

**Division 1000**

Africa

**Division 4200**

State and Democracy

## **Ending Violence against Women and Girls**

Reduction and prevention of  
gender-based violence as a  
contribution to the protection of  
human rights and to development

**Division 1000**

Africa

Sector Project "Promotion of initiatives to end Female Genital Mutilation"

**Division 4200**

State and Democracy

Sector Project "Legal and Social Policy Services for Women"

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## Foreword

For many years, a major concern of German development cooperation has been to achieve greater equality between men and women. The focus on the political aspect of societal change and support of initiatives towards good governance and democratisation in cooperation with partner countries offers entry points for addressing politically sensitive issues in a systematic way. 'Gender-based violence', or forms of violence against women and girls as a direct result of their gender, is one such issue.

This publication addresses gender-based violence, an issue that has hitherto been largely overlooked by development cooperation experts, and links this to the international human rights debate. In German development cooperation, respect for human rights and peace building is of paramount importance. The high social and economic costs of violence against women and girls are extremely relevant to development policy and also to efforts to reduce poverty and ensure sustainable development.

Since the Fourth World Conference on Women in Beijing in 1995, the German government has committed itself to increase efforts to advance the interests of women and girls in legal and social policy. Many of the projects that emerged aim at eliminating violence against women, among them the sector projects commissioned by the Federal Ministry for Economic Cooperation and Development (BMZ), "Legal and Social Policy Services for Women" and "Promotion of initiatives to end Female Genital Mutilation".

The importance of *empowerment* for women and girls is underlined by the 2015 programme of action to combat poverty launched by the German government in April 2001. This programme stresses the reciprocal relationship between sustainable poverty reduction and the structural improvement of the social, legal and economic situation of women. Gender equality is key to reducing poverty worldwide.

This publication takes its lead from the lessons learned in GTZ projects to date and concludes that although the conditions may be difficult, there is scope for action at all levels. Technical Cooperation can act effectively with the methods and instruments it already has at its disposal. Within this context, we hope to encourage all those involved to extend the existing project approaches and to design new projects accordingly.



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## **Abbreviations**

ACHPR	African Charter on Human and Peoples' Rights
AIDS	Acquired Immunodeficiency Syndrome
BMZ	Federal Ministry for Economic Cooperation and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
FGM	Female Genital Mutilation
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit GmbH
HIV	Human Immunodeficiency Virus
ILO	International Labour Office
LRDC	Law Reform Development Commission
NGO	Non-governmental organisation
UN	United Nations
UNIFEM	United Nations Development Fund for Women
WiLDAF	Women in Law and Development in Africa
WHO	World Health Organisation

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## Introduction

This publication specifically looks at violence against women and girls. Needless to say: any form of violence against anybody, regardless of gender, must of course be condemned and punished.

Women and men of all ages are victims of violence and human rights violations, but specific cases of these violations are committed almost solely against women and girls. However, the plight of these women and girls frequently goes unnoticed, because in many different ways in every culture throughout the world they are treated with less regard than men.

For a long time, gender-based violence against women and girls was not even perceived as a relevant problem, let alone as a human rights violation. It was not until the Vienna World Conference on Human Rights in 1993 that women's rights were recognised as human rights. This position was then affirmed at the International Conference on Population and Development held in Cairo in 1994.

The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights

*International Conference on Population and Development (ICPD). The ICPD Programme of Action.*  
Cairo 1994

**The first chapter** defines the term 'violence' as used here and describes the global scale of the problem and the many different forms of violence against women and girls, which differ according to the culture and the life cycle of women.

**The second chapter** deals with the burden of costs on the society caused by gender-based violence. In addition to medical care for the victim and the costs of prosecuting the offender, this also includes the high costs to the national economy as a result of lost working time and the impaired performance of abused women.

**The third chapter** outlines the international legal framework. International agreements on human rights are milestones towards ending the culture of impunity. The task now is to translate international standards into national legislation and close the gap between legal codes and their implementation.

**The fourth chapter** examines the causes of gender-based violence. Violent behaviour towards women and girls is not biologically predetermined; it is the result of

socialisation and the assumption of culturally defined roles by both women and men, which frequently perpetuate the power gap between them.

**The fifth chapter** indicates how violence prevention and efforts to eradicate it can be integrated into new or ongoing development cooperation projects.

We have avoided the use of footnotes to make the text more readable. The relevant sources are cited in the bibliography. A list of Internet links is also provided for quick access to further information.

## **1. Violence against women and girls is a human rights violation**

Primarily, violence is taken to mean physical aggression and physical or sexual harm. Threats or humiliation are, however, also forms of violence. In fact, it is difficult to define violence properly. Any restriction of the freedom, independence or physical integrity of women and girls is a form of gender-based violence. This conforms to the definition as understood by the Declaration on the Elimination of Violence against Women adopted by the UN General Assembly in 1993.

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

United Nations. *Declaration on the Elimination of Violence against Women*. 1993

This broad definition of the term 'violence' was confirmed at the Fourth World Conference on Women held in Beijing in 1995. Although the Declaration is not legally binding for signatory states, it provides a valuable addition to our understanding of human rights, which are laid down in a binding form in various UN Covenants, including

- n the right to life, and the right to liberty and security of persons (Articles 6 and 9 of the International Covenant on Civil and Political Rights)
- n the right to just and favourable conditions of work (Article 7 of the International Covenant on Economic, Social and Cultural Rights)
- n the ban on discrimination (Articles 16 and 26 of the International Covenant on Civil and Political Rights), which is elaborated further in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

## 1.1 Types of violence against women and girls

In its many different forms, violence is committed against women and girls in every segment of society, regardless of country, culture or class, as is illustrated by the following incomplete list.

- n Increasingly, civilians fall victim to wars and armed conflicts. As a recurrent deliberate act of war, women and girls are systematically raped to destroy the dignity or even the existence of peoples, to destabilise societies and break down resistance.
- n One of the most dangerous places for women is their own home. Between 20 and 50 percent of all women worldwide are the victims of domestic violence and/or rape. The perpetrators are generally relatives or friends. When a woman breaks out of a violent relationship, she risks further persecution or even death.
- n Millions of women need medical care and suffer severe physical and psychological damage as a result of violence. They suffer trauma, depressions and loss of self-confidence and self-respect. Extreme mental distress due to violence is one of the frequent causes of suicide amongst women.
- n Unwanted pregnancies due to acts of violence, unsafe abortions, infection with sexually transmitted diseases including HIV/AIDS combined with inadequate health and counselling services take their toll on the health of women and result in the high rate of mortality among women of reproductive age.
- n Some 130 million women and girls worldwide are victims of genital mutilation. This figure goes up by two million every year and an unknown number of them die as a result of this malpractice. Apart from acute and immediate complications, the known long-term consequences include damage to reproductive and sexual health, risk of infection and impaired mental health.
- n In many societies female lives are cut short by selective abortion, female infanticide and neglect of nutrition and health. The Nobel prize winner Amarta Sen coined the term 'missing women' to describe these lost lives.
- n Every year thousands of women and girls are killed by members of their own families in order to restore the 'family honour'. They are victims of traditional codes of conduct. Women and girls pay with their lives for infringing the norms of their society by becoming pregnant outside marriage (honour killings) or proffering an inadequate dowry (dowry crimes), for example.
- n The number of children aged between 5 and 14 in forced labour in developing countries is put at some 250 million by the ILO. Girls in particular are subjected to extreme exploitation in illegal and informal work. As domestic staff, carpet weavers,

prostitutes or in industry they are at the mercy of their employers and have little prospect of a better future.

- n Every year, some two million girls aged between five and fifteen fall into the hands of criminal networks and the prostitution mafia. Some 500,000 women and girls from developing and transition countries are smuggled into Western Europe alone each year and sexually exploited. The trade in prostitution, marriage and illegal employment has reached a commercial scale that overshadows even drugs and weapons trafficking, with estimated annual profits of 7 billion US dollars.
- n According to the United Nations High Commissioner for Refugees, around 80 percent of all refugees are women and children. Although the entire population suffers the consequences of armed conflict, women and girls are always the worst hit because of their status and their sex.

## 1.2 Violence within the female life cycle

Although gender-based violence occurs worldwide, it takes various forms depending on the cultural context and the age of the victim. In many countries, for instance, female foetuses are selectively aborted and female infants less well nourished and cared for than male offspring.

Fewer female than male children are allowed to go to school, since parents attach more importance to education for boys. The intellectual development and prospects of girls are thus restricted. In many African countries, girls suffer genital mutilation.

When they reach reproductive age, girls and women are in danger of being sexually assaulted, which can result in unwanted pregnancies and sexually transmitted diseases. Girls run these risks on the way to school and at school too, which is in turn a reason why many parents do not send their daughters to school.

In many ethnic groups, widows are exploited by a brother of their deceased husband as a 'second wife'; the possessions of the widow's family and any children of working age become the property of her in-laws.

The following table shows a systematic classification of the various forms of violence in the female life cycle.

<b>Gender-based Violence Throughout the Female Life Cycle</b>	
Pre-natal	<ul style="list-style-type: none"> <li>n Sex-selective fertilisation</li> <li>n Sex-selective abortion</li> </ul>

Infancy	<ul style="list-style-type: none"> <li>n Female infanticide</li> <li>n Unequal access to food and medical care</li> <li>n neglect</li> </ul>
Childhood	<ul style="list-style-type: none"> <li>n Genital mutilation</li> <li>n Incest and sexual abuse</li> <li>n Unequal access to food, medical care and education</li> <li>n Child labour and child prostitution</li> </ul>
Adolescence	<ul style="list-style-type: none"> <li>n Marriage involving abduction and rape</li> <li>n Economically coerced marriage</li> <li>n Economically coerced sex</li> <li>n Sexual harassment and abuse on the way to or from school, at home or at the workplace</li> <li>n Denial of sexual self-determination</li> <li>n Forced prostitution</li> </ul>
Reproductive Age	<ul style="list-style-type: none"> <li>n Psychological and physical abuse by partner and relatives</li> <li>n Marital rape</li> <li>n Dowry-related crimes and murder, honour killings</li> <li>n Forced prostitution</li> <li>n Sexual harassment and abuse at the workplace</li> <li>n Abuse and rape of women with disabilities</li> <li>n Persecution of lesbians</li> <li>n Abuse and exploitation of young widows</li> </ul>
Old Age	<ul style="list-style-type: none"> <li>n Abuse of widows</li> <li>n Neglect of older women</li> </ul>

Violence against women and girls causes lifelong damage to health, trauma and leads to death in a number of cases.

### **1.3 Public attitudes towards domestic violence**

Even in industrialised countries, the most dangerous place for a woman is her own home. Here and in the private sphere most acts of violence against women are generally committed by their own partners or close friends or relatives. Laws are often inadequate, because the state is reluctant to interfere in so called 'private matters'. This distinction between 'public' and 'private' long prevented domestic violence from being recognised as a violation of human rights in the same way as the crimes of rape, torture

and murder committed in the public domain.

This duality was lifted for the first time by the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)* and the acknowledgement of the private sphere took on a more definite shape in 1993 at the Vienna World Conference on Human Rights as regards violence against women. To date 168 of 185 states have ratified CEDAW. A state that has ratified this convention undertakes to amend its domestic legislation to bring it into line with the provisions of the convention, including those applying to domestic violence. To provide better protection for women in their own homes, national governments must take on responsibility for combating violence within the family and action must be taken against prejudice, discrimination and intolerance.

It can, however, take a long time for a ratified convention to be actually adopted as national legislation. In Germany, for instance, it took more than ten years of heated debate before marital rape was recognised as a crime punishable with at least two years' imprisonment. This marked a break with the tradition of playing down the seriousness of this crime or placing the blame on the victim and established the principle in criminal law of treating acts of domestic violence in the same way as those committed outside the home.

## **2. Social costs of gender-based violence**

Violence against women and girls causes immeasurable suffering and physical and psychological damage. Quite apart from this, the costs to society are substantial, although these are complex and not easy to quantify. Individual countries have just started to document cases and evaluate information systematically in an effort to put a figure on the cost of violence against women and girls. Thanks to these analyses greater importance is attached to combating gender-based violence and a correlation has been established with sustainable poverty reduction.

Costs are incurred both for the medical care of victims and the prosecution of offenders. Other cost factors are the reduced labour productivity of abused women and lost working time.

A study commissioned by the New Zealand government indicates that national spending on measures in connection with violence against women (medical care, criminal justice, courts, prisons, protective measures, loss of income, etc.) is high. It is equivalent to the income earned from the country's single most important export product – wool.

### **2.1 Violence threatens women's health**

Violence impairs the health of women and girls. It is difficult to determine the true magnitude of the effects of violence, since medical reports generally give no information on the causes of diseases and injuries resulting from violence. Women in developing countries lose some five percent of their healthy years as a result of rape and domestic violence. The World Bank estimates that violence against women and girls aged between 15 and 44 is responsible for more deaths and cases of sickness worldwide than cancer, road traffic accidents and malaria put together.

The physical effects include malnutrition, gynaecological problems and unwanted pregnancies. In addition, victims of sexual abuse and rape risk infection with sexually transmitted diseases including HIV/AIDS. Violent experiences severely undermine women's self-respect, they begin to neglect themselves and tend to take greater risks in their sexual relations.

Post-traumatic depression, anxiety, sleeplessness and lapses of concentration, isolation, withdrawal into oneself or resorting to alcohol and drugs impair the health of victims. One-third of all cases of suicide among women and 60 per cent of all female murder victims are linked to domestic violence. Quite apart from the suffering caused to the individual, violence against women and girls occurs on a scale that places a heavy, even unmanageable burden on the public health system in the long term.

## **2.2 Violence imposes a burden on the health system**

The World Health Organisation (WHO) and the World Bank have pinpointed violence against women as one of the major public health problems worldwide.

According to the Inter-American Development Bank, domestic violence alone incurs costs that run into millions for health care and rehabilitation. Women victims of violence suffer serious health problems significantly more frequently than women who have not been harmed. Amongst women with comparable health problems, the healing process is slower and more costly for those who have experienced violence than for those who have not.

Treatment for victims of violence ties down resources and personnel that are already overstretched in the health services of many developing countries. Training health staff to deal properly with victims of violence consumes yet more scarce resources.

## **2.3 Violence and productivity loss**

Apart from the costs of restoring victims of violence to physical health, the problem also has socio-economic aspects. How can we measure the long-term loss of working time to the national economy due to the psychosomatic disorders, anxiety, depression, feelings of helplessness and powerlessness suffered by victims of violence? What is the impact on the development of a society when goods and services are simply not produced because women are ill or because their productivity has declined?

In Canada, a nationwide study demonstrated that 30% of abused women give up work completely and 50% are temporarily unfit for work. The costs amount to 1.6 billion dollars a year, including medical care and productivity loss.

Women often spend their income on the survival, health, schooling and vocational training of their children. They thus play a crucial part in offering children the prospects of a better life and in reducing poverty as a whole. A study in Managua (Nicaragua) concluded that abused women earn over 40 percent less than other women. And it is a vicious circle: Children who experience domestic violence are more often sick and perform worse at school than the other children. Violence against women thus has a direct impact on the development opportunities of families and of society as a whole.

In its 2015 programme of action to combat poverty, the German Federal Ministry for Economic Cooperation and Development (BMZ) stresses the reciprocal relationship between sustainable poverty reduction and structural improvements in the social, legal and economic status of women. The prevention and reduction of violence thus improves prospects for social development.

### 3. International legal processes focus on gender-based violence

#### 3.1 Establishing an international framework

Today, a number of international agreements prohibit gender-based discrimination and violence against women and girls. Long, arduous and persistent lobbying by women's and human rights organisations has brought about changes in legal standards.

At the outset of the UN Decade for Women (1975–1985) violence against women was not even an issue. Even the 1979 *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* made no specific demands in this respect. It does, however, commit the international community to promote change of social patterns and cultural traditions based on the inferiority or superiority of one gender and to adopt relevant legislation.

#### Important provisions of CEDAW

Article 2 states that parties undertake:

- n To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation;
- n To establish legal protection of the rights of women;
- n To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- n To take all appropriate measures ... to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.

Article 5 states that parties shall take all appropriate measures:

- n To modify the social and cultural patterns of conduct of men and women;

Article 16 states that parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- n The same right to enter into marriage;
- n The same right freely to choose a spouse;
- n The same rights and responsibilities as parents;
- n The same rights for both spouses in respect of the ownership, (and) acquisition of property.

cf. United Nations. *Convention on the Elimination of All Forms of Discrimination Against Women*. 1979

The crucial breakthrough did not come until 1993. The Vienna World Conference on Human Rights explicitly recognised the rights of women as human rights, under massive pressure from the women's movement.

### **3.2 Gender-based violence is a contravention of human rights**

The rights of women and girls form an inalienable, integral part of universal human rights. This is a clear departure from cultural relativism, which has been advanced as an excuse for traditional discriminatory and unhealthy practices.

In the wake of the Vienna World Conference on Human Rights, the General Assembly of the United Nations adopted the *Declaration on the Elimination of Violence against Women (1993)*. This supplements important aspects of CEDAW and is an important milestone because it makes specific reference to violence against women in the public and private domain alike.

#### **Article 4**

“States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women ...”

United Nations. *Declaration on the Elimination of Violence against Women*. 1993

### **3.3 Promoting new legal standards**

In 1994 the United Nations appointed a Special Rapporteur on Violence against Women attached to the Office of the High Commissioner for Human Rights. She is responsible for drawing up analyses and reports on gender-based forms of violence and recommending ways of eliminating these.

At the end of 2000 the Optional Protocol to CEDAW came into force. It entitles women and women's groups to lodge individual complaints directly to a body under international law. Women can report infringements of their human rights directly to the CEDAW committee, provided, however, they have exhausted all legal channels in their own countries.

The recognition of women's rights as universal human rights makes signatory states responsible for ensuring that women can exercise their human rights unhindered. This elevates their status from supplicants and victims to that of legal subjects.

### **3.4 Providing ground for change**

The international conventions already mentioned commit signatory states to bringing their constitutions and legislation into line with international standards, once they have

ratified the conventions.

Numerous countries have now adopted laws designed to protect women from physical, psychological and sexual violence. These include gender equality in inheritance and family law, the right to health and an effective prohibition of genital mutilation.

In more than 40 states, legislation protects women against domestic and sexual violence. Twenty-seven countries recognise marital rape as a criminal offence. In many states traditional norms are at variance with modern law, which makes it very difficult to enforce the new legal standards. Every year, for instance, genital mutilation is still performed on two million girls and young women.

#### **Legal instruments against female genital mutilation**

Female Genital Mutilation (FGM) is internationally proscribed as a special form of violence, and many countries have banned the practice by law, making it a criminal offence.

International conventions and action plans condemn FGM as a human rights contravention and a violation of the rights of the child.

As far back as 1981 the African Charter on Human and Peoples' Rights, the so-called Banjul Charter, was adopted and ratified by most African states. It is based on the international agreements banning FGM.

The 1991 African Charter on the Rights and Welfare of the Child, which has also been adopted by most African states, specifically provides for children to be protected from painful practices that are hazardous to health.

#### **Closing the gap between laws and their implementation**

Unfortunately, pertinent legislation remains largely unknown and ineffectual unless it is supported by wide-ranging educational measures that address the deeply rooted traditions and social foundations of these practices.

Today, FGM is practised primarily in 28 African states. In some of these countries it has been inflicted on more than 70% of all women. Girls and women in some areas of Asia are also affected and in regions with large numbers of immigrants such as Australia, North America and Europe.

Most victims are young girls between the ages of 4 and 12, although in some places FGM is performed on newborn babies or young women. In this practice, parts or all of the external female genitalia are removed, generally without any form of anaesthesia, often with life-long consequences for the physical and psychological health of the victims.

FGM might be traditional in some cultures, but it is not required by any religion in the world.

Culture is not static, but is constantly in flux. Thus practices, traditions and customs that are recognised to be harmful can gradually be replaced by alternatives, or simply abandoned.

To succeed, education measures aimed at changing behaviour patterns must involve all the major actors. Governments thus support this process in collaboration with non-governmental organisations and work with women and mothers to seek culturally appropriate solutions.

International organisations also provide support.

## **4. Eradicating the causes of gender-based violence**

Violence against women and girls is a worldwide phenomenon, which spans all social classes and age groups. The main cause is the power gap between men and women and the way women are disadvantaged in key areas. Relations between men and women are closely bound up with political and economic structures. The majority of the poor worldwide are female. They generally earn less than men and are forced into marginal sectors of the labour market with a lower economic status. They are less likely to have access to education and career development and are less involved in political decision-making processes.

### **4.1 Factors that encourage violence**

Violent behaviour is not biologically predetermined. Rather, it is acquired as a result of gender-specific socialisation. In many societies, for instance, physical strength, aggressive behaviour and threatening gestures in male children and young men are approved and fostered as positive qualities. Girls, on the other hand, are brought up to be compliant and considerate.

Analyses of the phenomenon assume that several inter-related factors increase the likelihood that women and girls will become victims of violence, namely:

- n Low status of women within society
- n Imbalance of power within the family and within society
- n Economic dependence of women
- n Acceptance of violence as a means of settling disputes
- n Readiness to resort to violence

### **4.2 Putting an end to traditional discriminatory practices**

Women are victims of discrimination in many traditional societies, e.g. inheritance

regulations, access to property and land, divorce and separation. Even modern law is rarely impartial and restricts the liberty, rights and mobility of women, for instance when taking out loans, travelling abroad or in social insurance. Every legal system hinders women from gaining economic independence, acquiring and keeping property and also curtails their right to equal participation in the development process.

Perpetuating traditional rites, such as genital mutilation or the abduction and rape of girls, is a violation of human rights and should be treated as such. Traditions and rites go hand in hand with power relations and political and social processes – and they can be changed!

Development processes alone do not automatically improve the status of women. There is no clear, linear, positive correlation between the advancement of the rights of women and development from a ‘backward’ traditional society to a ‘progressive’ modern society. In fact, recent decades have seen the status of women decline in some places and violence against women increase as external influences grow and traditional societal control mechanisms become defunct.

### **4.3 Breaking out of the vicious circle**

The lack of women’s participation in politics and decision-making processes is the result of their unequal access to education, housing, food, gainful employment and public office. This in turn reduces their chances of changing the structural causes of gender-specific discrimination.

Without social change, women and girls cannot be effectively protected against violence, nor can successful action be taken to prevent it. Strategies must address various levels.

It is important to raise awareness of the population on the need to combat every form of violence and discrimination against women. Men and women must be given the opportunity to adopt and practise new roles aimed at achieving gender equality.

It is the duty of the state to establish the framework conditions for effectively combating every form of violence against women. This calls for appropriate legislation, but also dedicated and efficient enforcement agencies.

In particular the institutions for the prevention of violence and the protection of women and girls as well as those responsible for prosecuting acts of gender-based violence must raise staff awareness and qualifications accordingly. This applies to health personnel, teachers, social workers, traditional authorities, police officers and those responsible within the judicial system as well as journalists and media experts.

## **5. Areas of intervention for Technical Cooperation**

### **5.1 Development-policy framework**

In its 2001 *Gender Equality Strategy*, the German Federal Ministry for Economic Cooperation and Development (BMZ) specifically cites the eradication of gender-based discrimination as a criterion for good governance. This strategy also takes a firm stance against forms of cultural relativism that invoke cultural and religious traditions to justify violations of the human rights of women and girls.

The 2015 *Programme of Action to Combat Poverty* published by the German government in April 2001 accords gender equality a key role in reducing poverty worldwide. Granting women access to and control over resources such as land, water, gainful employment, health care and education lays the foundation for their economic independence and enables them to exercise their political, social and cultural rights.

In future, development policy as a whole should adopt more comprehensive approaches. The four pillars of German development policy (social justice, political stability, ecological soundness and economic performance) also subsume the major cross-cutting tasks of participation and gender equality (gender approach).

### **5.2 Realising gender mainstreaming**

Gender mainstreaming means taking women's issues and interests into account in all societal, economic and political decisions. The focus is not just on women, though. To achieve gender equality, the awareness and behaviour of men must also change.

For development cooperation, this means catering for the different needs of women and men in all projects and action plans. In addition to this, continued support must be given to specific projects to empower women.

### **5.3 Where do projects start?**

The scope of Technical Cooperation is defined by the objectives of the BMZ and the priorities it sets. This means that all projects are obliged to take suitable account of the cross-cutting issues poverty reduction, gender and participation.

To promote gender equality properly, a key concern must be to prevent and combat gender-based violence.

A cross-cutting approach to violence against women in particular makes many demands on project design, but it also affords scope for action in those cases where the concern is first and foremost to find suitable points of intervention. As cooperation develops, the project in question gradually and increasingly defines its purpose and mandate.

Approaches geared towards the needs and interests of the stakeholders must view society as a whole and should ideally combine 'bottom up' methods and participation with long-term strategies and structural development.

The section below looks at selected fields of intervention and indicates how the gender approach can be integrated into new or ongoing projects in order to prevent and eradicate violence. The appended table provides an additional systematic overview of prospective fields and levels of intervention. This clearly underlines the multisectoral nature of the gender approach and demonstrates how many possible fields and levels of intervention there are. In some cases a large impact can be achieved with a few inputs only.

#### **5.4 Analysing the status quo**

To analyse the status quo, we must ask what information is needed and how best to obtain it.

##### **Guiding questions when planning a project:**

- n What is defined as violence against women and girls in the specific societal context of the project region and what forms of violence are sanctioned?
- n What form does the problem of violence take in the project environment?
- n Is information already available on the problem of violence against women?
- n Is additional information needed?
- n How does the prevalence of violence affect the achievement of project results/objectives and vice versa?
- n What are the implications for project design?
- n Does the partner country have a plan of action or an overall strategy to combat violence against women and girls?
- n What is the legal situation in formal statutory law and traditional law?
- n What are the points of intervention relevant to the project design?
- n How can the institutional practice of the executive, the legislative, the judiciary and health and social facilities in the partner country be improved?
- n How can cross-sectoral cooperation be promoted? Which partners must be involved?

In Malawi, measures to develop effective strategies to curb gender-based violence started with a participatory problem analysis. The survey covered the points of view of women and men of various age groups and social classes as well as of relevant NGOs, the police and the ministries of justice and women's affairs. It aimed at pinpointing areas

where action was required, but it also asked participants what action they were willing to take so as to elicit proposals for solving the problem.

In Rwanda, an action programme was devised to help youth cope with their experience of violence. Young people in particular bear the brunt of poverty, war and genocide, where they are both victims and perpetrators. The experience of the genocide in 1994 has left many severely traumatised, which in turn means an increased risk of further violence. These young people were carefully questioned about their life situation by specially trained peers.

In Burkina Faso, an action research course on violence against women combined process-building capacities, the exchange of experience and supervision to give the project a realistic picture of the status quo and to identify possible areas of intervention.

#### **Action research course on violence against women in Burkina Faso**

This course was conducted for the first time in 1999 in Ouagadougou, Burkina Faso, for members of staff of organisations working in the social and health sectors. Participants came from Benin, Burkina Faso, Mali, Niger, Togo, Senegal, Guinea and Madagascar.

#### **Contents of the course**

- n Identification of different forms of violence against women
- n Analysis of the domestic situation of victims
- n Familiarisation with basic steps and methods of action research by performing typical research tasks
- n Identification and selection of appropriate data gathering techniques
- n Application and modification of research instruments and techniques, taking into account ethical considerations
- n Evaluation of the data gathered and development of a feasible strategy to solve the problems identified

#### **Methods and didactic approach**

A situation analysis was conducted on violence within marriage, female genital mutilation, forced marriage and violence at work and school. The methods and instruments of action research such as interview techniques, systematic observations, moderating and chairing discussions with target groups were practised using case studies. Talks, television advertisements and video films were used to convey information and interspersed with group discussions and presentations prepared by participants.

#### **Action research in the field**

In the fieldwork phase, participants identified problem-solving approaches, measures and strategies to implement a concrete task or a project in their everyday work. The course leader supervised this work.

### **Evaluation seminar**

The results of the field research were presented to the other participants at an evaluation seminar, subjected to a critical discussion and revised within working groups in preparation for a public presentation.

## **5.5 Spreading information about existing rights**

The aim here is to enable those affected to exercise the rights to which they are entitled. They are often not sufficiently aware of their rights and of the procedure to adopt. To remedy this, various NGOs offer special legal literacy courses. With the support of women's NGOs qualified paralegal staff, the so-called 'barefoot lawyers', are trained as multipliers. They ensure that even women living in remote areas are aware of their rights and help them lay claim to these. Men, male adolescents and traditional local authorities must be involved in awareness and education campaigns in order to enlist them as allies.

Within self-help groups women can exchange information and discuss their - partly traumatic - experiences to build up their self-confidence. An advantage of these groups is that they are conceived to operate without permanent professional support.

Technical Cooperation can encourage these activities by supporting NGOs in organising groups and events and in training relevant occupational groups.

### **Increasing human rights awareness through a grassroots education programme in Senegal**

The Village Empowerment Programme operated by the NGO Tostan in the conservative south of Senegal is a grassroots level post-literacy programme.

For women, the provision of basic information on their legal rights under the provisions of the country's modern constitution affords them unprecedented opportunities beyond the confines of traditional practices.

Participants try to solve problems in everyday life together through discussions or role-playing exercises using traditional songs and rhymes. The problems addressed include domestic violence, conflicts in polygamous marriages, the fear of HIV/AIDS and the genital mutilation of girls.

The strength and success of the approach lies in the practical knowledge imparted using interactive teaching methods. In learning partnerships with husbands and other family members the course contents are conveyed to the family and permeate the community thanks to the

involvement of village elders.

At public ceremonies, communities have declared that they will give up unhealthy practices such as the genital mutilation of girls and impose sanctions on physical violence against women and girls in the household.

The success of this approach has led it to be adopted in other countries. Tostan has trained other NGOs from Burkina Faso, Mali and the Sudan.

## **5.6 Strengthening governmental institutions and NGOs**

Most decision-makers within state institutions such as the police force or the health system are male and often have no idea what kind of help is appropriate for female victims of violence. When refuges are set up, medical care and rehabilitation services provided and legal counselling offered, the professionals involved need to be made more aware of the problem and have access to special training and information. Concerted action by everyone involved will provide effective protection for victims and ensure that criminal offenders are prosecuted.

Parallel to governmental institutions, NGOs provide assistance, mobilise additional resources and conduct lobbying work.

### **Modernising Nicaragua's police force**

The consultancy services provided by the GTZ-supported project WID/Gender Policy to Nicaragua's police force aim at mainstreaming gender equality in the country's modernisation process. First of all, this means establishing equal opportunities for women in the police force in general and in executive posts in particular and second, catering for the specific security requirements of women and taking comprehensive measures to punish and prevent violence against women.

Stepping up cooperation with other institutions has brought about changes within the police force. There is now a gender equality officer in the force. Training courses at the police academy now include a module on gender-based violence and public security. Special commissions have also been set up for victims of domestic violence.

Under the aegis of the national women's institute and on the initiative of the project, an inter-agency joint commission has been set up with representatives of ministries, the judiciary, parliament and women's organisations. It draws up proposals for national policies to combat violence against women, youth and children.

This modernising approach has set an example for other state institutions in Nicaragua and for police forces in other Central American countries.

## 5.7 Networking levels of intervention and actors

In rural areas in particular, it is important to support an exchange of experience among actors. Technical Cooperation can set up issue-related networks and advise these on adopting a concerted approach designed to raise synergy and effectiveness and have a broader impact.

Major actors include:

- n Self-help and grassroots organisations
- n Local, regional and international NGOs
- n Women's and human rights organisations
- n The media
- n Traditional and religious authorities
- n Statistics offices
- n Relevant occupational groups: police force, health and judicial staff, teachers, journalists
- n Sector ministries and authorities: women/gender, justice, police, health, education, youth
- n Regional associations
- n Organisations of the United Nations

### **Networking in Malawi**

From the outset a participatory, action-based approach was adopted for the initial analyses to identify the causes of gender-based violence, ways of reducing it and possible constraints. The representatives of governmental institutions (judiciary, police force, ministry of women's affairs) and of NGOs not only contributed their own points of view; they were also asked about what action they could take to solve the problems under their own organisation's mandate, thus mobilising key persons at various levels from the start.

### **Multi-level intervention**

Slightly more than a year into the project, participants have set up a dynamic network to coordinate intervention at several levels, investigate cases of human rights abuses and organise immediate protection for the victims. The organisations represented in the network have contributed some funds of their own:

- n In pilot regions, for instance, community-based educators have been trained to raise the issue in communities, set up forums for men to reappraise their own roles and conduct and

mobilise people to protect victims.

n The major daily newspapers have been brought into the network to report on current cases of violence against women and girls and provide critical coverage of ongoing court proceedings.

n Police officers have been trained to deal more appropriately with victims of violence, ensure that evidence is not destroyed and expedite criminal proceedings.

#### **Initial success**

The network representatives all confirm that the intensive PR work and networking has broken the silence surrounding this issue in Malawi.

n Some of the human rights and women's rights organisations in the network have managed to have a legal commission set up to improve legal provisions on protecting women against domestic violence.

## **5.8 Going public through the media**

Public relations work with the media brings violence against women and girls out into the open. This is especially important in the case of violence in the private sphere. Media campaigns and features on radio and television are effective, as are advertisements in newspapers. The documentation and circulation of publications with reports of victims and press round-ups are good ways of providing information.

Providing information and disseminating news of successes, achievements and good practices have not only encouraged participants to continue, but have also increased general awareness of rights. The use of traditional media such as drama, traditional singers (*griots*) and music, dance and wall paintings help to reach a wide audience.

#### **Raising awareness with information and PR work in Mexico**

The media takes little notice of human rights abuses of women and girls in Mexico. The murder of 130 women in the northern border town of Ciudad Juarez prompted outrage abroad, but was scarcely reported by the Mexican media.

This marked the starting point for the communication and information centre *Comunicación e Información de la Mujer* (CIMAC). In 1995 CIMAC founded Mexico's first network for journalists. It runs a news agency, publishes a weekly press roundup and broadcasts a daily radio programme (*Asunto de Mujeres*) to ensure that gender issues are reported on regular basis.

The network now includes some 600 newspaper, television and radio journalists. Analyses and news by CIMAC are printed and broadcasted in more than 100 publications as well as in press,

radio and television reports. CIMAC trains journalists in various parts of the country to report on violence against women as a human rights violation.

In Mexico, CIMAC also organised UNIFEM's cross-border campaign entitled, "A Life Free of Violence: It's our right". The campaign was aimed at raising awareness amongst the general public and policymakers.

CIMAC has now become a focal point in the field of media and journalism for all activities related to the dissemination of the Optional Protocol of CEDAW in Mexico.

## **5.9 Enhancing legal and political frameworks**

German Technical Cooperation increasingly supports special projects, which are aimed at legal, judicial and administrative reforms for the purpose of gender advancement. The partners of these projects include legal commissions and relevant ministries, which are instrumental in the amendment of existing legislation and the drafting of new legislation. Administrative units are advised on how to promote gender issues by providing their services both internally and to the general public and also by making them available at a regional or local level. Civil society involvement is vital for identifying the changes and reforms required in the judiciary and administration.

Although it is not possible to plan and implement new projects with their own portfolios simultaneously in different places, every project can exert an influence in its sector and point out where action needs to be taken. Where Technical Cooperation involves policy advice projects with a cross-cutting mandate for various ministries, these should be accompanied by a regular information flow so that they can carry out their responsibility of developing preventive measures effectively.

### **Namibia: Modernising the legal system**

In Namibia, the government founded the Law Reform Development Commission (LRDC) in 1991 with the mandate to modernise the country's legal system. Both the Roman-Dutch law in force and the various common law systems in Namibia are partly at variance with the very progressive constitution in which gender equality is firmly anchored.

Within the scope of the GTZ-supported programme to promote governmental legal institutions, advisory services are provided to the LRDC in several fields of law. The intention is to harmonise the country's common law with modern law - in inheritance and family law, for instance - and in legal regulations on equal rights for women.

The commission has now proposed changes to all legislation that discriminates against women and the Cabinet has already approved some reforms. Extensive field research was conducted on marriage, matrimonial property, divorce and parent and child affairs. The LRDC was also assisted in drafting a bill on domestic violence and advisory services were provided to the

Ministry of Justice on the basis of:

- n Problem and needs analyses
- n Studies on how authorities deal with domestic violence
- n Inter-ministerial problem-solving strategies
- n Advisory services on the draft bill
- n Determination of the practical and financial inputs needed to enforce the law, e.g. further training for public prosecutors, judges and police officers
- n Development of a violence prevention programme
- n Comparison with legislation in other countries (South-South exchange)

## 6. Summary

**Gender equality** is an explicit priority of the German government's **development-policy mandate**. This goal cannot, however, be achieved without eradicating gender-based violence.

Physical, psychological and sexual violence against women is a **human rights violation**. At the international level, combating violence against women has been incorporated into the debate about good governance, democracy, the rule of law and human rights. In most countries, the rights of women to physical and mental integrity have been included in the list of **constitutional rights**. The scale and diverse forms of violence against women, however, also demonstrate how large the gap is between laws and their implementation.

In order to bridge this gap, a **multisectoral approach** is needed that tackles **various levels concurrently**. Improving the **legal and institutional framework** for the protection of women and girls is crucial to preventing and combating gender-based violence effectively. The major stakeholders here are not confined to the judiciary and the police force; they are also in education and health agencies and ministries for families, social affairs, youth and internal affairs.

**Alongside government institutions, NGOs play an important part in** counselling and assisting victims of violence, but also in raising the awareness of women and men, girls and boys. The vigorous lobbying of NGOs in many countries contributed greatly to the reform of discriminatory laws and legal procedure.

Setting up a legal framework must go hand in hand with **training personnel** in the various institutions involved and **raising their awareness**. Health staff, for instance, who fail to diagnose the injuries, trauma or sickness of a female patient as a result of domestic violence or who are diffident in broaching the matter with the patient are not

able to properly contribute to the recovery of the patient or her protection against future violent assaults. A police officer who does not register or acknowledge domestic violence as a criminal act will not investigate this kind of incident and thus fails to provide proper protection to the victim. A public prosecutor or judge who asks insensitive questions will retraumatize a victim of violence and make it more difficult for violence against women to be made public.

Alongside making improvements at the institutional level by raising awareness and qualifications amongst governmental service providers, measures must target (potential) victims and (potential) offenders directly because without **changing the awareness of women, men and young people of both sexes**, there can be little genuine structural change. Women and girls must learn not to give in to violence, to stand up for themselves and exercise the rights they have. Boys and men must be offered new role models to allow them to **assume new behaviour patterns** based on partnership rather than power and dominance. Experience shows that children who grow up in an environment of violence often replicate the behaviour of their parents in their own relationships, unless they learn how to **resolve conflicts without violence**. Women who have been sexually abused as children are often unable to defend their own interests in later relationships and to protect themselves adequately from HIV/AIDS infection, for example.

Violence against women is incompatible with the **fundamental principles of democracy and hampers sustainable development**. Unequal access to food, education and health care limits the capabilities and prospects of women and girls for development. **Society pays dearly** for the physical and psychological effects of gender-based violence. The costs are not just incurred through medical care for victims, but also through loss of vitality and productivity. The many men serving prison sentences for gender-specific violent crimes also place a cost burden on the penal system and cause major economic losses for the families concerned.

Besides reducing gender-based violence, **sustainable poverty reduction is only possible** if systematic improvements are made granting women **access to education and health care** and **control over economic resources**. This is also the prerequisite for an equal say in social and economic decision-making processes. The currently ongoing decentralisation processes in many countries in particular afford new opportunities for women. To be able to make the most of these, they will need special training in preparation for their new role, as will men, to enable them to recognise the need to involve women and to facilitate and encourage this involvement. This will help **create truly democratic institutions and secure peace**.

Today Technical Cooperation projects are already contributing to ending gender-based violence with their cross-sectoral and interinstitutional cooperation. Given the

development-policy significance of this issue, however, efforts must be stepped up and expanded.

## Annex

### Fields and levels of intervention

Micro level = target groups	Meso level = institutions and organisations	Macro level = state and policy
n Support/counselling for victims of violence	n Training and upgrading for strategic professional groups: decision makers, police force, judges, health service staff, journalists, teachers	n Integrating violence prevention into relevant policies: security, legal, women/gender, health, education, youth, good governance
n Legal counselling and legal aid	n Promoting analyses and action research	n Implementing international agreements and action plans on equal rights for men and women and the eradication of violence against women
n Educating women (empowerment programme)	n Strengthening governmental institutions and building counselling capacities of NGOs	n Aligning religious and common law with modern legal norms
n Promoting self-help among those affected	n Networking assistance and counselling services	n Criminal legislation against domestic and sexual violence
n Strengthening alliances to end violence against women	n Promoting lobbying organisations for human rights, the eradication of FGM, etc.	n Establishment of databases and information systems, national statistics
n Raising awareness of local/traditional authorities	n Increasing the presence of law enforcement agencies and improving their services (police force, criminal justice, civil and family courts, etc.)	n Establishment of national monitoring and evaluation systems
n Cooperation between traditional and modern authorities	n Strengthening concerted action and alliances among judicial, police, community institutions and local authorities	
n Breaking down aggressive behaviour patterns among young and adult men		
n Strengthening self-confidence in girls and their ability to negotiate and defend their interests (girl-power/life-skills programme)		

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- n **Center for Reproductive Law and Policy (CRLP).** *Women of the World: Laws and Policies Affecting their Reproductive Lives. Francophone Africa – Anglo phone Africa.* New York 2000.
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  - n *Respondiendo a Necesidades de Seguridad Ciudadana de Mujeres y Hombres. Policía Nacional de Nicaragua. Políticas Públicas y Género . Cuadernos 2.* Managua 1999.
  - n *Violencia de Género y Estratégias de Cambio.* Managua 1999.
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n **World Bank. World Development Report**. Washington 1993.

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### **Internet links**

n **African Partnership for Sexual and Reproductive Health and Rights of Women and Girls (AMANITARE)**

AMANITARE is coordinated by Rainbow (Research, Action and Information Network for the Bodily Integrity of Women) and aims to achieve a constituency within society for having the sexual and reproductive rights of girls and women recognised as fundamental civil and human rights.

<http://www.amanitare.org>



n **Amnesty International (AI)**

From the AI website you can download the report on human rights violations against women: Broken bodies, Shattered minds. Torture and Ill-treatment of Women.



<http://web.amnesty.org/ai.nsf/Index/ACT400012001?OpenDocument&of=THEMES\WOMEN>

n **Association for Women's Rights in Development (AWID)**

AWID provides information and mobilises and networks individuals and organisations working in women's rights and gender.



<http://www.awid.org>

n **Center for Reproductive Law and Policy (CRLP)**

Here you can download various publications on reproductive rights and human rights.



<http://www.crlp.org>

n **Centro Latinoamericano de los Derechos de la Mujer (CLADEM)**

CLADEM is a major regional women's network in Latin America, working in the field of women's rights and violence against women. It is working to have women accorded equality by law and to have domestic and sexual violence prohibited by law in many countries. Its lobbying work has brought it wide acclaim.



<http://www.derechos.org/cladem>

n **Human Rights Library. University of Minnesota**

Via this website you can access the most important UN documents and international and regional human rights instruments.



<http://www1.umn.edu/humanrts/index.html>

n **Human Rights Watch: Women's Human Rights**

Human Rights Watch provides access to the Human Rights Watch World Report with sections on women's rights and other publications, press releases and news on women's rights.



<http://www.hrw.org/women>

n **International Planned Parenthood Federation (IPPF). IPPF Charter on Sexual and Reproductive Rights**

The IPPF Charter postulates 12 rights that derive their legitimacy from the international human rights instruments currently in use.



<http://www.ippf.org/charter/index.htm>

n **Johns Hopkins Center for Communications Programs (JHCCP). End Violence against Women**

The JHCCP offers a wide range of resources on the topic of violence against women, including many documents to download, a mailing list and a facility for contributions.



<http://www.endvaw.org>

n **Panos. Women's Health. Using Human Rights to Gain Reproductive Rights**

Panos reports on global issues from the perspective of developing countries. It focuses on local knowledge, HIV/AIDS and women's health. You can download Panos Briefing No. 32 on the reproductive rights of women.



<http://www.panos.org.uk/briefing/brief32.htm>

n **United Nations High Commissioner for Refugees (UNHCR). Women's Rights are Human**

## **Rights**

UNHCR offers information on violence against women, including the activities of its Reporter on Violence against Women.

<http://www.unhchr.ch/women/focus-violence.html>

### **n United Nation Development Fund for Women (UNIFEM)**

UNIFEM supports state initiatives and NGO projects working to end domestic violence, war crimes against women and the political persecution of women. The following site provides information on UNIFEM's worldwide campaign:



<http://www.unifem.undp.org/hrights.htm>

### **n United Nations. Fourth World Conference on Women. Platform for Action: Violence against Women**

The Platform for Action calls on states and civil society to take action in twelve critical areas.



<http://www.un.org/womenwatch/daw/beijing/platform/violence.htm>

### **n United Nations International Research and Training Institute for the Advancement of Women (INSTRAW)**

INSTRAW provides information about a programme entitled "Men's Roles and Responsibilities in Ending Gender Based Violence".



<http://www.un-instraw.org/mensroles>

### **n Women in Asia Web Resources**

The page entitled "Women in Asia: Tradition, Modernity and Globalisation" offers access to the internet sites of women's networks in Asia. It is subdivided into links to Asia in general, transnational organisations and individual countries.



<http://www.mcauley.acu.edu.au/staff/Louise/Womenasia/Resources.htm>

### **n Women in Law and Development in Africa (WiLDAF)**

WiLDAF works as a pan-African women's rights network promoting strategies to link law to development in order to advance the involvement and influence of women at various levels.



<http://www.wildaf.org.zw>

### **n Women Living Under Muslim Laws (WLUML)**

The international network supports women in Islamic countries and communities enabling them to exchange ideas and experience with feminist and progressive

groups.



<http://www.wluml.org>

n **Women's Human Rights Resources. Bora Laskin Law Library. University of Toronto**

This extensive website offers links to international conventions, UN documents and NGO reports (mostly in their full length) with comments, as well as links to relevant organisations.



<http://www.law-lib.utoronto.ca/Diana>

n **World Health Organisation (WHO)**

The WHO provides statistical data and analyses on violence against women and girls.



[http://www.who.int/violence\\_injury\\_prevention/vaw/infopack.htm](http://www.who.int/violence_injury_prevention/vaw/infopack.htm)