

ATROCITIES ON WOMEN AND CHILDREN IN CONFLICT-RIDDEN AREAS

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INTRODUCTION

According to Rebecca Brown, the director of global advocacy at the centre for reproductive rights: “due to the war strategy the women have suffered for a long time. And due to this tragic reality, women in conflict area are often victimised twice: firstly when they are sexually contravened and the second time when the governments deny them essential medical treatment. The United Nations is right to seize this opportunity and take every step possible to hold these governments accountable for these atrocious human rights violations and gender-based violence and ensure all women have access to reproductive health care.”³⁸

According to Denis Mukwege “Women in Africa are the economy of Africa on their Shoulders. If one of them is destroyed psychologically or physically, the cycle of poverty is in existence.”³⁹

Every day as we wake up in the morning and finish our daily errands the very first thing which we hunt for is the newspaper, now as basic a necessity as food. While going through it, we constantly find reports of atrocities on women or outraging the modesty of women, exemplifying the ground roots of “patriarchy” which has so firmly entangled the roots of our environs.

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³⁸Centre for reproductive rights, UN: Women Living In War-Torn Countries Need Comprehensive Reproductive Health Services, (October 25th, 2013), <https://www.reproductiverights.org/press-room/united-nations-women-living-in-war-torn-countries-need-comprehensive-reproductive-health->

³⁹ Dr. Denis Mukwege, The world bank, Addressing Violence Against Women In War-Torn Regions, , Washington (December 9, 2013), <http://www.worldbank.org/en/news/feature/2013/12/09/addressing-violence-against-women-in-war-torn-regions>

There are inflexible laws to deal with these cases thoroughly, National Commission for Women and Child Welfare is set up and separate women police stations have been placed by the Government to provide safety to women in danger or distress, but still the scenario seems unmoved and unchanging.

Women and girls are being treated as the sexual target as a tactic of war in areas plagued by conflict. Even after such conflicts end, gender based violence and sexual violence have increased very drastically post-conflict settings.⁴⁰ For example, around 100,000 and 250,000 Rwanda women were raped during the 3 months of genocide in 1994. The UN agencies estimated that more than 60,000 women were raped during the civil war in Sierra Leone in 1991-2002, in 1992-1995, in former Yugoslavia around 60,000 and around 200,000 in the Democratic Republic of the Congo since 1998. In some countries the rape victims are not permitted to abort after rape and may face burdensome procedural barriers such as evidentiary requirements which can include police reports and certificate confirming that rape occurred. The questions that arise are; where are we going wrong? Who is to be blamed, the society or the women? The barbarian streak of men has now been acknowledged universally. We can't generalise by saying that all the women are subdued, but there is an incomprehensible fear of violence and abuse that every single woman experiences in the core of their heart. The very reason behind it can be identified as they themselves have given up hope for a better day, as the physical and sexual assaults are justified culturally and even socially. A lack of involvement in activities beyond home, adds on to their alienation and despair.

⁴⁰Centre for reproductive rights, UN: Women Living In War-Torn Countries Need Comprehensive Reproductive HealthServices, (October 25th, 2013)
<https://www.reproductiverights.org/press-room/united-nations-women-living-in-war-torn-countries-need-comprehensive-reproductive-health->

SOCIAL EXAMPLES OF ATROCITIES ON WOMEN

FEMALE INFANTICIDE

According to Section 315 and Section 316 of the Indian Penal code, 1860 includes the offences related to foeticide and infanticide. The act says that if a person has an intention of preventing the birth of a child born alive or has an intention to kill the child after birth, that person is committing infanticide as long as they don't have a choice but to save the mother only. If a person amounts to culpable death which he knows will result in the death of the unborn child he will be charged with culpable homicide.⁴¹ The 1995 Beijing platform for action expanded on this definition specifying that it includes: violation of the rights of women in situation of armed conflict, including, systematic rape, sexual slavery and forced pregnancy, forced sterilization, forced abortion, coerced or forced use of contraceptives, prenatal sex selection and female infanticide.

CHILD MARRIAGE

Child marriage in Syria is not new as the conflict has worsened the practice at an alarming rate. Before the war took place there were about 13% of women aged 20 to 25 who were married before the age of 18. For about five years in war, child marriage became an ever-growing problem for girls in refugee communities in Jordan, Lebanon, Iraq and Egypt.⁴²

⁴¹Child Line 1098 Night And Day, Child Protection & Child Rights >> IV. National Mechanism>>Child Related Legislations>> Indian Penal Code an Child Related offences, <http://www.childlineindia.org.in/india-penal-code-and-child-related-offenses.htm>

⁴² Girls not Brides, child marriage and the Syrian Conflict, <http://www.girlsnotbrides.org/child-marriage-and-the-syrian-conflict-7-things-you-need-to-know/>

ARRANGED MARRIAGES AND MARTIAL RAPE

According to the UN Population Fund more than one-third of all girls in 42 countries are married under the age of 18. The West African nation of Niger is at the bottom of the list with 75% of the girls married to men who are old enough to be their grandfathers. In Bangladesh, around 66% and in African Republic as well as in Chad is about 47%.⁴³

HONOR KILLING

Honor killing or shame killing is the homicide done by family members of a person who has disobeyed or brought shame and dishonour to the family. This is usually when a person who belongs to such family violates the rules or customs of the family by marrying a person as per their own interest. There are many similar deeds which restrict women to do things that she is willing to do and restrict her within four walls of the house.⁴⁴

GENDER-DEFINED ROLES AND THE DIVINE BIAS

A lot of women are subjected to sexual harassment at their work places. In nuclear families, dominance of husbands is prevalent where wives are not earning members and they have no independence to act according to their will. In cases where even if the wives are earning members, the husbands hardly share the duty of managing the family and rearing of children. The wives are obliged to manage all household works including cooking of food even if their earning is alike to or more than their husbands. In most of the cases wives have to cooperate for a peaceful family life and their dedication

⁴³ CBS News, third of girls in 42 countries forced into child marriages, (March 8, 2013) (10:32 AM) , Juba, South Sudan,

<http://www.cbsnews.com/news/third-of-girls-in-42-countries-forced-into-child-marriages/>

⁴⁴ HBVA, how the women of Pakistan cope with war, honour killing and prejudice, blog <http://hbv-awareness.com/how-the-women-of-pakistan-cope-with-war-honor-killings-and-prejudice/>

for the family is considered as a responsibility to making an ideal family either as wives or as mothers. This divine bias must end now.

CONDITION OF WIDOWS

Most widows who are older in age are neglected even though their sons are well placed. It is so because mostly their daughters-in-law cannot tolerate their presence at home. The very existence of women from birth to death is indeed seen as a burden. This perception has given birth to various other social customs and practices. One of them being sati in which a woman is burned alive in the funeral pyre of her husband. This was abolished by law with the initiative by Raja Ram Mohan Roy in the early decades of 19th century.

RECOMMENDATIONS

- Effective access to police and complaint mechanism must be guaranteed in all cases to ensure that no woman is deprived of her right to claim justice.
- The remedies must be adequate and effective and the case must be heard by a competent, impartial and independent judicial body.
- The punishment should be proportionate to the gravity of the violation.
- Remedies must be duly enforced by the competent authorities although most international human rights treaties do not specify how a violation of a legal obligation should be remedied, they impose on states the duty to ensure that woman obtain effective reparation, including rehabilitation.
- Provide victims of violence with rapid and appropriate health care, trauma counselling and rehabilitations programmes including reintegration into the community. Always provide basic reproductive health services accessible to women.

- Criminalise all sort of violence against women (custodial, domestic, sexual violence and trafficking) under national laws with strong punitive measures.
- There should be civic education that helps the citizens to understand their obligations and responsibilities in society.
- Conflicts should be solved amicably and where needs be third party interventions should be sought by warring parties.
- There should be democratic governance in states so as not to infringe on people's rights. Politics of long incumbency should be avoided so as to give citizens the basic right to express their wishes in democratic elections.

CONCLUSION

Violence against women is woven into the society to such an extent that many of us who are victimized feel that they are at fault. Many of those who perpetrate violence feel justified by strong societal messages that say that rape, battering, sexual harassment, child abuse, and other forms of violence are acceptable. Every day we see images of male violence against women in the news, on TV shows, in the movies, in advertising, and in our homes and workplaces. It is a fact of life for women of all ages, races, and classes.

In the broadest sense, violence against women is the violation of a woman's personhood, mental or physical integrity, or freedom of movement through individual acts and societal oppression. It includes all the ways our society objectifies and oppresses women. Violence against women ranges from sterilisation abuse to prescription-drug abuse, pornography, stalking, battering, and rape. It includes the sexual and physical abuse of young girls and the abuse of elders.

Every form of violence threatens all women and limits our ability to make choices about our lives. Sexual violence is particularly insidious because

sexual acts are ordinarily and rightly a source of pleasure and communication. It is often unclear to a woman who has been victimised and to society as a whole whether a sexual violation was done out of sexual desire or violent intent or whether these motivations are even distinguishable, because violence itself has come to be seen as sexual or erotic.

Thus, we need to consider the matter with great sensitivity. The social stature can't be at peace until we don't change it. So the next time you judge a girl for her clothes or her ways, remember you are being a part of atrocity. When you question "why" doesn't she know how to cook or why isn't she married yet? You are being a part of atrocity. When you shame her for surpassing her husband, you are being a party of atrocity.