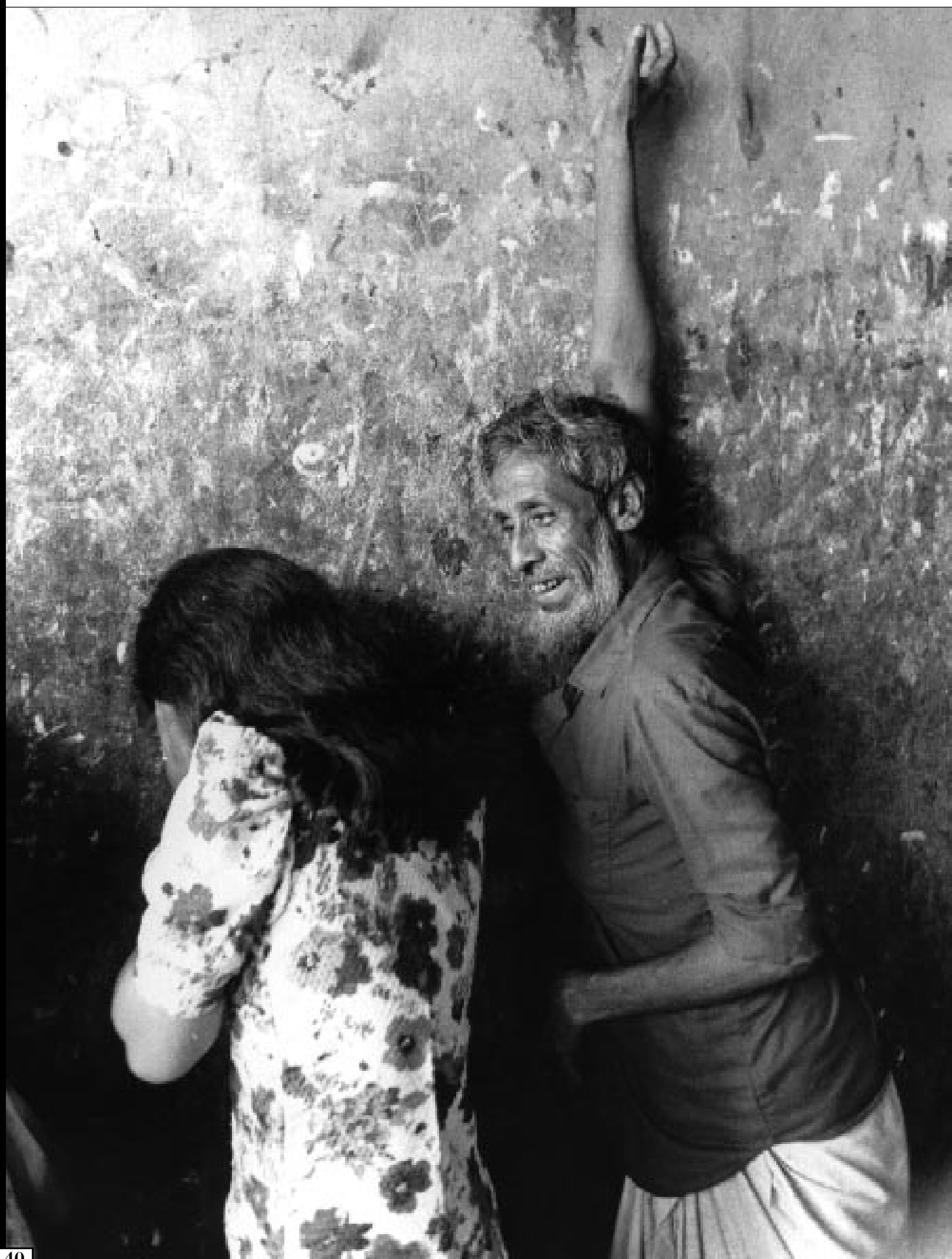


W O M E N

C O M M E N T A R Y



UNICEF/92-0145/Noorani

# The intolerable status quo: Violence against women and girls

Charlotte Bunch

***Violence against women and girls is the most pervasive violation of human rights in the world today. Its forms are both subtle and blatant and its impact on development profound. But it is so deeply embedded in cultures around the world that it is almost invisible. Yet this brutality is not inevitable. Once recognized for what it is—a construct of power and a means of maintaining the status quo—it can be dismantled.***

Imagine a people routinely subjected to assault, rape, sexual slavery, arbitrary imprisonment, torture, verbal abuse, mutilation, even murder—all because they were born into a particular group. Imagine further that their sufferings were compounded by systematic discrimination and humiliation in the home and workplace, in classrooms and courtrooms, at worship and at play. Few would deny that this group had been singled out for gross violations of human rights.

Such a group exists. Its members comprise half of humanity. Yet it is rarely acknowledged that violence against women and girls,

many of whom are brutalized from cradle to grave simply because of their gender, is the most pervasive human rights violation in the world today.

Gender violence is also a major health and development issue, with powerful implications for coming generations as well as society in general. Eliminating this violence is essential to constructing the paradigm of human security—and by that I mean peace, peace at home and peace at large. Without it, the notion of human progress is merely a fantasy.

However, opening the door on the subject of violence against the world's females is like standing at the threshold of an immense

dark chamber vibrating with collective anguish, but with the sounds of protest throttled back to a murmur. Where there should be outrage aimed at an intolerable status quo there is instead denial, and the largely passive acceptance of 'the way things are'.

Consider a few facts from this dark chamber—facts that leave no doubt that gender violence merits a prominent place on the human rights agenda:

- ◆ Roughly 60 million women who should be alive today are 'missing' because of gender discrimination, predominantly in South and West Asia, China and North Africa.

- ◆ In the United States, where overall violent crime against women has been growing for the past two decades, a woman is physically abused by her intimate partner every nine seconds.

- ◆ In India, more than 5,000 women are killed each year because their in-laws consider their dowries inadequate. A tiny percentage of the murderers are brought to justice.

- ◆ In some countries of the Middle East and Latin America, husbands are often exonerated from killing an unfaithful, disobedient or wilful wife on the grounds of 'honour'.

- ◆ Rape as a weapon of war has been documented in seven coun-

tries in recent years, though its use has been widespread for centuries.

- ◆ Throwing acid to disfigure a woman's face is so common in Bangladesh that it warrants its own section of the penal code.

- ◆ About 2 million girls each year (6,000 every day) are genitally mutilated—the female equivalent of what would be amputation of all or part of the male penis.

- ◆ More than 1 million children, overwhelmingly female, are forced into prostitution every year, the majority in Asia. In the wake of the AIDS epidemic, younger and younger children are being sought in the belief that they are less likely to be infected.

At first glance, this brutal litany of statistics might seem wildly exaggerated. Yet while it is true that gender violence is a new field of research and studies are often limited in size, it is nonetheless clear that these crimes are, in the main, vastly under-reported. As social scientists are now discovering, the sheer scope and universality of violent acts against women and girls defy even the most educated perceptions.

Equally shocking is the fact that most gender violence not only goes unpunished but is tolerated in silence—the silence of society as well as that of its victims. Fear of reprisal, censorship of sexual issues, the shame and blame of

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*In Sillakoro (Côte d'Ivoire), female genital mutilation is practised as part of an initiation rite that takes place in a forest. Three months after they were excised, these adolescent girls take part in a ritual ceremony, walking single file into the village from the forest.*

Liz Gilbert/Sygnia

those violated, unquestioning acceptance of tradition and the stranglehold of male dominion all play their part. In many countries, so does the active or passive complicity of the State and other institutions of moral authority.

In addition, while gender violence is as old as humanity, it is only in the past decade that it has been publicly recognized, systematically studied and legislated against to any significant degree. In the 1990s, such violence finally gained currency on the international level with its recognition as a human rights issue. That is welcome news, and most of the credit goes to women's groups that have struggled against enormous odds to bring the issue to light. But this is no reason for complacency.

As the second millennium draws to a close, there have been reprisals against the progress in the field—rightly regarded as a challenge to male primacy. Some studies even suggest that certain forms of violence against women and girls are on the rise. For gender

violence, in all of its varied manifestations, is not random and it is not about sex. It serves a deliberate social function: asserting control over women's lives and keeping them second-class citizens. Constant vigilance is needed to protect the fragile gains made thus far, to continue along the road to equality—and to bring an end to the torrent of daily violence that degrades not only women but humankind in its entirety.

### **The intimate enemy**

For tens of millions of women today, home is a locus of terror. It is not the assault of strangers that women need fear the most, but everyday brutality at the hands of relatives, friends and lovers. Battering at home constitutes by far the most universal form of violence against women and is a significant cause of injury for women of reproductive age. Yet it is not the sort of act that commands headlines because it happens behind closed doors and because victims fear speaking

out. Even in a comparatively open society like the US, research shows that only 1 in 100 battered women ever reports the abuse she suffers. Crime statistics reveal that most women who are raped know their attackers, as do 40 per cent of female murder victims.

Indeed, domestic violence is tragically commonplace. It occurs across education, class, income and ethnic boundaries. A World Bank analysis of 35 recent studies from industrialized and developing countries shows that one quarter to one half of all women have suffered physical abuse by an intimate partner. And while there are not yet enough data to make accurate country-by-country comparisons, the prevalence and pattern of domestic violence are remarkably consistent from one culture to the next. Statistics on rape from industrialized and developing countries show strikingly similar patterns: Between one in five and one in seven women will be victims of rape in their lifetime.

One might assume that the

spreading emancipation of women would have diminished the reach of violence. Yet violence in the home has been stubbornly resistant to advances in women's rights. In many Western countries, domestic violence is targeted by law and the media, but it has not summoned the sort of insistent public campaigns as have issues such as driving while intoxicated or smoking.

Further, in most countries today, domestic abuse is officially regarded as a private family matter. While sexual and physical assault are broadly accepted as crimes outside the home, the law in most countries is mute when it comes to attacks within the family nest. Laws that stop at the doorstep of the family are a form of moral hypocrisy. And there are other equally compelling reasons why the issue cries out for urgent and fervent public attention.

First, domestic violence reaches menacingly into the next generation. Children of violent fathers are often physically abused alongside their mothers. In addition, studies show that children of violent parents are more apt not only to repeat that behaviour with their own offspring but to commit violent acts in the larger society. This dangerous cycle must be broken.

Second, there are clear parallels between behaviour within and outside the home. If the systematic oppression of women and girls is tolerated widely at the family level, society at large will be shaped accordingly. Studies strongly indicate that domestic violence is a key component of social problems, including street children, child labour and prostitution.

Third, it is a matter of public health. Violence debilitates women and girls physically, psychologically and socially, sometimes with lifelong results.

Fourth, family violence affects the healthy development and productivity of all societies. Women are now widely accepted as the

cornerstone of sustainable development; protecting their rights and raising their status is essential to endeavours ranging from family planning to food production. Women's aspirations and achievements are powerfully inhibited, not just by the injuries of physical attacks but by the implicit threat of male violence.

This is a lesson learned early, when the shadow of violence begins to restrain a girl's imagination of what she can do and be. The lesson is never forgotten. Where is the woman who has not felt a whisper of fear in the face of male aggression—and limited her activities accordingly?

### Harmful traditions

In all societies, poverty, discrimination, ignorance and social unrest are common predictors of violence against women. Yet the most enduring enemies of a woman's dignity and security are cultural forces aimed at preserving male dominance and female subjugation—often defended in the name of venerable tradition.

In industrialized societies like the US, where institutions for-

mally frown on gender violence, behaviour belies official pronouncements: rap music insulting women as 'whores'; a popular men's magazine that celebrates gang rape and depicts female bodies being fed into meat grinders; sexual harassment of women trying to integrate into the armed forces; and societal pressures that induce young women to starve themselves or use technology to create 'ideal' bodies, often destroying their health in the process.

In developing countries, violent practices against women are often recognized and defended as strands of the cultural weave. Wife-beating, for example, is considered part of the natural order in many countries—a masculine prerogative celebrated in songs, proverbs and wedding ceremonies.

At their most extreme, expressions of gender violence include 'honour' killings, female genital mutilation and dowry deaths, as well as a deep-seated, even murderous, preference for male children.

In courts of law, the 'honour defence' is institutionalized in

some Middle Eastern and Latin American countries, allowing fathers or husbands to walk away from murder. In 12 Latin American countries, a rapist can be exonerated if he offers to marry the victim and she accepts. In one country, Costa Rica, he can be exonerated even if she refuses his offer. The family of the victim frequently pressures her to marry the rapist, which they believe restores the family's honour.

The concept of male honour—and fear of female empowerment—also underlies the practice of female genital mutilation (FGM). This excruciating procedure removes part or all of a girl's external genitalia and causes lifelong health problems for some women. It is aimed at preserving female chastity and marriage prospects and achieves its purpose at the expense of a woman's sexual pleasure and bodily integrity. Up to 130 million women and girls today in at least 28 countries, mostly in Africa, have had their genitals excised to some degree.

Defenders of the rite, who include many women, call FGM a traditional cultural practice of no business to outsiders. This is an old song. Throughout history, 'culture' has been invoked to justify abhorrent practices ranging from slavery to binding women's feet. FGM must be eradicated because it is a grave human rights violation and a public health menace that transcends any and all cultural boundaries.

Traditions also feed the practice of 'dowry death', in which a woman is killed because she is unable to meet her in-laws' demands for dowry. In India, over a dozen women a day die as a result of such disputes, mostly in kitchen fires designed to look like accidents.

'Son preference' is another insidious force directed against women, particularly in Asia. Genetic testing for sex selection, though officially outlawed, has

become a booming business in China, India and the Republic of Korea. Anecdotal evidence suggests that outright infanticide, usually of newborn girls, takes place in some communities in Asia, while discrimination in health care also cuts short the lives of unwanted girl children in some regions.

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*In 12 Latin American countries, a rapist can be exonerated if his victim agrees to marry him.*

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In countries where people have adequate health care and food, 105 boys are born on average for every 100 girls, but fewer male babies survive the first year of life, reflecting the female's inherent biological advantage. In some nations, mostly in Asia, the sex-ratio drops dramatically. All told, violent discriminatory practices directed at girls and women have driven an estimated 60 million females off the face of the earth. Yet, instead of an international uproar over these disappearances, the plight of the so-called 'missing women' is usually noted briefly in the women's section of development reports.

As war becomes less a battle between countries and more a struggle for supremacy between ethnic groups, women and girls increasingly face rape and forced pregnancy in times of conflict. Well over 20,000 Muslim women were known to be raped in Bosnia and Herzegovina during the Balkan war, and more than 15,000 women were raped in one year in Rwanda. Just in recent years, mass rape has also been reported as a weapon of war in Cambodia, Liberia, Peru, Somalia and Uganda.

These are but a few of the ways



UNICEF/93-1169/Horner

*A repatriated refugee waits with her child in a resettlement camp in Nicaragua. Despite international conventions designed to protect them, women are particularly vulnerable during times of political or ethnic conflict.*

that society drives home the message that a woman's life and dignity—her human rights—are worth less than a man's. From the day of their birth, girls are devalued and degraded, trapped in what the late UNICEF Executive Director James P. Grant poignantly termed 'the apartheid of gender'. Long after slavery was abolished in most of the world, many societies still treat women like chattel: Their shackles are poor education, economic dependence, limited political power, limited access to fertility control, harsh social conventions and inequality in the eyes of law. Violence is a key instrument used to keep these shackles on.

### Changing the status quo

There is nothing immutable about the violent oppression of women and girls. It is a construct of power, as was apartheid, and one that can be changed. But because it has been so deeply ingrained, for so long, in virtually every culture remaining on earth, the effort to dismantle the societal structures that tolerate it, or patently refuse even to see it, will require creativity, patience and action on many fronts.

Stopping violence against women and girls is not just a matter of punishing individual acts. The issue is changing the perception—so deep-seated it is often unconscious—that women are fundamentally of less value than men. It is only when women and girls gain their place as strong and equal members of society that violence against them will be viewed as a shocking aberration rather than an invisible norm.

The old saying that the longest journey begins with a single step applies here. All over the world, many people have begun to take small steps towards establishing full citizenship for women and girls in a just society. They include the husband and wife who refuse to subject their daughter to FGM;



*Participants in a tailoring programme in the Upper Nile region of Sudan make garments for their community. Skills training programmes help women gain a degree of economic independence, crucial in areas where many women have lost their husbands in armed conflicts.*

the judge who metes out the maximum penalty to a rapist; the young man who participates in a 'take back the night' rally; and the parliamentarians who reform their countries' laws in fulfilment of women's and girls' human rights.

Globally, that first step must be implementation of the Convention on the Rights of the Child (ratified by 190 countries as of May 1997) and the Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW (ratified by 160 countries). Although beliefs and practices do not change magically with the ratification of treaties, they are a vital first step because they lay the groundwork for ongoing social and legal reform.

The Convention on the Rights of the Child is critical because of the broad overlay between women's and children's rights. Gender violence becomes a feature of a girl's life long before adulthood, whether in the home or as part of a broader social pattern of abuse. The Convention obliges ratifying States to take all appropriate measures to protect children from "all forms of physical or mental violence." Specific injunctions target harmful traditional practices, sexual abuse and trafficking in children.

Now that the Convention has

been ratified by all but three countries on earth, actions are under way in many nations to make it a real force in children's lives. For example, juvenile justice systems are being reformed in about half the countries in Latin America, and a number of countries, most notably the Philippines, have strengthened laws protecting children against sexual exploitation.

Similar efforts are under way to bring CEDAW to life. In Botswana and Zimbabwe, judges have used CEDAW to prevent discrimination against women in citizenship laws. Brazil has drafted a new Constitution reflecting CEDAW's goals, and Tanzania has reversed a discriminatory customary law relating to clan land. Several Latin American countries and Sweden have established ombudswomen to address women's concerns. At least six countries have set up police stations just for women, and Mexico has appointed a special prosecutor for sex crimes. Cameroon and China recently opened their first shelters for domestic abuse victims. These institutions not only protect women but serve as a constant reminder to all of society that women's rights are an issue of state concern.

These are important steps for women's rights in general and for

stopping violence in particular, but so far there are too few steps taking place in too few countries. The majority of countries that have ratified CEDAW have yet to incorporate its principles into domestic law and practice. CEDAW faces deep resistance, as indicated by the fact that it has more substantive reservations entered against it than does any other international treaty. (See accompanying news story.)

Implementing these rights must start with the education of girls. Their unequal access to education is one of the most fundamental abridgements of human rights and one that perpetuates their weakened position, making them vulnerable to oppression and ultimately to violence. In addition to the obvious benefits of literacy and numeracy, education gives girls the confidence to make the most of their abilities. The educational system also provides a forum for challenging attitudes about violence—for both boys and girls. In addition, having girls in the classroom sends a potent message to boys about equality.

Girls' education is the assured route to women's economic empowerment. Earning money elevates a woman's self-esteem and her standing in her home and community. It can also propel a woman out of a destructive relationship or encourage her to change its terms.

Building on the famous example of Bangladesh's Grameen Bank, schemes that establish revolving funds to give women small business loans are springing up in all regions. More than 20 countries have begun microcredit programmes that often link loans to social and health services, helping women to care for themselves and their children. The credit is used for such projects as livestock raising, opening small shops and paying school fees. More than 15,000 Cambodian women have obtained small loans, for example, and Viet Nam has seen a dramatic

UNICEF/95-0488/Jantion

increase in school enrolment among daughters of borrowers.

Efforts are also under way to end traditional practices that violate women and girls. A number of groups are beginning to have some success in persuading both men and women that FGM claims too high a price. Some clerics have begun to speak out against it, and efforts are under way in the Gambia and Kenya to develop a coming-of-age ritual that does not involve any cutting. Another hopeful sign is recent action by Canada and the US to grant political asylum to some women threatened by FGM in their home countries, thereby defining the practice as a legitimate criterion for refugee status.

Political power is also crucial to women's empowerment. Although a female Head of State does not guarantee equal rights for her sex, women in positions of authority throughout political systems clearly have a beneficial effect, not least by the example they set. But there is far, far to go. And while women have the right to vote everywhere except in six Middle Eastern countries and Brunei Darussalem in South-East Asia, worldwide they hold just 7 per cent of high-level elected and appointed offices in government. (See league table.)

Women's climb into the halls of power challenges the existing power structure, and replacing that structure will require the collective efforts not just of women but also of supportive men. The State and other institutions of authority can be indispensable allies.

The 1990s have been a decade of unprecedented achievement in women's human rights. But international recognition of violence against women as a human rights issue did not happen without a struggle. Women had to organize in a global campaign to demonstrate the extent of violence and its impact on their abil-

ity to exercise their human rights. The international community was called to witness its own failure to protect women's fundamental right to personal security.

The defining moment of this campaign—the Global Tribunal on Violations of Women's Human Rights—came during the 1993 World Conference on Human Rights in Vienna, where participants sounded a call to eliminate “violence against women in public and private life” and declared that the rights of girls and women are “an inalienable, integral and indivisible part of universal human rights.” For an entire day in Vienna, many delegates and others at the Conference listened as 33 women gave riveting personal testimony to the abuses they had suffered.

On the scale of what takes place every day in every community of the world, it was a miniscule but emblematic summary of the anguish long faced by women. But it was apparent, looking around the room, that facts and figures

had been transformed into flesh and blood, and the rapt audience was profoundly changed by the experience. The Tribunal marked an official end to the centuries-old cover-up of these atrocities, and it awakened many women and men to the international community's responsibility to protect women from such abuse.

Later that year, in response to the momentum generated in Vienna, the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women, considered a formal elaboration of CEDAW, which did not itself specifically address gender violence when it was drafted in 1979. This Declaration was a landmark document in three ways: It framed violence against women within the dialogue on human rights; it identified being female as the primary risk factor for violence; and it broadened the definition of gender violence to include all aspects of women's and girls' lives. Another milestone

was the 1994 appointment of a UN Special Rapporteur on Violence against Women.

A systematic effort to raise the profile of violence against women must involve every sector of every society—the judicial system, the media, educators, health care authorities, governmental and non-governmental agencies, politicians, religious leaders and, of course, individual women and men. For the most part, it is women's movements with their many non-governmental organizations working across national, cultural, religious and class lines that have initiated and energized the effort.

Few social movements have registered as great an impact in as short a time—and with such remarkably peaceful methods. And yet, these small, determined groups continue to work largely alone. How many government officials have staked their careers on resolving the problem of gender-based violence?

It is time for them to do so. ■



*A journalist in training interviews women near Kathmandu. Education for girls and women is a reliable route to economic empowerment and long-term change in the status quo.*

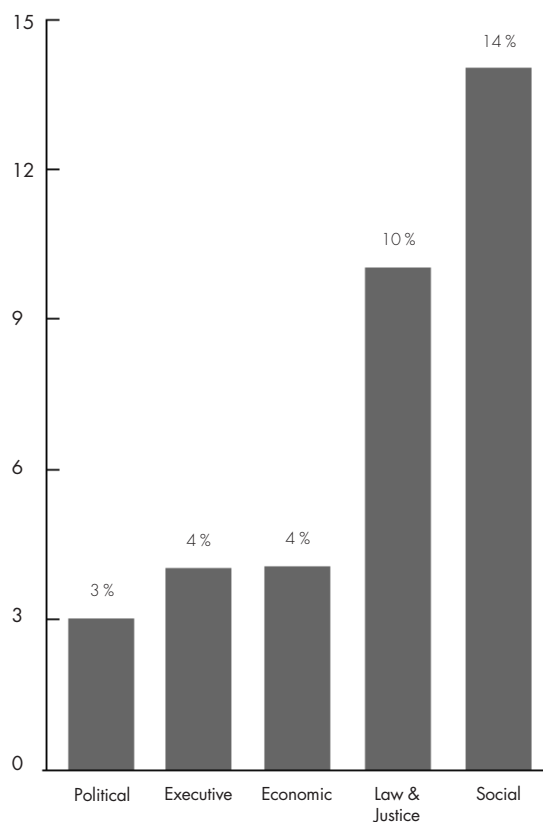
UNICEF/93-1278/Murray-Lee

# WOMEN'S LEAGUE TABLE

## WOMEN AT TOP LEVELS OF GOVERNMENT

**B**ureaucracy has traditionally been a male preserve, and while women are slowly inching their way into government positions, the number of women at senior decision-making levels remains pathetically low. But numbers, though powerful indicators, are not an absolute barometer of inequality. Discrimination against women can end only when there is a sea change in attitudes, when women's inferior status at all levels of society—economic, social and political—is recognized as a travesty and not the norm.

**Women at top levels of government worldwide by sector**



Women make up only 7% of ministerial positions, globally. Even within this small percentage, they remain heavily concentrated in the areas of social affairs, including education, health and family. The total number of women ministers worldwide in the social category is 14%, whereas the total for political ministerial positions is only 3%, and for executive posts, 4%. Within the economic category, women hold 4% of ministerial positions. They fare slightly better in the areas of law and justice, with 10% of posts.

Source: Derived from data provided by the UN Division for the Advancement of Women, based on January 1996 information from *World Wide Government Directory, Inc.*



SUB-SAHARAN AFRICA



MIDDLE EAST AND NORTH AFRICA

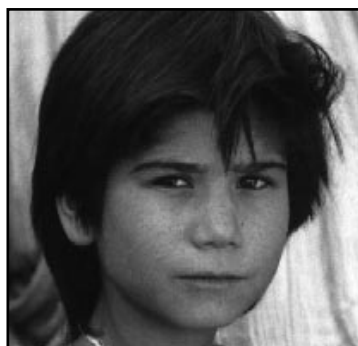
1	Benin	19
1	Eritrea	19
1	Gambia	19
4	Guinea	15
5	Niger	14
6	Angola	11
6	Tanzania	11
6	Uganda	11
9	Burundi	10
9	Ghana	10
9	Mali	10
12	Burkina Faso	9
12	Chad	9
12	Namibia	9
15	Botswana	8
15	Central African Rep.	8
15	Congo, Dem. Rep.	8
15	Côte d'Ivoire	8
15	Guinea-Bissau	8
15	Nigeria	8
15	Rwanda	8
15	Zambia	8
15	Zimbabwe	8
▶ Regional average		7
24	Congo	7
24	Ethiopia	7
24	Senegal	7
27	South Africa	6
28	Liberia	4
28	Malawi	4
28	Mauritania	4
28	Mozambique	4
28	Sierra Leone	4
28	Togo	4
34	Cameroon	3
34	Gabon	3
34	Kenya	3
37	Lesotho	0
37	Madagascar	0
37	Mauritius	0
37	Somalia	0

1	Israel	13
1	Syria	7
3	Jordan	6
4	Libya	5
5	Egypt	3
5	Tunisia	3
5	Turkey	3
▶ Regional average		2
8	Sudan	2
9	Algeria	0
9	Iran	0
9	Iraq	0
9	Kuwait	0
9	Lebanon	0
9	Morocco	0
9	Oman	0
9	Saudi Arabia	0
9	U. Arab Emirates	0
9	Yemen	0

**WORLD  
AVERAGE**

**7%**

Percentage of women ministers



CENTRAL ASIA



EAST/SOUTH ASIA AND PACIFIC



AMERICAS



EUROPE

1	Kyrgyzstan	11
2	Azerbaijan	8
3	Tajikistan	4
▶	Regional average	3
4	Kazakstan	3
4	Turkmenistan	3
4	Uzbekistan	3
7	Afghanistan	0
7	Armenia	0
7	Georgia	0

1	Australia	15
2	Bhutan	13
2	Sri Lanka	13
4	New Zealand	9
5	Bangladesh	8
6	Viet Nam	7
7	China	6
7	Japan	6
7	Malaysia	6
10	Philippines	5
▶	Regional average	4
11	Indonesia	4
11	Pakistan	4
13	India	3
13	Korea, Rep.	3
15	Korea, Dem.	1
16	Cambodia	0
16	Lao Rep.	0
16	Mongolia	0
16	Myanmar	0
16	Nepal	0
16	Papua New Guinea	0
16	Singapore	0
16	Thailand	0

1	Haiti	29
2	Canada	19
3	Panama	17
4	Mexico	16
4	Nicaragua	16
4	Trinidad/Tobago	16
7	Chile	14
7	United States	14
9	Colombia	13
9	Guatemala	13
11	Costa Rica	11
11	Venezuela	11
▶	Regional average	10
13	Honduras	10
14	Paraguay	7
14	Uruguay	7
16	Ecuador	6
16	El Salvador	6
16	Jamaica	6
16	Peru	6
20	Brazil	4
20	Dominican Rep.	4
22	Cuba	3
23	Argentina	0
23	Bolivia	0

1	Sweden	38
2	Finland	36
3	Denmark	29
3	Norway	29
5	Austria	24
5	Netherlands	24
7	Ireland	21
8	Spain	17
9	France	15
9	Slovakia	15
9	Switzerland	15
12	Croatia	12
12	Portugal	12
14	Belgium	11
14	Germany	11
14	Latvia	11
▶	Regional average	10
17	Slovenia	9
17	TFYR Macedonia	9
19	Poland	8
19	United Kingdom	8
21	Hungary	6
21	Yugoslavia, Fed. Rep.	6
23	Albania	5
23	Belarus	5
23	Bulgaria	5
26	Italy	4
27	Russian Fed.	2
28	Bosnia/Herzegovina	0
28	Czech Rep.	0
28	Estonia	0
28	Greece	0
28	Lithuania	0
28	Moldova, Rep. of	0
28	Romania	0
28	Ukraine	0

**WHAT THE TABLE RANKS**

Percentage of ministerial-level posts, both elected and appointed, held by women.

*Women's climb into the halls of power challenges the existing power structure, and replacing it will require the efforts of both women and men.*



Selma Achipala, Counsellor of Namibia's Permanent Mission to the UN.

UNICEF/93-BOU/0957/Tontoumji

Source: Derived from data provided by the UN Division for the Advancement of Women, based on January 1996 information from World Wide Government Directory, Inc.



## Outlawing violence against women: A first step

Legislation against domestic violence has been enacted in 44 countries around the world; 17 have made marital rape a criminal offence; 27 have passed sexual harassment laws; and just 12 countries have laws against FGM.

The few laws that do exist vary significantly in strength and enforceability from one legal system to another. In countries that have not enacted specific laws, it may be possible to prosecute offenders under more general criminal statutes.

Some governments have introduced accessible and well-integrated legal provisions, such as Ecuador's 1995 law against domestic violence—a clear-cut prohibition of physical and mental assaults. Current and former cohabitants and parties in non-marital intimate relationships are included in the legislation, and psychological violence is explicitly defined.

Other laws are more vague: New Zealand has enacted family

violence legislation without specific reference to women or girls; in Malawi, a constitutional provision makes a general commitment to implementing policy on domestic violence.

In recent years, sexual harassment has been publicly acknowledged as harmful to women, and countries are taking the first steps by adopting legislation prohibiting it. In the last two years, legislation that directly addresses sexual harassment has been passed in Belgium, Belize, Costa Rica, Finland, France, Ireland, Paraguay, the Philippines and Switzerland. Similar legislation has been proposed in Chile, Italy, Jamaica and South Africa.

Laws that criminalize gender-based violence are positive steps but they offer no guarantees. Worldwide, even where laws are in place, prosecution of perpetrators is rare, and successful prosecutions uncommon.

### Countries that have enacted legislation against:

<b>Domestic violence</b>	Guatemala	United Kingdom	<b>Sexual harassment</b>	Paraguay
Argentina	Guyana	United States*	Philippines	Philippines
Australia	Honduras	Uruguay	Spain	Spain
Bahamas	Ireland	<b>Marital rape</b>	Sweden	Sweden
Bangladesh	Israel	Australia	Switzerland	Switzerland
Barbados	Italy	Austria	United Kingdom	United Kingdom
Belize	Jamaica	Belgium	United States	United States
Bolivia	Malawi	Belize	<b>Female genital mutilation</b>	
Brazil	Malaysia	Canada	Australia	Australia
Canada	Mexico	Canada	Burkina Faso	Burkina Faso
Chile	New Zealand	Costa Rica	Canada	Canada
China	Panama	Finland	Egypt**	Egypt**
Colombia	Paraguay	France	France***	France***
Costa Rica	Peru	Germany	Ghana	Ghana
Cyprus	Portugal	Ireland	New Zealand	New Zealand
Czech Rep.	St. Lucia	Israel	Norway	Norway
Denmark	St. Vincent/Grenadines	Lesotho	Sudan****	Sudan****
Ecuador	Spain	Malawi	Sweden	Sweden
El Salvador	South Africa	Namibia	United Kingdom	United Kingdom
Finland	Trinidad/Tobago	Netherlands	United States	United States
France	Tunisia	New Zealand		
		Panama		

\* Legislation enacted by state law.  
 \*\* No criminal law, but a ministerial decree forbids the practice.  
 \*\*\* By court decision, not specific legislation.  
 \*\*\*\* 1946 law only prohibits infibulation.

Compiled from various sources, January–May 1997, including R. Boland (editor, *Annual Review of Population Law*, Harvard University); N. Toubia (Director of Research, Action & Information Network for Bodily Integrity of Women); J. Aeberhard-Hodges (International Labour Organization); and *State Responses to Domestic Violence*, Women, Law & Development International, Washington, DC, 1996.



The risk of death in childbirth increases where women lack access to emergency obstetric care. Mother and baby recover from childbirth in a Cambodian hospital.

## Risk of death in childbirth can be as high as 1 in 7

Pregnancy and childbirth complications are the leading cause of death and disability for women of reproductive age in developing countries. In Afghanistan, Guinea, Sierra Leone and Somalia, a woman faces a 1-in-7 lifetime risk of dying due to pregnancy or childbirth. But in Spain, Switzerland, Canada and Norway, the risk is 1 in 7,300 or less.

In 17 countries, women face at least a 1-in-10 chance of dying from pregnancy-related causes sometime during their lives. But in 16 countries the lifetime risk is 1 in 4,000 or less. Complications from pregnancy and childbirth kill about 585,000 women each year. A woman faces that danger each time she becomes pregnant, so the more pregnancies she has, the greater the total risk. Lifetime risk of maternal mortality is based on both the risk of dying from maternal causes and the average number of births. No public health problem shows greater disparity between rich and poor countries than maternal mortality.

Most obstetric deaths are linked to five causes: haemorrhage, sepsis (blood poisoning), eclampsia (convulsions leading to coma), unsafe abortion and obstructed labour. A number of interventions—improved emergency obstetric care

to deal with serious complications, deliveries performed by skilled birth attendants, family planning, iron folate supplements, a rich and varied diet throughout pregnancy and prompt initiation of breast-feeding—vastly improve the odds.

### Lifetime risk of maternal death

<b>Highest risk</b>			
Afghanistan	1 in 7	Ethiopia	1 in 9
Guinea	1 in 7	Mozambique	1 in 9
Sierra Leone	1 in 7	Niger	1 in 9
Somalia	1 in 7	Rwanda	1 in 9
Angola	1 in 8	Eritrea	1 in 10
Yemen	1 in 8	Mali	1 in 10
Bhutan	1 in 9	Nepal	1 in 10
Burundi	1 in 9	Uganda	1 in 10
Chad	1 in 9		

<b>Lowest risk</b>			
Spain	1 in 9,200	Italy	1 in 5,300
Switz.	1 in 8,700	Belgium	1 in 5,200
Canada	1 in 7,700	UK	1 in 5,100
Norway	1 in 7,300	Austral.	1 in 4,900
Sweden	1 in 6,000	Sing.	1 in 4,900
Denmark	1 in 5,800	Nether.	1 in 4,300
Austria	1 in 5,600	Finland	1 in 4,200
Greece	1 in 5,600	Slovenia	1 in 4,000

<b>Regional risk</b>	
Sub-Saharan Africa	1 in 13
Central Asia*	1 in 35
Middle East & N. Africa	1 in 60
East/South Asia & Pacific	1 in 70
Americas	1 in 215
Europe	1 in 1,400
Developing countries	1 in 50
World	1 in 60

\* Figure influenced by high rates of fertility and maternal mortality in Afghanistan. If Afghanistan is excluded, lifetime risk of maternal death in Central Asia is 1 in 330.

Source: WHO and UNICEF. *Revised 1990 Estimates of Maternal Mortality, A New Approach by WHO and UNICEF*, April 1996.

## A bill of rights for women, but with reservations

Few international treaties have been as widely accepted as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). As of May 1997, 160 countries had ratified, acceded or succeeded to CEDAW. Three—Afghanistan, Sao Tome and Principe and the United States—had signed, indicating their intention to ratify. Thirty States had neither signed nor ratified.

But CEDAW, like its companion treaty on the rights of the child, has provoked scores of reservations—indicating widespread and deep-rooted resistance to the concept of full equality for women. Nearly one third of States parties have lodged substantive reservations or declarations, signalling they will not be bound by certain CEDAW provisions—ranging from equality in nationality and citizenship and in sharing fam-

ily property to women's participation in the military and the clergy. A few nations, including Malaysia, Maldives, Morocco, Pakistan and Tunisia, have gone much further, filing general reservations to any portion of the Convention that conflicts with existing national, customary or religious law.

Many of these reservations appear to violate the 1969 Vienna Convention on the Law of Treaties, which prohibits reservations that are incompatible with the object and purpose of a treaty. Particularly disturbing are reservations from 24 nations against article 16, a core provision that guarantees equality between women and men in marriage and family life.

Such reservations strike at the heart of CEDAW. They reject the extension of human rights protection into the private domain and entrench the inferior role of women. Similarly undermining

the purpose of CEDAW are most of the dozen reservations to article 2, which outlines legal steps to eliminate gender discrimination.

Although reservations come from every corner of the globe, a few generalizations can be drawn. The five Nordic countries comprise the only region to accept CEDAW without reservation. The Caribbean countries have lodged fewer reservations than countries in other regions.

Most of the 12 ratifying States in the Middle East and North Africa cited conflict with religious or customary law as a reason for not giving CEDAW unconditional approval. Most of the region's nations defer to Islamic Sharia law on matters pertaining to family or the status of women. However, the CEDAW review committee has been able, through constructive dialogue, to address reservations with individual States parties.

It is encouraging that some nations have modified or withdrawn their reservations, often as a result of this constructive rela-

tionship. For example, Malawi withdrew, in 1991, its general reservation against provisions of CEDAW that required immediate eradication of certain traditional customs and practices and, in 1994, Brazil withdrew its reservations to key provisions of article 16.

### Lagging on CEDAW

Signed but not ratified	Monaco
Afghanistan	Myanmar
Sao Tome/Principe	Nauru
United States	Niger
	Niue*
	Oman
	Palau
	Qatar
Not signed, not ratified	San Marino
Bahrain	Saudi Arabia
Brunei Darussalam	Solomon Islands
Cook Islands*	Somalia
Djibouti	Sudan
Holy See	Swaziland
Iran	Syria
Kazakhstan	Tonga
Kiribati	Tuvalu
Korea, Dem.	U. Arab Emirates
Marshall Islands	
Mauritania	
Micronesia, Fed.	
States of	

\*CEDAW extends to these countries through New Zealand's ratification.  
Source: UN Office of Legal Affairs, May 1997.

## Help wanted: Skilled birth attendants

Barely half the mothers in developing countries deliver their babies under the supervision of a physician, nurse or other professional with midwifery skills, a key factor in ensuring survival of both babies and mothers.

Countries with the lowest rates of professionally attended births also share some of the world's worst maternal mortality rates. Of the 38 countries listed, nearly two thirds have rates of at least 900 maternal deaths per 100,000 live births. Somalia, the country with the lowest percentage of professionally attended births (2%), has a maternal mortality rate of 1,600 per 100,000 births. Next on the chart are Afghanistan and Nepal, both with 9% of births attended by a skilled professional and with maternal death rates of 1,700 and



*The use of skilled birth attendants (doctors, nurses and midwives) helps reduce the risk of death from pregnancy and childbirth complications.*

1,500, respectively.

Many of these countries suffer from the common burdens of poverty and war. Despite poverty, though, some countries are making progress. Thirteen nations with per capita GNP of less than \$500 have managed to achieve rates of 50% or more of births attended by skilled professionals.

History has shown that the presence of skilled birth attendants is a key factor in bringing down the number of maternal deaths. Of the 46 countries in which trained professionals attend 90% or more of births, only 5 have maternal death rates above 100 per 100,000 live births. In the industrialized countries, 99% of births are professionally attended.

### Risky childbirth

Countries with less than 50% of births attended by skilled birth attendant

	%		%
Somalia	2	Guinea	31
Afghanistan	9	Nigeria	31
Nepal	9	India	34
Bangladesh	14	Guatemala	35
Ethiopia	14	Indonesia	36
Bhutan	15	Uganda	38
Chad	15	Lesotho	40
Niger	15	Mauritania	40
Yemen	16	Morocco	40
Burundi	19	Burkina Faso	42
Pakistan	19	Gambia	44
Papua N.G.	20	Ghana	44
Eritrea	21	Benin	45
Haiti	21	Côte d'Ivoire	45
Mali	24	Kenya	45
Mozambique	25	C. African Rep.	46
Rwanda	26	Egypt	46
Guinea-Bissau	27	Senegal	46
Cape Verde	30	Bolivia	47

Source: WHO, Maternal and Newborn Health and Safe Motherhood Programme (1986-1996 data), Coverage of Maternity Care, 1997.