



International Women's NEWS NOUVELLES Feministes Internationales

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Journal of the International Alliance of Women



The Alliance in Action



2017 Congress held in Cyprus



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“Eliminating Violence against Women and Girls – Winning Peace and Prosperity in the World”

This edition of IWNews brings you two of the presentations from the Seminar. IAW members also gave excellent presentations:

- “Digital Sexual Assault – A new form of violence against women” *by Signe Vahlum*
- “Water and sanitary towels for girls in developing countries” *by Ursula Nakamura and Gudrun Haupter*

Welcome speech

Kyriaki Koumides, President of the Pancyprian Movement, Equal Rights – Equal Responsibilities, opened the Seminar with a warm welcome to all participants, saying what an honour it was to host the IAW Congress in Cyprus. She noted that Human Rights apply to all people in all countries throughout the world and that women should equally enjoy with men the benefits in all environments. To gain a stronger voice, the Movement was actively involved in the committees of the National Movement for Women’s Rights within the Ministry of Justice.

The Pancyprian Movement was founded in 1978 with the aim of improving women’s place in society and obliterating the problems that harass women such as domestic violence, sexual harassment, human trafficking. In order to become more closely involved with working for the elimination of these problems internationally, the Movement had joined the International Alliance of Women.



Keynote Speaker

Professor Dr Kalliope Agapiou-Josephides

holds a Ph.D from Paris I Panthéon-Sorbonne University and is a Jean Monnet Chair (2001) and Assistant Professor at the University of Cyprus.

- Managerial positions: Chair, European Institute for Gender Equality/ EIGE’s Management Board (www.eige.europa.eu) (2017-todate), Vice-President, European Inter-University Centre for Human Rights and Democratization/EIUC (www.eiuc.org) (2012-2016).
- Founding member of the Mediterranean Women Mediators Network (www.womenmediators.net/)
- Activities/research: Academic Convener, Venice School of Human Rights on Women, Peace and Security and CEDAW, on Sexual Violence in Conflict etc. (www.eiuc.org/education/venice-school-of-human-rights.html), Co-Convener Global Campus Massive Open Online Course/MOOC on Gender Based Violence in the Context of Migration (www.eiuc.org/news-detail/new-mooc-on-gender-based-violence-in-the-context-of-migration.html).

Her relevant expertise/research include CEDAW, EU Gender Equality Policy, Women in decision-making, Women’s Rights During Democratic Transitions (www.europarl.europa.eu/committees/en/studiesdownload.html?languageDocument=EN&file=79288), Gender-Based Violence, including migration and conflict.

The theme of this edition is the **37th IAW Congress** which took place in Nicosia, Cyprus 20-28 October 2017.

Cyprus is a very beautiful island situated in the North Eastern part of the Mediterranean Sea. It is also the largest island in the Mediterranean. Cyprus joined the EU in May 2004 and has been a member of the Euro zone since the 1st of January 2008.

Cyprus is situated on the crossroads of three continents: Europe, Asia and Africa. This geographic position has, since antiquity, played an important part in the island's turbulent history. Its prehistoric age inhabitants were joined by the Mycenaean Greeks 3500 years ago who introduced and established their civilization thus permanently instilling the islands' Greek roots. Many other cultures have followed since then including Phoenicians, Assyrians, Franks, Venetians, Ottomans, British, who all left behind them traces of their passage. The island is kind of an open air museum.

Cypriots are very hospitable people and also hard-workers, shown by the excellent organisation for Congress by our host organisation, Pancyprian Movement for Equal Rights – Equal Responsibilities. The hotel was comfortable, the food was good and we had spacious rooms for our meetings.

We went on a most interesting excursion to Paphos with a good guide who gave us a lot of information about the numerous archaeological sites of Paphos which is a UNESCO listed World Heritage Site. We had lunch in a very beautiful taverna. Later on in the week, we had a walking tour in the city of Nicosia with the same guide. We visited the Cyprus Museum, the largest archaeological museum of Cyprus, and other places of great interest.

The 37th Congress of IAW in Nicosia was a great success due to the efforts of the Cypriot organisation as well as the work of the IAW, and in particular of its Executive in the preparations for Congress. Everyone enjoyed themselves very much and the farewell party gave us all an opportunity to enjoy the local music and join in dancing with the Cypriot dancers.

The feelings we had while preparing the Congress were mixed. We had a number of cancellations at the last moment for different reasons (illness, family, etc..) which made us feel a little pessimistic. All this changed with the opening of Congress when many people arrived. Some new faces, also young faces, so we had no problem in establishing a quorum. We even had more people running for the Board than anticipated. After that, everything moved smoothly and there was a new dynamic. Many people found that it was a very good meeting, well conducted and everybody had a chance to speak which strengthened delegates' over commitment to the work of the Alliance. One point mentioned by many participants was the fact that discussions did not go into depth. There was

a lot of discussion on procedures but very little on substance.

The elaboration of a strategy for the future by the IAW was examined. Work in collaboration with other social movements and addressing the needs of all women, in particular the most marginalized ones, was considered. Some ideas put forward included adopting the intersectionality approach and organising a summer school for young feminist through which we could recruit new members to IAW, bringing all generations into a dialogue for the promotion of women's human rights. As well, an emphasis on the regional level could be achieved by organizing regional seminars and conferences.

We all have to make an effort to make the agenda on women's human rights and gender equality go further but we cannot do it with business as usual. So, we have to try to find new ways. We have to support people who are working on projects such as Ursula Nakamura and Gudrun Haupter on water and pads; Anje Wiersinga on the SCR 1325; Esther Suter on peace on the Korean Peninsula; Monique Bouaziz and Danielle Levy in UNESCO who, together with other NGOs, succeeded in finding funds in order to help members of the African Associations get trained in water technologies in Cote d'Ivoire, among whom 5 were from the DR of Congo. They in turn will train others. We have to present to the outside world a constructive image of IAW.

Many important decisions were taken by Congress. **A fund was established** with 25,000 euros of the total IAW assets with the purpose of giving support to a wide range of IAW activities to be approved by the Executive committee (organizing for example regional meetings and participation); engaging an independent auditor; reopening negotiations for the establishment of an IAW database by the Communications Unit.

A strong Action Plan for 2018-2020 was adopted with a number of pillars that coincide with our Commissions: Violence against women and girls, Human Rights, Climate Change, Health, Peace, Gender and Economy, Democracy. I distributed a discussion paper on how the Action Programme can be implemented, for example by using the concluding observations of CEDAW to national reports submitted to it to hold governments accountable.

I presented my **Political Declaration** on holding governments accountable on Women's human rights and gender equality: "A new form of feminist activism to strengthen CSOs and feminist organisations". The Declaration was adopted.

Resolutions were adopted on a variety of issues: Justice for Victims of ISIL; the protection of women's and girls' fundamental rights; a peace treaty for South-Korea; female genital mutilation; keeping girls in school during menstruation; new tools to support and educate girls in emerging markets; from entrepreneurship to labour rights,



and corporate accountability; the protection of the rights of the Rohingya women and girls in Burma; the Security Council open debate on Women, Peace and Security; call for full implementation of the Security Council Resolution 1325 including National Action Plans and participation of women in the Peace Negotiations, and on the implementation of the Treaty on the prohibition of Nuclear Weapons.

A number of organisations were admitted to membership, the majority from the developing world. IAW now has 52 member organisations (31 affiliates and 21 associates) and many individual members.

Constitution, By-laws A number of amendments to the Constitution and the By-laws were adopted.

Presentation of the project “water and pads”
by Ursula Nakamura and Gudrun Haupter This

project will particularly address the education and the management of menstruation hygiene of school girls and raise students’ awareness on unwanted pregnancies. The project will also strengthen networking at national and international level by strong advocacy which addresses communities, governments and also the private and public sector.

IWNews A decision was taken that the Journal will continue as thematic. Each publication now focuses on a specific theme and discusses its different aspects. There have been enthusiastic comments about our Journal, in particular for the issue on Young Feminists. With new people writing for the Journal, we are finding new friends and allies in our fight against gender inequality and the violations of women’s human rights. The Journal can also be used as a tool for building alliances and elaborating projects with other NGOs.

INTERNATIONAL WOMEN’S NEWS IN BRIEF

37th IAW CONGRESS – CYPRUS 2017

Delegates received a warm welcome to Cyprus from President Kiriaki Koumides and members of The Pancyprian Movement Equal Rights – Equal Responsibilities. In addition to the business sessions, the programme included a seminar, two excursions which provided a comprehensive introduction to the rich culture of Cyprus, and the Congress dinner with music and dancing.

Organisations admitted to membership of the Alliance: Association d’Aide à l’Education de l’Enfant Handicapé (France); Canadian Federation of University Women CFUW-FCFDU – Canada; General Arab Women Federation GAWF – Egypt; Women in Agriculture and Environment (SWAGEN), Uganda; Association Féminine Songmanégré pour le Développement, A.F.D Marocco; ntengwe for community development – Zimbabwe; Women Empowerment and Human Resource Development of India – India; Ladies Circle of Cameroon – Cameroon.

A new Board was elected: President Joanna Manganara, Greece; Treasurer Rosy Weiss, Austria; Secretary General Arielle Wagenknecht, Switzerland; Monique Bouaziz, France; Danielle Levy, France; Kalyani Raj, India; Manju Kak, India; Ruhi Sayed, Pakistan; Cheryl Hayles, Canada; Signe Valhun, Denmark; Christina Knight, Sweden; Eugenia Tsoumani, Greece; Horeya Megahed, Egypt; Johanna Sterbin, USA; Natalia Kostus, USA; Eleni Christodoulou, Cyprus; Melina Georgiou, Cyprus; Anuarite Siiriwuba Muyuma, DR Congo; Ester Suter, Switzerland; Arthie Schimmel, Netherlands; Rita Marque Mbatha, Zimbabwe; KG Vijayalekshmi, India; Rivka Lazovska, Israel.

Note: Revisions to the IAW Constitution were adopted by Congress. A major change is the reduction of Board members from “up to 20 members” to “up to 15 members” in addition to the President, Treasurer and Secretary General. This will come into effect at the next Congress. It is hoped a smaller number will lead to more cohesion and an effective and efficient Board.

Action Programme 2017–2020 adopted by Congress

Six groups of members worked on six pillars or themes: Human Rights, Peace, Women in the Economy, Elimination of Violence against Women, Health and Climate Change and a new Action Programme was presented and unanimously adopted by Congress.

You can find the Action Programme and the Annual Report 2017 on the IAW website.



INTERNATIONAL WOMEN'S NEWS IN BRIEF

Photo: UN Women/Ryan Brown



International Women's Day Ring the Bell for Gender Equality kicks off at Nasdaq, New York

Date: Wednesday, March 7, 2018

UN Women Executive Director Phumzile Mlambo-Ngcuka and President and CEO of Nasdaq, Adena Friedman rang the bell ringing at Nasdaq to celebrate International Women's Day.

In celebration of International Women's Day (8 March 2018), 63 stock exchanges around the world will host a bell ringing ceremony to raise awareness of the pivotal role the private sector can play in advancing the UN's Sustainable Development Goal 5 on gender equality and women's empowerment.



Every year NGO CSW/NY presents the Women of Distinction Award to a woman in recognition of her leadership in the struggle for gender equality, human rights and women's empowerment. NGO CSW/NY is proud to announce Sizani Ngubane, from South Africa, as the 2018 Woman of Distinction Awardee.

Ngubane will be the keynote speaker for our NGO CSW62 Forum Consultation Day, Sunday 11 March 2018 and will receive her award at our Reception, Tuesday 13 March 2018.



The **62nd session of the CSW** will be discussing a priority theme on challenges and opportunities in achieving gender equality and the empowerment of rural women and girls. It will also be discussing a review theme: Participation in and access of women to the media, the information and communication technologies and their impact on the empowerment of women.

There will be a ministerial segment on the priority theme which will include ministerial round tables and interactive dialogues to exchange experiences, lessons learned and good practices, as well as a general discussion on the follow up to the Fourth World Conference on women. There will also be an interactive expert panel on the priority theme and interactive dialogues on the review theme.

There will be adoption of resolutions and conclusions of the CSW62. NGOs have already submitted to the zero draft text of the Conclusions a number of recommendations on many different issues, like education, employment and technology, land and water rights and climate change, empowerment against gender based violence and discrimination, health and sanitation.

The Commission concerns itself with the status of women. It reviews the progress made by women and girls and assesses the remaining challenges. It is a barometer of the progress we are making on achieving a world that is free of gender discrimination and inequality, a world that leaves no-one behind. It helps us measure achievement of the implementation of the 2030 Agenda for Sustainable Development.

It also helps us to pursue action in priority areas and benefits from the Commission's Agreed Conclusions. Currently in the gender equality agenda, we see progress in some areas, but we also see an erosion of gains. The much needed positive developments are not happening fast enough.

Rural women, who comprise 1 in 4 people worldwide and they constitute a large share of the agricultural workforce, are active agents of economic and social change and environmental protection. However, they are in many ways constrained in their roles as farmers, producers, investors, caregivers and consumers.

CEDAW, in its General Recommendation 34 on the rights of rural women, emphasizes that they face structural barriers to the full enjoyment of their human rights which are overlooked or incompletely addressed in laws, policies, budgets,

investments and interventions at all levels across countries. GR34 notes that rural women tend to be excluded from leadership and decision making and are disproportionately affected by poverty and unequal access to land and natural resources, infrastructure and services, decent work and social protection. GR34 also notes that the contribution of paid and unpaid work of rural women and girls to gross domestic product and sustainable development is only partially recognised.

Because of prevailing discriminatory gender norms, rural women and girls tend to have less access to information, skills, training and labour markets while facing greater risks of violence, early and forced marriage and harmful practices. Efforts need to be made by all stakeholders to eliminate structural barriers and discriminatory laws and gender norms to enable rural women and girls to respond to challenges and seize opportunities for change.

Different groups of rural women and girls have particular needs and priorities, warranting tailored policy and institutional responses. IAW welcomes the recently adopted GR 34 on rural women which interprets Article 14 of CEDAW in the context of the Convention as a whole. GR 34 is particularly helpful to women's organizations and civil society as it is an important tool with which a government's accountability can be checked.

What can women's organizations, in particular rural women's organizations, do to help accelerate progress on gender equality and the realization of rural women's human rights? In our view, they can help by empowering rural women so as to be able to hold their governments and other stakeholders accountable for their commitments to gender equality and human rights.

We have to support rural women's organizations to ensure they can influence policy formulation, implementation and monitoring at all levels of government with a view to enabling rural women to hold all office bearers to account. We can do that by calling on our governments to create and/or strengthen their gender accountability mechanisms. IAW has been doing that by issuing IAW Declarations on accountability by governments on gender equality and women's human rights.

We also have to support women activists, in particular rural women human rights defenders, who are working relentlessly to claim rural women's rights and realize their full potential.



NEWS FROM THE INSTITUTIONS

The IAW has done so by nominating this year's **Woman of Distinction Awardee by the NGO/CSW NY** - Sizani Ngubane, President of the Rural Women's Movement in South Africa. She is a powerful 72 years old woman who has dedicated her life to promoting gender equality and fighting for women's rights. Sizani started as a strong activist with the ANC, the social democratic party of South Africa. When the party was elected in 1994, she decided to work for rural women. Sizani founded the Rural Women's Movement (RWM) in the 90's, an organization by rural women for rural women.

RWM is the only grassroots movement leading an intensive campaign for women's and girls' land, property and inheritance rights, lobbying National Parliament and policy makers for policies that are user-friendly to indigenous and rural women and girls. Starting with a group of 250 indigenous and rural women and youth, RWM is now a coalition of 501 community based organizations (CBO) with a membership of approximately 50.000 women. The members work at the grassroots level and also at the provincial, regional, national and international levels.

Sizani provides intensive training on different pieces of legislation and policies and encourages women and girls to effectively participate in policy making processes by assisting them to prepare their oral and written submissions to be presented before the Portfolio Committee on Rural Development and Land Reform and the Portfolio Committee of Justice and Constitutional Development and other structures of policymakers within the National Parliament.

RWM was the leader of the successful lawsuit that got the communal land rights Act 11 of 2004 declared unconstitutional because it enshrined gender bias.

RWM campaigned against the traditional Courts Bill of 2008 and the traditional leadership and governance framework Act of 2003. This resulted in a vote against the government sponsored draft law in the Parliament's National Council of Provinces. The RWM argued that the Bill would create a separate legal system for the 18 million people living in the former Bantustans and make them subjects of traditional leaders, with second-class rights in the South African democracy. Many local leaders do not allow women to represent themselves in court or to testify before the court. They also take land away from women, whose

spouses or fathers have died, to give to men who throw the women off the land they long worked to support their families.

The RWM mission is to attain gender equality in a democratic South African society, to which end they focus their efforts on promoting the social, educational, economical and political development of indigenous/rural women and girls - advocating for women's rights, eliminating discrimination against women including GBV, advancing women's capacities and leadership skills, promoting their participation in decisions that affect their lives, amplifying their voices for peace and security at provincial and national levels; mobilizing to prevent loss of land and resource rights as a result of corruption, land grabs or mining deals with local elites/traditional leaders.

As a direct result of RWM actions, transmitted diseases have decreased by 15% in the areas where RWM works. Teenage pregnancy has decreased by about 10% in the last seven years. A traditional practice of abduction and forced marriage of girls, ukuthwala, has stopped.

Sizani is much more than an activist, she is a human rights defender. Her strong activism has generated many attacks that have put her life in danger. In one of these attacks, her brother was killed.

The Rural Women's Movement has had a tremendous impact on the lives of rural women in South Africa, most of all because Sizani is a role model for young girls and women, teaching them through her example to believe in themselves and that women have the power to break through and achieve their aims.

Joanna Manganara



INTERNATIONAL WOMEN'S NEWS IN FOCUS

Greeting from the Minister of Justice & Public Order, Mr Ionas Nikolaou

presented by Mr Andreas Mylonas, Director General, Ministry of Justice and Public Order

Mr Nikolau expressed congratulations to the President and Members of the Pancyprian Movement for Equal Rights – Equal Responsibilities for organising today's event and, more broadly, on its work and timeless contribution promoting equality between men and women in Cyprus.

He outlined many positive steps taken over recent years in Cyprus to improve woman's place in all walks of life. In the legislative domain, as well as in family law and labour law, important legislatures have been promoted and enacted which safeguard equality and equal opportunities, especially with regard to equal pay, equal treatment in employment, equal access to goods and services, the protection of maternity and paternity leave, parental permission and rights. These laws are complemented by a package of measures, policies and programs which concern the reconciliation of family and professional life, reducing the pay gap, training and reintegration of women into the employment market, reinforcing female professionalism, protection against gender violence, as well as the creation of structures and mechanisms to which women can escape and seek help and report discrimination or violence.

A recent evaluation of progress on the implementation of the *Strategic Action Plan for Equality amongst Men and Women 2014-2017*, indicates great progress in all domains covered by the Plan, the effective promotion of equality, the modernization of the legislative framework, the balance of participation of men and women in decision-making posts, the struggle against violence towards women, financial empowerment of women and the obliteration of gender stereotypes and prejudices. Out of the Plan's 131 actions, it appears that more than 100 have been implemented, whilst others are well on track.

Preparation of the new *National Action Plan for Equality of the Sexes for the period 2018-2021* has commenced and is expected to be completed and adopted before the end of the year. Another important development is the adoption of the *National Action Plan for the Prevention and Fight Against Domestic Violence (2017-2019)*, as well as the *Action Plan against Human Trafficking (2016-2018)*.

The Government has signed and ratified the *Council of Europe Convention on Prevention & Fighting Violence Against Women and Domestic Violence, also known as the Convention of Istanbul*. This is a crucial, international tool, the first of its kind, which can substantially contribute to the development of an integrated legal infrastructure and policies for the protection and empowerment of victims of all forms of violence, the promotion of international cooperation and the effective fight against and punishment of perpetrators.

A bill has been prepared and lodged with Parliament to make harassment and stalking criminal offences, in accordance with Article 34 of the Convention of Istanbul. A separate bill, violence against women a crime, will be put into public consultation very soon. The Association for the Prevention & Fight

Against Domestic Violence is subsidised annually and has extended its support line to 24-hour availability since last January. This is also based on an obligation of the State stemming from the Istanbul Convention. Furthermore, the Police Force, in cooperation with various bodies which deal with violence against women and domestic violence, and through securing resources from European financial programs, is now profiling characters on a national level regarding gender violence.

The Ministry has targeted the upgrading of the Police Force's role to make it more effective in preventing and responding to incidents of violence, as well as in assessing and managing the risk of incidents. Specialization of the Police to handle such incidents, together with better co-ordination with the other services involved, is a central axis in the training programs of the Police Academy in this field.

Through the National Mechanism for Women's Rights, the Ministry continues to support and strengthen the implementation of programs and campaigns to raise public awareness and encourage victims of violence to use the services for assistance as well as for justice. Particularly encouraging is the fact that in recent years there has been a growing trend in Cyprus for complaints to be made about all forms of violence against women, which suggests that women feel more ready, informed and determined to put an end to the problems they are experiencing. This also testifies that the measures and policies implemented by both the State and Civil Society for the prevention, repression and protection of victims have begun to bear fruit.

From efforts to modernize and revise family law in a way that responds to modern needs and requirements, a broad circle of contacts and consultations with all interested parties have been completed and eight draft amending legislations prepared at Ministry level fall within the sphere of Family Law. These bills are with the Legal Service for processing and are expected to bring about significant improvements relating to marriage, divorce, parent and child relationships, succession and safeguarding children's rights in family law cases. The proposed arrangements promote both the accelerated settlement of family court cases and the protection of children's rights in the handling of family law cases.

The Minister concluded by saying that despite the positive developments that had taken place in recent years in promoting gender equality in Cyprus, much remained to be done to consolidate a culture of equality and equal opportunities for men and women, away from anachronistic perceptions and patriarchal stereotypes that hamper progress in this area. He confirmed the Government's determination to continue and further intensify its efforts to promote and achieve effective equality which can lead to peace, prosperity, development and progress all over the world and in all areas of public and private life in Cyprus. The struggle and pursuits were mutual and all must work in unison in order to achieve success.



INTERNATIONAL WOMEN'S NEWS IN FOCUS

Women, Peace and Security:

From Unacknowledged Policies and Ignored Consequences to Promising Prospects?

**Keynote address to Seminar during the 2017 IAW Congress held in Nicosia, Cyprus
by Prof. Dr Kalliope Agapiou-Josephides, University of Cyprus**

It is indeed my great pleasure and privilege to address a keynote speech and participate in the workings of the 37th Congress of the International Alliance of Women taking place in Nicosia from 20 to 28 October 2017. I thank the organisers for the invitation and congratulate them, and in particular the Pancyprian Alliance Equal Rights Equal Responsibilities, which is successfully hosting the event.

When I received the invitation for a keynote speech, I was wondering whether in addressing such a knowledgeable audience about women's rights and gender equality issues, I was not putting myself in a difficult position by running the risk of both preaching to the converted and meeting the high expectations and standards of a historic women's rights association world congress. It was clear that I needed to find a really original topic and approach it in an innovative way.

Throughout history, women's invisibility has been instrumental in applying unacknowledged policies and ignoring their impact and consequences for women. Peace and security are not an exception. When viewed as gendered phenomena, peace and security acquire different meanings, require different approaches and policy options and produce different results.

Allow me to begin with a poem: **Children of our age** by the Polish poet *Wisława Szymborska*, and a confession.

We are children of our age,
it's a political age.
All day long, all through the night,
all affairs--yours, ours, theirs--
are political affairs.

Whether you like it or not,
your genes have a political past,
your skin, a political cast,
your eyes, a political slant.

Whatever you say reverberates,
whatever you don't say speaks for itself.
So either way you're talking politics.

Even when you take to the woods,
you're taking political steps
on political grounds.

Apolitical poems are also political,
and above us shines a moon
no longer purely lunar.

To be or not to be, that is the question.
And though it troubles the digestion
it's a question, as always, of politics.

To acquire a political meaning
you don't even have to be human.
Raw material will do,
or protein feed, or crude oil,

or a conference table whose shape
was quarreled over for months;
Should we arbitrate life and death
at a round table or a square one?

Meanwhile, people perished,
animals died,
houses burned,
and the fields ran wild
just as in times immemorial
and less political.

I then conclude that, long story short, everything is political.



INTERNATIONAL WOMEN'S NEWS IN FOCUS

Women, Peace and Security: From Unacknowledged Policies and Ignored Consequences to Promising Prospects?

The confession

I have to confess that I still find embarrassing the silence of history and blindness of law that weighed upon women for centuries. It contributed significantly to cause their invisibility, and thus what was happening to women in a legal, social and political reality. In this respect, the conceptual norm of separate spheres, one public and one private, served perfectly the purpose of women's invisibility and, of course, of their voicelessness.

In each and every society, the matrix of social hierarchies is extremely complex and the very fact that gender is but one of them, renders any change a difficult task. Deeply rooted in all aspects of life, gender inequality proved to be an extremely resilient phenomenon. To date, in no country in the world do women enjoy equal status to that of men. The launching of the European Union Gender Equality Index 2017 measuring gender equality/inequality at the EU level reveals the long way that EU countries still have to go to achieve full equality between women and men.¹ Relevant indexes by the UN or other international organisations reveal an even longer way to go and greater disparities at global level.²

The invisibility of women as a means of exclusion

Let me share with you three diverse examples of women's exclusion that I consider highly symbolic and revealing of the scale and the scope of the phenomenon of women's invisibility, smoothly promoted via the unsuspected power of linguistic invisibility!

- **France's universal suffrage**

What is our understanding as to the first country to introduce universal suffrage? France? No, France was the first country to introduce male universal suffrage in 1848. The omission of the word male by official historiography, hides part of reality and leaves space to various interpretations. In fact, the first country to introduce universal suffrage was Finland in 1906. France introduced universal suffrage only in 1944. Furthermore, the Declaration des droits de l'homme et du citoyen and the triptych of the French revolution Liberté, égalité fraternité, while apparently and symbolically inclusive and comprehensive in scope, they both exclude women! In such a context, it is not surprising

that the work of Olympe de Gouges, who took the initiative to rewrite the well-known Declaration des droits de l'homme et du citoyen offering us the Declaration de la femme et de la citoyenne which, despite its historic value, remains to date almost unknown to all but the experts. Olympe de Gouges definitely does not hold the place she deserves in history and official historiography.

- **Canada: The "persons"/ the Famous Five Case**

Does the word "person" include female persons? This is not a joke. It is a legal question addressed to Canada's Supreme Court in 1927 by the Famous Five: Emily Murphy, Nellie McClung, Irene Parlby, Louise McKinney and Henrietta Muir Edward. The Supreme Court decided that the word "person" DID NOT include female persons. The famous Five took the 'Persons Case' to Canada's highest Court of that time, the Privy Council in England. On October 18, 1929, the Privy Council decided that the word persons DOES include female persons. Women were persons and, thus eligible to hold any appointed or elected office!

- **Olympic Games and female participation**

Who does not know Pierre de Coubertin, founding father of contemporary Olympic Games? Who knows, or has ever heard of Alice Millat, founding mother of Women's Olympic Games? Alice Millat organized the first Women's Olympic Games in 1922. She had to drop the title of Women's Olympic Games and to use instead Women's World Games: Gotenburg 1926, Prague 1930, London 1934. An extraordinary achievement which remains, to date, almost unknown to all but the experts.

These are only few examples to illustrate the silence of history and the blindness of law towards women. Gender inequality, having been established as the 'norm', having been embedded in culture, processes and structures, having been 'normalised', became invisible, though omnipresent. We need to bear in mind that what is 'normalised', and thus broadly accepted in peacetime, is further amplified during conflicts.

It is well established in literature that the unequal status between men and women constitutes the root cause for harms that disproportionately affect women. Gender Based Violence (GBV) and Violence Against Women (VAW) are often quoted as the most significant illustrations. Some forms of extreme violence against women might

¹ Gender Equality Index 2017, European Institute for Gender Equality.

Available at: <http://eige.europa.eu/gender-equality-index>

² Gender Inequality Index, UNDP, Development Reports. Available at: <http://hdr.undp.org/en/composite/GII>



well be silenced, rendered invisible, as in the case of Conflict Related Sexual Violence (CRSV), that rightfully deserves and receives our attention today. In this respect, I would like to thank you for providing this excellent opportunity to discuss part of this unwritten dark history of humanity.

Unacknowledged Policies: The case of Conflict Related Sexual Violence (CRSV)

Sexual violence is a brutal form of physical and psychological warfare rooted in the gender inequality extant not only in zones of conflict, but in our everyday personal lives. The persistence of such forms of violence undermines peace and security and shatters community and family ties. The prevention of sexual violence must remain one of our highest priorities.¹

*United Nations Secretary-General
António Guterres*

The case of Conflict Related Sexual Violence, as an unwritten dark history of humanity, constitutes an appalling phenomenon that brings to the fore the suffering of women, men, girls and boys, as well as their families and whole communities, as a result of sexual violence. It was only in 2008 that the UN Security Council recognized sexual violence as a tactic of warfare or terrorism and critical element for international peace and security.

As UN Women put it: "Sexual violence challenges conventional notions of what constitutes a security threat... (it is) cheaper than bullets, it requires no weapons system other than physical intimidation, making it low cost, yet high impact".²

Women's bodies as battlefields have a long history. It occurs today, despite the fact that war rape was outlawed under the 1949 Geneva Convention, Additional Protocol I, International Human Rights Law, International Humanitarian Law, International Criminal Law, UN Women, Peace and Security Council Resolutions. Empirical evidence suggests though that the phenomenon is not inevitable. Its scope and magnitude may differ

from one conflict to another and that, subject to certain conditions, can be seriously either reduced or amplified.³ It is up to humanity to end inhuman practices. It is up to our societies, our governments, us.

Peace and security affect both women and men dramatically, but differently. During conflicts, women suffer not only through atrocities, such as bombings and particularly the indiscriminate bombing of civilian areas, not only do they suffer humiliation, beatings or torture, as often happens in the course of war hardships, but they also suffer GBV and abuse. Abductions, forced marriage, forced prostitution, slave selling, or sexual enslavement are common phenomena. Phenomena that, if they are not fatal to women, mark their lives forever. In addition, the stigma and the rejection, often ostracism operated at all societal levels, lead and condemn women to silence. It took 'comfort women', those who survived, half a century to speak out. What happened to women during World War II, e.g. in Berlin, is still a taboo and not addressed on an equal footing with other atrocities. What has happened/is happening to women in Congo, Libya, Syria, or on the migration road is still under-reported/addressed/funded/taken care of, etc.

"Women, peace and security" should normally be a pleonasm, but it is definitely not. Without the gender dimension, whose peace and whose security are we talking about? It was only in 1993 that the international community recognised that women's rights are human rights. It was only in 2000 that the gender dimension of peace and security was addressed and only in 2008 that sexual violence in conflict was recognised as a tactic of warfare and critical element for international peace and security.

It was almost a revolutionary development when the landmark UN Security Council Resolution (UNSCR) 1325 was adopted back in 2000. By the end of 2017, a set of UNSCRs that form the Women, Peace and Security Agenda are in place.

The Women, Peace and Security Agenda:

- S/RES/1325 (2000): First Women, Peace and Security (WPS) Resolution makes the connection between the way conflicts have an impact on women and international peace and security.
- S/RES/1820 (2008): Recognizes sexual violence in conflict as a warfare tactic and a critical element for international peace & security.

¹ Report of the Secretary General on Sexual Violence in Conflict, 15 April 2017, UN, S/2017/249. Available at: <http://www.un.org/en/events/elimination-of-sexual-violence-in-conflict/pdf/1494280398.pdf>

² Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice, UN Women, October 2012, page 10

³ Elisabeth Jean Wood (2006) Variation in Sexual Violence during War, Politics and Society, Vol. 34, Issue 3, pp. 307-342. Available at: <https://doi.org/10.1177/0032329206290426>



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•S/RES/1888 (2009): calls for states to end impunity and prosecute perpetrators, for strengthening implementation mechanisms 1820.

•S/RES/1889 (2009): reaffirms women's key role in post-conflict inclusive strategies for their perspectives and needs.

•S/RES/1960 (2010): provides for an accountability system for conflict related sexual violence.

•S/RES/2106 (2013): strengthens accountability for implementation resolutions on conflict related sexual violence.

•S/RES/2122 (2013): calls for specific actions to increase women's participation in conflict resolution, improvement of the Council's methods on WPS, preparation of a 15-year review in 2015.

•S/RES/2331 (2016): recognizes the connection between trafficking in persons, sexual violence and terrorism and other transnational organized criminal activities.

Women, men, girls and boys can all be victims of sexual violence. Nevertheless, the historical and structural inequalities that exist between men and women, and the different forms of gender-based discrimination that women are subjected to all over the world, contribute to women and girls being disproportionately affected by sexual violence in conflict settings. This sexual violence in conflict must be situated within this broader context, and as part of a global normalization of violence against women and girls that ranges from suffering extremely high levels of intimate partner violence, sexual and physical violence by non-combatants, forced early marriage, female genital mutilation, honour killings and trafficking for sexual exploitation...

Sexual violence in conflict legitimates threat to peace and security and is used increasingly as a tactic of terrorism, employed by extremist groups in places like Iraq, Syria, Yemen, Somalia, Nigeria and Mali to advance their military, economic and ideological ends.¹

Unfortunately, sexual violence continues to be committed in the twenty-first century's conflicts and remains extremely difficult to quantify due to official obfuscation and its still rather "invisible" nature. A key observation by the UN Special Representative (UNSGSR) for Conflict Related Sexual Violence, Pramila Patten, is the "existence of a deep-seated culture of denial which enhances

and feeds the culture of silence".² Available estimates indicate that acts of sexual violence are perpetrated on a large scale in various regions of the world today.³

Among the countries with the highest percentages of victims from sexual violence in conflicts we could focus on the painful and abusive examples from Afghanistan, Central African Republic, Colombia, Democratic Republic of the Congo, Iraq, Libya, Mali, Myanmar, Somalia, South Sudan, Sudan (Darfur), Syrian Arab Republic, Yemen, Bosnia and Herzegovina, Côte d'Ivoire, Nepal, Sri Lanka, Burundi and Nigeria (Conflict-related sexual violence Report of the Secretary-General, Security Council United Nations, 2017).⁴

It is clear that justice for sexual violence can only be done if a number of key elements are in place. In the words of Virginia Gamba, UNSGSR for Children and Armed Conflict, these elements are "political will, well-trained Government officials, civil society involvement, and an engaged press".⁵

In this respect, I would like to highlight the important contribution made by CEDAW, namely through General Recommendations 19 on violence against women, 28 on State obligations, 30 on women in conflict and post-conflict situations, 33 on access to justice and 35 on gender-based violence against women, updating General Recommendation 19.⁶

Ignored Consequences

Sexual violence in armed conflict zones is without a doubt, an invisible tragedy. The consequences of sexual violence in conflicts are usually hidden and ignored not only by the official authorities but also by the whole society. There is no doubt that there is impunity and a huge lack of accountability by those who are responsible for these crimes and their tragic consequences to the victims and society.

² Press release by the Office of the UNSGSR on CRSV, 27 February 2018.

Available at: <http://www.un.org/sexualviolenceinconflict/press-release/special-representative-of-the-secretary-general-on-sexual-violence-in-conflict-ms-pramila-patten-concludes-visit-to-sudan-and-calls-for-end-to-culture-of-denial-for-conflict-related-sexual-violence/>

³ Helen Durham and Vincent Bernard, Sexual violence in armed conflict: From breaking the silence to breaking the cycle, Editorial, International Committee of the Red Cross, 2015, Editorial. Available at: <https://www.icrc.org/en/international-review/article/sexual-violence-armed-conflict-breaking-silence-breaking-cycle>

⁴ Ibid 3.

⁵ Joint Statement by the Special Representatives of the Secretary-General on Sexual Violence in Conflict and for Children and Armed Conflict commending landmark conviction for crimes against humanity by the Democratic Republic of the Congo in the Kavumu child rape cases. Available at:

<http://www.un.org/sexualviolenceinconflict/statement/joint-statement-by-the-special-representatives-of-the-secretary-general-on-sexual-violence-in-conflict-and-for-children-and-armed-conflict-commending-landmark-conviction-for-crimes-against-humanity/>

⁶ CEDAW General Recommendations. Available at: <http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Recommendations.aspx>

¹ Sexual violence in conflict 'legitimate threat' to peace and security – UN Deputy Chief, Amina Mohammed, UN News Centre, 2017. Available at: http://www.un.org/apps/news/story.asp?NewsID=56758#_Wd0ksPm0PIU



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Sexual violence affects women, girls, boys and men. However, it is clearly understood that women and children are the most vulnerable victims in

sexual violence, especially during armed conflicts. Sexual violence against children during conflict is one of the Six Grave Violations identified and condemned by the UN Security Council.¹

The consequences of sexual violence are numerous and varied, including those of physical and psychological nature, both in the short-term and in the long-term. Individuals who have experienced sexual assault may suffer a range of physical injuries, genital and non-genital or, in extreme cases, death. Mortality can result either from the act of violence itself, or from acts of retribution or from suicide. Rape victims are at an increased risk of unwanted pregnancy, unsafe abortion, sexually transmitted infections, including HIV/AIDS, sexual dysfunction, infertility, pelvic pain and pelvic inflammatory disease and urinary tract infections. In addition, psychological consequences vary considerably from person to person. Usually, victims of sexual violence suffer from rape trauma syndrome, post-traumatic stress disorders, depression, social phobias, anxiety, increased substance use or abuse and suicidal behaviour.²

At the same time, sexual violence victims often face double victimization: not only sustaining potentially dangerous and long-lasting injuries and trauma, but also facing stigmatization and rejection by their families and communities. Feelings of guilt and shame, fear of retaliation or taboos surrounding the subject may prevent victims from coming forward.³ Also, victims suffer from the repercussions experienced within their own community in the form of stigmatization towards victims of sexual violence.⁴ Unfortunately, the consequences of sexual violence in armed conflicts are long term for the whole society, because sexual violence is used as an act of deliberate warfare in order to destabilize, dehumanize and destroy entire communities.⁵

More importantly, sexual violence in conflict “ruins the live of individuals, destroys families, breaks up communities and prevents societies from achieving sustainable peace. For too long, sexual violence in conflict has gone unacknowledged and unpunished”⁶

Promising Prospects?

International humanitarian law and human rights law absolutely prohibit all forms of sexual violence at all times and against anyone. However, there is a tremendous discrepancy between the facts on the ground and the law, with serious potential legal gaps and uncertainties. So, it is assessed as an urgent need to fill in practice the gap between the law and reality, in order to strengthen the implementation of the international prohibition of sexual violence as well as the prosecution of sexual violence.

Until today, there has been great progress that could constitute the base for significant improvement in the near future. More specifically, the UN Security Council Resolution 1325 addresses not only the inordinate impact of war on women, but also the pivotal role that women should and do play in conflict management, conflict resolution and sustainable peace.⁷ In addition, the UN Security Council Resolution 1820 condemns the use of sexual violence as a tool of war and declares that rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide. The adoption of this resolution marked the first time that the UN explicitly linked sexual violence as a tactic of war with women, peace and security issues. It is worth mentioning that Security Council Resolution 1820 reinforces UN Security Council Resolution 1325 and highlights that sexual violence in conflict constitutes a war crime and demands parties in armed conflict to immediately take appropriate measures to protect civilians from sexual violence, including training troops and enforcing disciplinary measures.⁸

However, there is a tremendous lack of representation and participation of women

¹ Sexual Violence against Children, Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 2017. Available at: <https://childrenandarmedconflict.un.org/effects-of-conflict/six-grave-violations/sexual-violence/>

² Sexual Violence: Prevalence, Dynamics and Consequences, World Health Organization, 2017. Available at: http://www.who.int/violence_injury_prevention/resources/publications/en/guidelines_chap2.pdf

³ Q & A: sexual violence in armed conflict, International Committee of the Red Cross, 2016. Available at: <https://www.icrc.org/en/document/sexual-violence-armed-conflict-questions-and-answers>

⁴ International Women's Day: What are the consequences of sexual violence against women in conflict? Women's International League for Peace and Freedom, 2014. Available at: <http://wilpf.org/international-womens-day-what-are-the-consequences-of-sexual-violence-against-women-in-conflict/>

⁵ Sexual Violence in armed conflict: Addressing the causes and the consequences, International Committee of the Red Cross, 2013. Available at: <https://www.youtube.com/watch?v=mXRTFfrpU0>

⁶ Press release by the Office of the UNSGSR on CRSV, 27 February 2018.

Available at: <http://www.un.org/sexualviolenceinconflict/press-release/special-representative-of-the-secretary-general-on-sexual-violence-in-conflict-ms-pramila-patten-concludes-visit-to-sudan-and-calls-for-end-to-culture-of-denial-for-conflict-related-sexual-violence/>

⁷ What is U.N. Security Council Resolution 1325 and Why is it so Critical Today? United States Institute for Peace, 2017. Available at: https://www.usip.org/gender_peacebuilding/about_UNSCR_1325#What_is_U.N._Security_Council_Resolution_1325

⁸ UN Security Council resolution 1820 on women, peace and security (2008), UN Women. Available at: <http://www.unwomen.org/en/docs/2008/6/un-security-council-resolution-1820>



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in the peace process, according to the UN Organization. For example, from 1992 to 2011 only 2% of chief mediators, 4% of witnesses and signatories and 9% of negotiators were women.¹ It is also worth mentioning that the percentage of UN field missions headed by women has fluctuated between 15 and 25 percent since 2011.²

Funding is another big challenge. Most proposals aiming to address gender-based violence in conflict and post-conflict situations continue to go unfunded by the donor community, and women are paying the price.

For all these reasons and without any doubts, the international community should immediately take more measures in order to ensure that women, as they deserve, will play a more prominent role in conflict prevention and resolution and in the peace process. The Special Representative of the Secretary General for Sexual Violence in Conflict produced a number of key recommendations for all actors. She also cooperates in different ways with other Special Representatives of the Secretary General on Violence Against Women, its causes and consequences and the Special Representatives on children in armed conflict. Women must be participants in peace negotiations, monitoring and implementing peace agreements, post-conflict planning, peacekeeping missions, recovery programs, governments and parliaments, security and justice sectors, administration of public services and transitional justice.³

Conclusion

Throughout history, empirical evidence suggests that the unequal status of women and the discrimination they suffer are fundamentally the root causes for the violence and even the horrible crimes against them, often in the name of law, religion, or custom. States have an obligation to take all measures needed to end discriminatory practices. Equal status in all walks of life is key for women themselves, for their families, their communities, their nations, the world. They are instrumental for peace and security, for wellbeing and for the economy. Gender equality puts an end to unacknowledged policies and their ignored consequences. Developments at the international level, such as the Women, Peace and Security Agenda, international criminal courts, etc. provide promising prospects.

Let me extend, through this speech, an invitation to all of us to consciously exclude any concept, policy or action that entails elements serving the invisibility of women, in an open or subtle manner: Women's Legal Invisibility, Women's Linguistic Invisibility, Women's Invisibility in History, Women's Invisibility in Politics. History will take note of it. Let us be on the right side of history.

No illusions: Everything is political from the policies or the absence of policies pursued by governments, to the air we breathe and the environment we live in. In times of serious economic crisis and shrinking space for human rights, it is extremely hard to move the Women, Peace and Security Agenda forward. Budgetary cuts affecting the Agenda, resulting in cuts to staff positions responsible for overseeing its implementation, require close and careful consideration as to how we/they will make it possible for the Women, Peace and Security Agenda to move forward. Let me conclude with two quotes; one from the suffragettes and one by Nelson Mandela.

Nothing ever changes, until change cannot be stopped
We will win
Never give up the fight
We don't want to be law breakers. We want to be law makers
I'd rather be a rebel rather than a slave
Suffragettes (about their strike to obtain the right to vote)

It always seems impossible until it is done

Nelson Mandela

¹ Facts and Figures: Peace and Security, At the peace table, UN Women, 2017. Available at: <http://www.unwomen.org/en/what-we-do/peace-and-security/facts-and-figures>.

² Report of the Secretary-General on women and peace and security, United Nations Security Council, 2015. Available at: http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/716&Lang=E

³ Women & Armed Conflict, UN Women, 2015. Available at: <http://www.unwomen.org/en/digital-library/multimedia/2015/10/infographic-women-armed-conflict>



Violence against Women and Girls

IAW President Joanna Manganara

Violence constitutes one of the most widespread violations of human rights and fundamental freedoms of women. It also nullifies the enjoyment of those rights by women. Violence is also a form of discrimination against women.

Male violence against women knows no geographical boundaries, no age limit, no class distinctions, no race, nor cultural differences. It manifests itself in multiple forms and involves a wide variety of perpetrators from intimate partners and family members, work colleagues and social or community acquaintances to strangers and institutional actors such as police, health workers, teachers and soldiers. Yet male violence against women is still largely invisible and the voices of women victims silenced.

Although equality between women and men is guaranteed in the constitutions of 139 countries and territories, all too often women are denied justice and protection from violence.

Today, according to the UN, 125 countries have specific laws that penalize domestic violence, a remarkable gain from just a decade ago. However, 37 countries exempt rape perpetrators from prosecution when they are married to or subsequently marry the victim.

While 144 countries have laws on sexual harassment, this does not mean the laws are always compliant with international standards and recommendations, or even implemented. The failure stems from a lack of investment and political will to meet women's needs and to protect their fundamental rights.

One in three women worldwide has experienced physical or sexual violence, mostly by an intimate partner whether at home, on the streets, or during war. According to the UN, in 2012, 1 in 2 women killed worldwide were killed by their husband or family.

Worldwide, 700 million women and girls alive today were married as children (below 18 years of age) in 30 countries where representative data are available.

An estimated 200 million women and girls alive today have experienced some form of female genital mutilation/cutting in 29 countries where representative data are available.

71% of all trafficked victims worldwide are women and girls; 3 out of 4 trafficked women and girls identified globally are sexually exploited.

Male violence against women is a structural violation of women's human rights and is recognized as such by international human rights

instruments. General Recommendation No.19 from 1992 was historic as it clearly framed violence against women as a form and manifestation of gender-based discrimination, used to subordinate and oppress women. It unequivocally brought violence outside of the private sphere and into the realm of human rights.

Twenty-five years later, General Recommendation No.35 elaborates on the gender-based nature of this form of violence, building on the work of the Committee and other international human rights mechanisms, as well as developments at national, regional and international levels.

General Recommendation No.35 is also a milestone because:

- It recognizes that the prohibition of gender-based violence has become a norm of international customary law;
- It expands the understanding of violence to include violations of sexual and reproductive health and rights;
- It stresses the need to change social norms and stereotypes that support violence
- It unequivocally calls for the repeal of all laws and policies that directly and indirectly excuse, condone and facilitate violence;
- It emphasizes the need for approaches that promote and respect women's autonomy and decision-making in all spheres of life.

What are the reasons that violence continues to be one of the most pervasive global problems in the world?

The most important reason why there is no progress in dealing with this global pandemic of alarming proportions is that violence against women, as stated in the Beijing Platform for Action of 1995, is a manifestation of the historically unequal power relations between men and women which have led to domination over and discrimination against women by men and to the prevention of women's full advancement.

The prevention and eradication of male violence against women rests on addressing women's inequality and patriarchy. Women's inequality is both cause and consequence of male violence against women and vice versa. Male violence against women shapes women's place in society. At the same time, inequality between women and men creates the conditions for male violence against women and legitimizes it.



This situation is deplorable, more so because in recent years we have some very positive developments. We now have a powerful tool to combat this scourge. This is the Council of Europe Convention on preventing and combating violence against women and domestic violence. This Convention is the first international legally binding instrument open to any country in the world to provide for a comprehensive set of measures to prevent and combat violence against women and domestic violence. It recognizes violence against women as a violation against human rights and a form of discrimination. The Convention also contains a number of definitions, like the one on domestic violence.

The Treaty establishes a series of offences characterized as violence against women. States that ratify the Convention must criminalize several offences including psychological violence, stalking, physical violence, sexual violence including rape explicitly covering all engagement in non-consensual acts of a sexual nature with a person, forced marriage, female genital mutilation, forced abortion and forced sterilization.

Governments that ratify the Convention have to address five keys areas:

- prevention
- support and protect all women and girls taking into account their diversity
- address prosecution of perpetrators
- adopt comprehensive and coordinated policies that place the rights of the victims at the centre of all measures including by providing services to victims, survivors
- build partnerships with civil society organizations.

We all know that despite having strong instruments and analyses, we don't see change on the ground. What is really needed is political will and democratic processes. We need political will to accelerate implementation, change mentalities and ensure women's and girls' rights. The world community has agreed on new SDGs, which comprise also a commitment to end violence against women. To transform this declaration into action, the UN system needs to play a bigger role and to hold member states accountable. Women's organizations should be consulted at all levels and at all steps and funded in a sustainable way to ensure support to all women and girls. They should lobby governments for accountability on measures and policies adopted by them to combat this scourge.



Combating discrimination on the grounds of gender: The experience of the Office of the Commissioner for Administration and Human Rights

Presented by Mrs Niovi Georgiade on behalf of the Commissioner for Administration and Human Rights (Ombudsman)

The Office of the Commissioner for Administration and Human Rights was first established in 1991 as an Independent Office with a mission to identify maladministration and violations of human rights by the public authorities. Its mandate was expanded and new competences were assigned through the years. Since accession in the EU and following the harmonization of Cyprus law with Directives 2000/78/EC [establishing a general framework for equal treatment in employment and occupation] and 2000/43/EC [implementing the principle of equal treatment between persons irrespective of racial or ethnic origin], the mandate of the Ombudsman was expanded to include competences for combating discrimination and promoting equality under these Directives and led to the establishment of the Anti-Discrimination Body and the Equality Authority.

In 2009, the institution started to operate as a National Mechanism for the Prevention of Torture, after the ratification of the Optional Protocol of the UN Convention against Torture. In 2011, the Commissioner for Administration Law was amended, and the institution was renamed “Commissioner for Administration and the Protection of Human Rights”, which reflected its broader functions of protecting, promoting and guaranteeing human rights as a National Institution for Human Rights (NHRI) in line with the Paris Principles.

In 2012, Cyprus ratified the UN Convention for the Rights of Persons with Disabilities and following a relevant Council of Ministers Decision, the Office was appointed as the independent mechanism for the protection, promotion and monitoring of the implementation of the Convention, and the Independent Authority for the Promotion of the Rights of Persons with Disabilities was established. In 2016, the Office officially became the 40th member of the European Network of National Human Rights Institutions with [a b-status] United Nations accreditation.

As a multifaceted institution, the office was transformed within a decade from a traditional Ombudsman's Office to an umbrella institution with six distinct functions. The Ombudsman/Ombudswoman has wide-ranging powers, which include various promotional, preventive, consultative, educational and awareness raising functions in addition to complaints handling.

Apart from the Commissioner for Administration and Protection of Human Rights Law, competences

are granted according to several other legislations. The Combating of Racial and other forms of Discrimination (Commissioner) Law provides the legal basis for the Commissioner's interventions. According to this legislation any discrimination on grounds of race, community, language, colour, religion, political and other beliefs and national or ethnic origin is prohibited. Discrimination on employment, social protection (including social security and healthcare), education and access to and supply of goods and services including housing are covered by this legislation.

However, gender is not included. The competences to combat discrimination on the ground of gender are granted by the Equal Treatment of Men and Women in Employment and Vocational Training Law (L.205(I)/2002) which provides a framework for equal treatment in employment, covers any discrimination based on sex (including sexual harassment and harassment) and protects mothers in relation to pregnancy, childbirth, nursing, maternity or sickness caused by pregnancy or childbirth positive actions. Gender discrimination is also covered by the Equal Treatment of Men and Women (access to goods and services and the benefit of these) Law (L.18(I)/2008) whereby the Commissioner has the power to investigate complaints in relation to access to goods and services, as well as to their provision, including insurance and financial services.

Although there is no explicit provision in the Combating of Racial and other forms of Discrimination (Commissioner) Law about intersectional and multiple discrimination, the Commissioner may examine a multiple discrimination case with some limitations e.g. a case of gender and racial discrimination in employment may be examined on the basis of the legislations already mentioned. A case of gender and racial discrimination in education will not be examined according to the Equal Treatment of Men and Women in Employment and Vocational Training law because this legislation covers only the activities related to employment and vocational training. So in this case, the Office will only examine the racial discrimination in education. However, it has the opportunity to express views on matters that are related to gender discrimination, as a human rights violation.

As mentioned, according to the 2011 amendment of the Commissioner for Administration Law, the



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Commissioner promotes and protects human rights and ensures the compliance of the services with fundamental principles. As the National Independent Human Rights Authority, the Commissioner observes violation or inadequate protection of human rights and proceeds to interventions when it is deemed necessary to promote in society a culture of respect for the rights of vulnerable groups of population. In this respect, the protection of the rights of women and girls has been discussed repeatedly and continuously.

For four consecutive years, the Office spoke up about trafficking for the purposes of labour or exploitation, emphasizing that this is a modern form of slavery and constitutes a continuous violation of human rights and fundamental freedoms of the victims. Cyprus is a country of destination for victims, either for the purposes of exploitation or for the purposes of forced labour. After a decision of the European Court of Human Rights against Cyprus, a relevant general framework for combating human trafficking was developed. However, as mentioned in our reports, the legal framework is not implemented successfully and sufficiently, and therefore victims are not adequately protected. The institutional structures often face the victims more as the means for the conviction of the traffickers and less as human beings whose rights have been violated. And this perception is linked to stereotypes and prejudices about the sex industry, the victims' consent, labour exploitation and illegal migration. In past years, the Office has also intervened regarding the implementation of the legal provision for the penalization of the use of services whether provided by a victim of trafficking. In general, we recommended adequate information for public servants dealing with such cases and for public awareness is recommended. Through preventive activities, a culture of respect for human rights may be cultivated and more pressure exercised for the improvement of the legal framework.

In 2014, an intervention of the National Human Rights Institution was issued. This came after consultations with NGOs and after identifying a serious lack of protection for sex workers. It was said that in Cyprus, most of the sex workers are women and migrants or Cypriots living with inadequate supportive structures. It was stressed that prostitution is a form of sexual exploitation of women and it will exist as long as the root causes – poverty, patriarchal perceptions, social and economic inequalities, gender based violence – are preserved. Regarding sex workers' protection, the Office recommended that their social rights, like access to healthcare, should be guaranteed,

namely the establishment of exit programs, access to equal rights and equal opportunities including financial and other support, protection and access to services, education and employment. It was also recommended that a possible amendment to the penal code be examined, in order to identify prostitution as a gender based offence of violence against women.

The Office also spoke up about sexism in politics and the media, raising issues that authorities were not taking action on taboo issues for the Cypriot society like the institutional framework for abortions, violence against women and domestic violence, stalking and female genital mutilations. Various incidents highlight the urgent need to set a new legal framework based on current social perceptions in relation to women's rights and in particular their sexual and reproductive rights. The discussion about abortion is usually based on stereotypes and ethical or religious perceptions. The penalization of a woman who decides to end her pregnancy contrasts the right of a woman to freely develop her personality, her right to protect her private life. Our report mentions that up to a few years ago abortion could not be considered as a method of contraception. At the same time, there was a lack of: education and information regarding contraceptive methods; supportive structures during pregnancy and after giving birth; a sufficient legal framework for the protection of women.

Penalization of female genital mutilation (FGM) is very important in Cyprus but this is not sufficient to combat this practice. It is also imperative to protect the victims and develop a more general framework with enriched supportive structures and well trained staff. A great development in relation to FGM and gender violence in general is the ratification of the Istanbul Convention by the Republic of Cyprus, in July 2017.

Gender Equality has a broad and ever-expanding meaning. The cases already mentioned are only few of the forms of violation of human rights and gender inequalities.

The Equality Authority was established in 2004 after Cyprus' accession in the EU and the incorporation of EU directives into national law. Victims of discrimination in employment in the private or public sector and in relation to access to goods and services, for reasons related to [among others] gender, may submit complaints to be examined according to the Equal Treatment of Men and Women in Employment and Vocational Training Law. The Commissioner's recommendations on discrimination issues are binding (unlike those regarding maladministration that are non-binding). In 2014, the Supreme Court also confirmed that where the Commissioner



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recommends specific measures according to the Combating of Racial and other forms of Discrimination (Commissioner) Law and the Equal Treatment of Men and Women in Employment and Vocational Training law, the General Attorney does not have the power to reject or ignore those recommendations.

Since 2004 the Equality Body has investigated 481 complaints of gender discrimination in employment. Most were submitted by or on behalf of women and, in most cases, the complainants were working in the civil service. During this period, 80 reports were made, and interventions and recommendations were made to public authorities and private companies. The main issues of discrimination on the ground of gender in employment and vocational training are (1) harassment and sexual harassment, (2) discrimination due to pregnancy, breastfeeding and maternity and (3) matters of work-life balance.

The work-life balance is a relevantly recent topic. There is no explicit provision regarding measures for reconciliation between professional and family life. In 2016, a father of 4 children submitted a complaint regarding the right to facilitate for the care of a newborn child and the need to secure paternity leave as a measure to promote work-life balance. The Commissioner, within her competence as Equality Authority, submitted a Report which mentioned that the right to facilitate for breastfeeding and for the care of new-borns is exclusively provided to the Protection of the Maternity Law. However, the Commissioner confirmed that, in Cyprus, there are no legal provisions regarding family issues and work-life balance. She concluded that it is important to secure the equal treatment of men and women in employment, by promoting a more balanced distribution of family obligations and contributing with state/institutional measures to the purpose of work-life balance.

The Commissioner, at the end, recommended to the Minister of Labour, Welfare and Social Insurance to proceed with the regularisation of paternity leave. The Protection of Paternity Bill was approved 3 months ago by the Cyprus Parliament and, since last August, paternity leave is in effect. The issue of work-life balance is now under discussion at EU level after the withdrawal of the Maternity Leave Directive and the adoption of a Communication on Work-Life Balance. A new related Directive is expected, as a proposal has been published for consultation. According to the legal framework, Cyprus fulfils the minimum EU standards for the protection of maternity. There are no provisions for work-life balance, except for the recent adoption of the paternity leave

bill. Any parental leave is unpaid and there are no provisions for the carers. So having in mind these circumstances and taking into account that complaints related to the worklife balance have been increased [new mothers are asking to be transferred to their town of residence in order to be able to take care their children or they are asking for flexible working hours], more measures to promote work life balance should be examined.

Pregnancy, breastfeeding and maternity... If one of these is the ground for any unfavourable treatment, then the woman most probably has been discriminated against on the grounds of gender. During the last 5 years, 24 complaints were related to dismissals of pregnant women. In many cases, it has been realised that pregnant women or new mothers are not adequately informed about their rights and, as a consequence, were losing part of their benefits or other rights, etc. There were no court case studies because usually the long delays and procedures and the legal fees act as a deterrent to proceed. Even in the case of proceeding to court, it has been realized that lawyers usually do not base their arguments on the Equal Treatment of Men and Women in Employment and Vocational Training law but rather focus only on the Employment Termination Law by which compensation/damages for discrimination cannot be awarded.

For this reason, the Equality Body launched a campaign in 2016 regarding the rights of pregnant women and new mothers. The legal developments related to the protection of maternity are significant. In 2015, the legislation was amended and for every extra baby born (i.e. for twins), a 4 weeks' period is added to the leave. This year, provisions were added to protect surrogate mothers and mothers having a baby through surrogacy. Following this, it is expected that no more complaints will be submitted for the duration of maternity leave in cases of multiple births and for the lack of legal provisions for surrogate motherhood.

Unfortunately, since 2013, when the economic crisis started, it has been realised that employers are disregarding the rights of pregnant women and of new mothers. Even if maternity rights are secured through the law for the Protection of Maternity, experience shows that regulations and legislations are part of the solution, but not adequate on their own unless properly implemented and respected by all.

The Equal Treatment of Men and Women in Employment and Vocational Training Law, as already mentioned, aims at the application of the principle of equal treatment for men and women in respect of employment. According to this law,



INTERNATIONAL WOMEN'S NEWS IN FOCUS

Combating discrimination on the grounds of gender: The experience of the Office of the Commissioner for Administration and Human Rights

any act that constitutes sexual harassment or causes direct or indirect discrimination treatment shall be prohibited. This year, 3 cases have been submitted for the handling of a complaint of sexual harassment by their employers. The Office knows that the number of complaints is not representative of the actual numbers of incidents of harassment.

The Office has been very active in preventing and combating sexual harassment in the workplace with encouraging developments and successful convictions against employers, with damages awarded in favour of the applicants. In these cases, the judges clearly stated that sexual harassment constitutes gender discrimination and they put into practice the provision for reversing the burden of proof. If a person, who claims discrimination because of their gender, can establish facts from which it may be presumed that there has been discrimination [direct or indirect], then it shall be up to the respondent to prove that there has been no breach of the principle of equal treatment.

Repeated recommendations are made in reports from the Office that the employer must ensure that the work environment is safe, friendly and accessible for all employees and that no unfavourable treatment takes place. Employers should have a code for the prevention and handling of harassment and sexual harassment, in order to clarify to current and future employees that there is no tolerance for such behaviour. The Office has also highlighted that the legislation should clearly define that employers are responsible for investigating such complaints and for taking preventive measures to avoid this kind of behaviour.

A report of the Equality Authority was issued in 2011 about the balanced participation of men and women in decision making positions in political life. It was stated that quotas may be a positive action – not always applicable – just until circumstances lead to the adequate representation of women in such positions. Legislation was adopted for quotas in the selection of Board members for semi-governmental organizations but the court decided that the law was not in line with the Cyprus Constitution.

Last year, the Office ex-officio intervened regarding a Defence Ministry decision to hire 3000 soldiers for the National Guard. Only men could apply because there was a criterion that applicants should have fulfilled their army obligations. As a result of the intervention the relevant legislation was amended and this year both men and women had the opportunity to apply. In 2013, after lengthy research, it was found that newspapers often included gendered job vacancies or specific requirements that led to the exclusion

of a gender. Other work includes investigating individual complaints and issuing reports, training for different groups of professionals about violence against women and planning. The Office participates in a committee responsible for a training programme in gender mainstreaming. This includes the integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality between women and men and combating discrimination.

Many challenges are faced in promoting the respect of human rights and the principle of equality but the last years' developments are very positive and encouraging. Legislation has been drafted or amended, court decisions have been issued, NGOs working on gender equality are active and are doing very good work, Members of the Parliamentary Committee of Human Rights and Equal Opportunities to Men and Women show willingness to assist and promote relevant issues. The responsibility lies with all authorities and stakeholders, especially in identifying and addressing discriminatory treatment.

Note: This presentation was supported by slides and has been edited.



Ursula Nakamura and Gudrun Haupter presenting
"Water and sanitary towels for girls in developing countries"

INTERNATIONAL WOMEN'S NEWS FAVOURITE

March for our Lives 24 March 2018



Join us in supporting the March For Our Lives on 24 March 2018

A recent mass shooting at a school in Florida the United States killed 17 people and injured more than a dozen, sparking calls across the country for tougher gun laws. Last week in Nigeria, 110 girls were abducted from their school by armed men suspected of being members of the extremist group Boko Haram. It is estimated that almost 1,400 educational institutions in Nigeria have been destroyed since the beginning of the insurgency in 2009.

Events such as these are not inevitable tragedies. Recognizing that much more can be done to stop the proliferation and misuse of guns, survivors of the Florida shooting launched a campaign to call for change. Part of their efforts include organizing a "March For Our Lives" on the U.S. capital on March 24, 2018--an event that has grown to include marches across the United States and in other countries that anyone can join.

March For Our Lives is created, inspired, and led by students who demand that their lives and safety become a priority. The objective of the campaign is to demand that a comprehensive and effective proposed law be immediately brought before US Congress to address gun issues. On March 24, the campaign will take to the streets to call for an end to gun violence and mass shootings in schools today. For more information on the campaign, visit their Facebook page, Twitter site, and website .

IANSA supports the efforts of civil society around the world to convince governments to take tougher measures to prevent gun violence, and we invite all of our members and friends to support this initiative. Supporting this march is also part of our efforts to help achieve the seventeen Sustainable Development Goals (SDGs). The SDGs are a global call to action agreed by all governments in the United Nations to eradicate poverty, protect the planet, and ensure prosperity for all by 2030. SDG 4 focuses on quality education, and strives to provide safe, non-violent,

inclusive and effective learning environments for all. Reducing the proliferation and misuse of guns is an important part of reaching that goal.

You can show your support for March For Our Lives by promoting the march, joining the march, or working with young people in your community to organize a march against gun violence.

To promote SDG 4 and its goal of providing safe, non-violent and inclusive learning environments, share the image with the message:



Our youth need safe, nonviolent learning environments. End the proliferation and misuse of guns to help achieve SDG 4 of the Global Goals. #EndGunViolence #SupportOurYouth #SDG4

Contact me at rose.welsch@iansa.org if you would like this information in Spanish or French, or to let us know if you will organize a march with your community. Thank you for working with us to achieve a better future.

Rose Welsch
IANSA UN Liaison Officer



WOMEN'S ORGANISATION CORNER

International Action Network on Small Arms (IANSA) / IANSA Women's Network

The International Action Network on Small Arms (IANSA) is the global movement against gun violence, linking civil society organisations working to stop the proliferation and misuse of guns – known in UN parlance as “small arms and light weapons”. IANSA supports efforts to make people safer by reducing demand for guns, improving firearm regulation and strengthening controls on the arms trade. Through research, advocacy and campaigning, IANSA members are promoting local, national, regional and global measures to strengthen human security. IANSA is the official coordinator of civil society participation in the UN discussions on guns. We also coordinate the annual Global Week of Action Against Gun Violence, which this year will be 7-14 May.

All UN member states have committed to working together against gun trafficking, under an agreement called the Programme of Action on small arms or POA, adopted at the UN in 2001. Nearly two decades later, the suffering caused by the flood of guns still blights the prosperity of many communities and the lives of millions of individuals. In June 2018 the UN will hold a Review Conference on the POA, presenting a great lobbying opportunity for us.

IANSA HISTORY

The IANSA network began around the same time as the POA was being developed. With the end of the Cold War, the Soviet Union's huge armies were dismantled and hundreds of millions of guns were offloaded to Africa, fuelling wars and humanitarian disasters. At the same time, wars in Latin America came to an end, leaving legions of ex-combatants unemployed but still armed, fuelling a crime wave that has killed more people than the wars themselves. Grassroots campaigns after mass shootings in Canada, Australia and the UK succeeded in reforming antiquated firearms laws, with results proving that gun violence can indeed be reduced and prevented with the right policies. Thus around the turn of the century, in developed and developing countries alike, the spotlight was on guns and how to bring them under control. IANSA came about as a mechanism for informing, supporting and coordinating these efforts across the world.

Today IANSA is composed of hundreds of organisations across the world, including thinktanks, gun control groups, democracy and human rights campaigners, women's organisations, research centres, churches, survivors and community groups, as well as individual experts, researchers and advocates. We have a small office at the UN in New York.

IANSA has regional subnetworks (eg the West African Action Network on Small Arms or WAANSA); as well as national networks (eg the Red Argentina para el Desarme). We have thematic sub-networks: the IANSA Women's Network, the IANSA Public Health Network led by International Physicians for the Prevention of Nuclear War (IPPNW), and the IANSA Survivors' Network led

by Asociación Transiciones in Guatemala. Many IANSA members also participate in other global movements on human security topics such as landmines, child soldiers, nuclear weapons and gender-based violence.



IANSA Women's Network is the only global network focused on the connections between gender, women's rights, small arms and armed violence. It was formed in 2001, at the first UN small arms conference. Today it links hundreds of members in countries ranging from Fiji to Senegal, Argentina to South Africa, working to:

- **stop gun violence against women at home, on the streets or on the battlefield;**
- **involve women fully in peacebuilding and disarmament;**
- **ensure that women's interests are served by policies on guns;**
- **reduce military spending;**
- **break the link between violence and masculinity;**
- **prevent gun violence around the world.**

HOW WE WORK

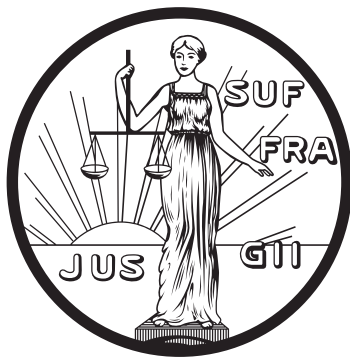
IANSA promotes measures to reduce gun violence by:

- raising awareness among policymakers and the public about the global threat caused by the uncontrolled spread and abuse of guns;
- promoting civil society efforts in policy development, public education and research, and providing a forum for NGOs to share experiences and build skills;
- facilitating civil society participation in global and regional negotiations on guns.

IANSA works by sharing knowledge about best practices, building coalitions for fact-based advocacy and amplifying the voices of the individuals, families and communities directly affected by armed violence. Most of our members are not technical specialists in weapons – they are mainly organisations working in human rights, justice, public health, development and peace, who have joined IANSA because gun violence is hindering their regular work. Through IANSA they learn about solutions being pursued at national, regional and international levels.

The broad reach of our network permits IANSA to draw on a wide variety of contacts, perspectives and avenues of advocacy. As a result, IANSA members are their countries' leading civil society spokespeople for policies and programs to prevent gun proliferation and violence. They are working to reduce both supply and demand for weapons by changing public attitudes and by pressing governments to comply with their moral and legal responsibilities.





International Women's NEWS NOUVELLES Feministes Internationales

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