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**Follow-up to the Fourth World Conference on Women and
to the special session of the General Assembly entitled
“Women 2000: gender equality, development and peace
for the twenty-first century”: implementation of strategic
objectives and action in critical areas of concern and further
actions and initiatives**

Statement submitted by Movement for the Protection of the African Child, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

“Violence” is defined by *The New International Webster’s Encyclopedic Dictionary of the English Language*, 2009 edition, as “the quality or state of being violent, fury; an instance of violent action; a violent or unjust exercise of power, injury, outrage, discretion, profanation”. It is legally defined as “physical force unlawfully exercised; an act tending to intimidate or overawe by causing apprehension of bodily injury”.

The United Nations General Assembly defines violence against women as “any act of gender-related violence that leads to or can lead to sexual, mental or physical injuries which may occur in private or public life in the family or community at large”. We will work with these standard definitions.

Today, gender-based violence has become a universal challenge. Domestic or non-domestic in nature, it imposes an additional burden on women in their everyday existence, creating a “feminist burden” hinged on the principle of discrimination and inequality.

In Africa, various forms of gender-based violence abound, such as rape, women and girl-child trafficking, forced prostitution, sexual harassment and intimidation at work or in academic environments, female genital mutilation, child pornography, deprivation of education, denial of access to economic means of livelihood and the right to ownership of property, domestic violence, etc.

Perpetration of violence against women and girls varies from one society, region or community to another. The diverse nature of their sociocultural practices, common beliefs, traditions, religion or any other prevailing circumstances makes this possible. In all the circumstances, women (and girls) are considered inferior to their male counterparts and subjected to stereotyped roles in the society. In some societies, they are divested of all rights, including but not limited to the right to ownership of property and the right to participate in politics or the process of making decisions affecting them, their development and their future. In others, they are considered as mere “chattel” or “would-be chattel”, with some economic value attached, especially in the case of girls; this propels them towards early marriage instead of the fulfilment of their educational aspirations.

There is a widespread belief that a well-educated girl child is likely to attain a high level of awareness and exposure, capable of asserting her rights, even against her husband, and likely not to be submissive in her matrimonial home. Girls are unjustly compelled into early marriages to raise money for the training of their male siblings or sometimes are sent from their rural habitat to cities to work as housemaids, restaurant hands, pub attendants or club attendants, or into outright prostitution, thereby exposing them to various types of violence, including rape and physical harm, and exposing them to a higher risk of contracting HIV/AIDS through multiple sexual relationships.

Domestic violence, or “wife battering”, is silently accepted in most African societies as a private and family affair which does not require public intervention; it is also often considered a disciplinary measure by a husband to keep his wife in check or adequately submissive. Whether triggered by jealousy or an intrinsic desire for control through male domination, it exposes women and girls to a high degree of

physical harm and danger constituting a silent but pervasive violation of their human rights.

Sexual harassment at work or in academic environments takes us to yet another form of gender-based violence. Sexual harassment has been defined as “unwanted conduct of a sexual nature, where either the rejection or imposition of such conduct can have negative employment consequences for the victim, as well as undesirable effects on the work or academic environment”. Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature that are connected to decisions about employment or that create an intimidating, hostile or offensive work environment violate Title VII of the Civil Rights Act of the United States of America.

The practice in our society of employing women and girls as marketers or customer relations staff saddled with unrealistic annual or monthly monetary targets upon which their jobs are hinged constitutes an abuse of the right of those women to work as freely as their male counterparts.

Sexual harassment can occur in workplaces or academic institutions. It may be coercive or non-coercive. It comprises acts or activities aimed at intimidating, humiliating, annoying or belittling the intelligence of a female victim, thereby creating a hostile environment for her.

Women are vulnerable to violence in times of war, social unrest or other forms of crisis in the society, both at the communal and national levels. Violence against women and girls may be physical or psychological. It leaves the victims with a physical or emotional scar that may be difficult or impossible to heal in their lifetime.

Despite a plethora of laws, international declarations and conventions such as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, the African Charter on Human and Peoples’ Rights, as well as chapter IV, on fundamental rights provisions, of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the criminal and penal codes, etc., it is sad to note that women still face difficulties in protecting themselves against various forms of violence.

Our laws and policies are left with gaps or inadequacies, either from not being gender sensitive or by way of poor implementation. As Nigerian Supreme Court Justice Oputa stated in a keynote address to the Fifth Regional Congress of the International Federation of Women Lawyers, “Our women have got to square out of themselves any still lingering notions of inferiority, weakness, instability and immaturity. They have to convince themselves that they are persons, not things, that they are human beings deriving from the same humans even as the man, that like any human being, they have human dignity and intrinsic worth, that certain inalienable, basic and fundamental rights, certain economic rights, especially the right to development, should attach to them as human beings and also as of right, not as of sufferance.”

Most gender-based violence passes unreported, unchallenged, ill-redressed and unmitigated. To effectively respond to or prevent violence against women and girls, the following is hereby recommended.

First, it must be acknowledged as a public wrong capable of legal redress. Individual and corporate obligations to take a visible stand on gender-based violence must be created. We must engage in effective campaigns through the print and visual media to heighten public awareness and contradict intergenerationally transmitted cultural or traditional beliefs, ideas or stereotypes. Such social norms, which tend to perpetrate and perpetuate violence against women, must be discouraged.

The Government must adopt distinct legislative and development policies to eliminate gender-based violence, gender discrimination and gender disparity. It is at present difficult to secure convictions for sexually related offences, where the burden of proof is quite substantial. Legislation targeted at curbing violence against women must be coupled with compensatory provisions, especially in cases of defilement of the girl child. Such legislation must also transcend all barriers — race, culture and religion, social or economic class. Rural women need as much protection from violence as urban women.

The various International human right laws, conventions and declarations should be effectively applied and implemented and the capacity of women's rights-protecting agencies, non-governmental organizations and Government institutions should be strengthened to enable them to get involved in monitoring and compiling data on gender-based violence, with a view to making available more information for advocacy, policy formulation and intervention initiatives.

A conscious educational initiative is needed, aimed at countering adverse cultural, traditional, religious or social beliefs that prevent women and the girl child from being fully integrated as equals in the society. The girl child must be assured of access to good quality education. She must be equipped with knowledge and understanding of her human and fundamental rights and other specific laws relevant to her development as a woman. Stereotyped cultural beliefs, assertions and practices that emphasize inequality or male domination must be broken through education: as Pat Anyasor has said, "Educate a girl child today, empower a woman for the future".

Women must be equipped with skills and viable sources of livelihood to enhance their economic and social status in the society; this will translate into political empowerment, creating an opportunity to participate in formulating decisions affecting their interests and development. It will also guarantee them access to regular courts to robustly litigate issues that violate, or are likely to violate, their human rights.

In conclusion, women must realize that their rights under various laws, international instruments, declarations and conventions are enforceable rights and are not merely privileges. They must become aware of the existence of these laws and assert them when circumstances necessitate.
