



A Fact Sheet on Sexual Violence: A Human Rights Violation

Sexual violence is pervasive throughout the world. Nearly one in four women experiences sexual violence by an intimate partner during her life, and as many as one-third of all girls are forced into their first sexual experience (WHO World Report on Violence and Health, 2002). Each year, hundreds of thousands of women are forced into prostitution, and thousands of young girls are genitally mutilated. In armed conflicts, countless women and girls are raped and sexually abused by security forces and opposition groups as an act of war, and often face additional violence in refugee camps. Government sponsored violence also exists in peacetime, with women assaulted while in police custody, in prison, and at the hands of any number of state actors.

According to the World Health Organization, sexual violence encompasses the following:

- Rape within marriage, in dating relationships, and by strangers
- Systematic rape during armed conflict
- Unwanted sexual advances or sexual harassment, including demanding sex in return for favors
- Forced marriage or cohabitation, including the marriage of children
- Denial of the right to use contraception or to adopt other measures to protect against sexually transmitted diseases
- Forced abortion
- Violent acts against the sexual integrity of women, including female genital mutilation and obligatory inspections for virginity
- Forced prostitution and trafficking of people for the purpose of sexual exploitation

Sexual Violence: Rooted in Discrimination

Sexual violence against women is rooted in a global culture of discrimination, which denies women equal rights with men, and which legitimizes and sexualizes the violent appropriation of women's bodies for individual gratification or for political ends. Social and cultural norms that deny women equal rights with men render women more vulnerable to sexual abuse. In many cases, sexist policies and practices aggravate the violence women experience and increase women's vulnerability to further violence, as these policies often deny women effective recourse and force women to remain in violent situations. Sexual violence does not exist in isolation. Rather, it is compounded by discrimination on the basis of race, ethnicity, sexual identity, social status, religion, class, caste, and age, all of which may place women at an increased risk of violence. Such discrimination involves the denial of basic social and economic rights and restricts women's access to justice.

Sexual Violence in Human Rights Documents

Sexual violence violates international human rights standards. It is a form of assault that results in physical and psychological trauma and injury. Medical consequences are dire and may include death, injury, unwanted pregnancy, infertility, chronic and life-threatening diseases, as well as a host of emotional and mental health issues including depression, anxiety, and sexual dysfunction.

- **CEDAW General Recommendation 19** specifically defines violence against women and girls as a form of discrimination. This "includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty."
- **The UN Declaration on the Elimination of Violence Against Women** defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."
- **The Rome Statute** recognizes rape and sexual violence by combatants in the conduct of armed conflict as war crimes. Under this statute, sexual violence can be considered a crime against humanity, and in some cases constitutes an element of genocide.

Sexual Violence by State Agents and Armed Groups

According to international human rights standards, states are obligated to stop sexual violence when it is perpetrated by the state or by agents of the state.

Conflict Situations

Sexual violence against women is an integral part of nearly every armed conflict and is often committed by every party involved. In addition to armed opposition groups, women living in conflict situations are routinely subject to sexual violence at the hands of security forces and even peacekeeping troops. Rape is a weapon of war that is systematically employed for a variety of purposes, including intimidation, humiliation, political terror, extracting information, rewarding soldiers, and "ethnic cleansing." The Rome Statute of the International Criminal Court recognizes that rape in conflict situations is a war crime and a crime against humanity.

Refugee Women

Women who flee to refugee camps to avoid political, economic, social, cultural, religious or ethnic persecution often become subject to sexual abuse, both while they are in transit and when they arrive at refugee camps. Women often become victims of rape and sexual violence at the hands of security forces, border guards, locals, smugglers, and other refugees. Camp guards and male refugees may look upon unaccompanied women and girls as common sexual property.

Women in Custody

The punishment of incarceration for women is often compounded by rape, sexual assault, and groping during body searches. Women are frequently coerced into providing sex for “favors” such as extra food or personal hygiene products, or to avoid punishment by correctional officials. Victims are often reluctant to report such abuses as they anticipate that their accusations will be disregarded, and for fear of retaliation from the perpetrators.

Sexual Slavery

Many cases of sexual violence during armed conflicts occur under conditions of slavery. Women are enslaved for the sexual gratification of state agents, during which time they are denied the rights of autonomy or bodily integrity. One of the most prominent examples of sexual slavery was the system of rape camps organized by the Japanese Imperial Army during World War II, where more than 200,000 women and girls were enslaved in “comfort stations” throughout Asia. Sexual slavery and exploitation by security forces and armed opposition groups has long been documented in all parts of the world.

Sexual Violence in the Home and Community

Contrary to much popular opinion, the majority of sexual abuse occurs inside the home or community of the victim. States have an obligation to respond to violence occurring in the private sphere as vigilantly as in the public sphere. States are required to prevent, investigate, prosecute and ensure adequate reparation for abuses, whether perpetrated by state or private actors, under the legal concepts of *due diligence* and *equal protection* under the law.

Sexual exploitation of domestic workers

Domestic workers, many of whom are foreign nationals, frequently face sexual abuse from their employers. Women who have entered the country without documentation, or who have been trafficked and robbed of their papers, often cannot seek legal redress for the abuses they have suffered. Their immigration status does not give them the right to change employment, and if they leave the abusive employer they become “illegal immigrants” and become subject to persecution by the law. These women are thus bonded to their employers and essentially live as slaves, a violation of the Universal Declaration of Human Rights.

Marital rape

Marriage often serves to legitimize a range of abuses. Women who are subjected to marital rape in the home are traumatized and isolated. Frequently the state does not recognize sexual violence within a marriage situation as a crime. This influences perceptions of such violence. In Amnesty International’s 2002 report on Kenya, many interviewees said that they considered this abuse as part of a normal life and even as a sign of love. Many states reinforce this notion, evidenced by the fact that currently only 27 countries have legislation that criminalizes marital rape.

Female Genital Mutilation (FGM)

Female genital mutilation is the removal of part or all of the female genitalia. In its most severe form, a woman or girl has all of her genitalia removed and then stitched together, leaving a small opening for intercourse and menstruation. This procedure often results in infection, shock, hemorrhaging, abscesses, benign nerve tumors, cysts, excess scar tissue, chronic urinary tract and pelvic infections, permanent injury during birth, maternal death, and sterility. An estimated 135 million girls and women have undergone genital mutilation, and two million girls a year are at risk – approximately 6,000 per day.

Trafficking in Women/Forced Prostitution

Women are recruited on false pretenses, coerced, transported, and bought and sold for a range of exploitative purposes including sex tourism and forced marriage. Women who are trafficked for sexual exploitation are often sexually abused and raped to break them mentally and emotionally, in order to force them into sex work. Many are beaten and raped to punish them for trying to escape or for refusing to have sex for money. Despite the risks of HIV/AIDS, women are often punished for refusing unprotected sex. Trafficking and forced prostitution is internationally recognized as a human rights violation, with the Convention on the Elimination of All Forms of Discrimination Against Women specifically requiring states to “suppress all forms of traffic in women and exploitation of prostitution of women” (Article 6).

Problems of Impunity

Perpetrators of sexual violence against women are rarely held accountable for their acts. Many victims of sexual violence have little recourse, as state agencies often operate within a system of gender bias and discriminatory practices. Many women who do report cases of sexual violence are ostracized by their communities, which blame and mistreat victims of sexual abuses. Others still do not report intimate partners for fear of reprisal, which may include physical abuse, economic privation, and losing custody of children. Instances and acceptance of sexual violence against women are so deeply embedded in society that it often fails to garner public censure and outrage.

Sexual violence against women is a human rights violation that cannot be justified by any political, social, religious, or cultural claim. A global culture of discrimination against women allows sexual violence to occur daily and with impunity. Amnesty International calls on you to help us eradicate violence against women in all its forms and to help every woman to achieve a life of equality and human dignity.

For more information women’s human rights issues, visit the Amnesty International USA Women’s Human Rights Program at www.amnestyusa.org/women or contact us at 5 Penn Plaza-16th floor, New York, NY 10001 or at (212) 633-4292.