be many years before local programmes can safely release some of the information they collect. A delay in providing information to international partners could be crucial for protecting the local programme, but may conflict with the needs and expectations of international organisations and donors.

Supporting local efforts results in a programme that is meaningful and sustainable. The Liberia project started developing and implementing its programme in 1994, 5 years into the civil war. The project remains active today and has functioned virtually uninterrupted for 7 years. The WHDP team has now travelled to nearly half the counties in Liberia to carry out their 2-week workshops to promote consciousness raising, problem solving, and community organisation around the issue of violence against women. Using a participatory approach to collecting information about human-rights violations requires enduring commitment and carries substantial risks, but also has the potential for positive, lasting, and sustainable changes at the local level.

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