Women in Conflict Situations: the ICRC Perspective

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ICRC
International Committee of the Red Cross (ICRC)

- Impartial, neutral and independent organization, established in 1863

- Unique mandate based on international law, specifically the Geneva Conventions and their two Protocols
Mandate of the ICRC

- To protect the lives and dignity of victims of armed conflict and internal strife
- To provide assistance
- To act as guardian and promoter of international humanitarian law (IHL)
What is IHL?

**Aim:**
To reduce suffering during times of armed conflict

**By:**
Protecting *those who are not or no longer* taking part in hostilities

Restricting the *means and methods of warfare*
Underlying principles:

Even wars have limits

- Distinction
- Military necessity
- Proportionality
- Preventing unnecessary suffering
- Protection of persons *hors de combat*
Women and War

Women face different challenges and risks
- Violence, deprivation of livelihood, displacement, loss of loved ones, detention etc.

Not a homogenous group
- Can be victims, fighters, promoters of peace

Vulnerability:
- Women are not *per se* vulnerable:
  - Display remarkable courage and resilience in protecting and supporting their families or as combatants
  - Women and men face different risks
  - Real question: who is vulnerable to which risk?
What the ICRC does

- Gender Analysis used to understand different needs and roles of women and men
- All programs and activities incorporate the perspectives of women (Mainstreaming)
- Specific programs developed to respond to specific needs and vulnerabilities (Targeted)
Displacement

- **Risks linked to displacement:**
  - Difficulties crossing check points (lack of necessary documentation, harassment, humiliating body searches)
  - Sometimes not allowed to travel without husband
  - Long distances to find water, firewood, food => risks of landmines, sexual violence
  - Lack of access to health care

- **Additional Burden**
  - Loss of sources of livelihood
  - Separation of families
    - Women become heads of household
    - Ensure survival of dependents: time and energy
Displacement
- What IHL says

The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.

Article 17(1), Additional Protocol II, 8 June 1977.

Further obligations:
- Prevent separation of families, if displacement occurs
- Transfer displaced back as soon as hostilities ceased
- Provide necessary means for survival (if not possible humanitarian organizations are entitled to provide it)
Displacement
- What the ICRC does

- Preventing displacement:
  - ICRC urges parties to respect IHL and spare civilians, so they can remain safely in their homes

- Documenting conditions of displaced persons and reporting IHL violations

- Providing assistance
  - food, household essentials, drinking water, health care
  - priority to most vulnerable households, many women headed

- Livelihood support programs
Missing relatives

- **Missing persons**
  - Anyone unaccounted for as a result of conflict or situation of violence, e.g. killed in combat, captured, missing in action
  - Around 90% of those missing are men

- **Women left behind** face many challenges:
  - Emotional anguish of not knowing the fate of a relative
  - Economic hardship caused by the loss of a breadwinner
  - Lack of clear legal status, neither widows nor wives
    - problems accessing pensions or compensation
    - rights to property, inheritance, custody of children
  - Social isolation and stigma

- **Active role**: women get together to fight for information (ex. Mothers of Plaza de Mayo)
Missing relatives
- What IHL says

- Right to **correspond with family** members
- Obligation to **facilitate enquiries** by members of families dispersed during conflict
- Obligation to **return mortal remains** & facilitate **access to grave sites** by relatives of the deceased
- Activities concerning the missing and dead are prompted by the **right of families to know the fate of their relatives**
Missing relatives
- What the ICRC does

■ General:
  ▸ ICRC tries to locate the missing in hospitals, places of detention, camps, morgues etc.
  ▸ Support in locating, recovering, identifying mortal remains

■ Women with Missing Relatives:
  ▸ Helping women go through administrative procedures necessary to obtain assistance or compensation
  ▸ Technical or financial support to associations of families of the missing
  ▸ Establishing local networks of psychologists and social workers to provide counseling
  ▸ Income generating projects
Women are the minority in the detention population (usually around 4%)

Specific vulnerabilities:
- If separation not ensured: risk of sexual abuse by guardians or male detainees
- Receive fewer family visits than men
  - Family visits are essential for psychological well-being and as a means to procure food and essential items
  - Without support system women may be compelled to turn to transactional sex
- Problems upon release (ex. male guarantor needed; rejection by community)
Prisoners of war are entitled in all circumstances to respect for their persons and their honour. Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men. Article 14, Third Geneva Convention, 12 August 1949.

**Further provisions:**
- **Pregnant women/ mothers**: cases considered with priority; not sentenced to death
- **Separate quarters** from men with separate sanitary conveniences
- Under immediate supervision of **female guards**
- Permitted **family visits/ correspondence**
- Women internees to be **searched only by women**
Detention

- What the ICRC does

- Detention Visits
  - Conditions of detention
    - Is separation ensured, access to health services etc.
  - Mixed teams
  - Confidential reports to authorities

- Family messages services

- Family visit programs

- Assistance:
  - Food and basic necessities, medical assistance
  - Technical support to improve prison facilities
  - Occupational training to ease social integration
Sexual Violence

- One of the most frequent and traumatic violations that women suffer in wartime
- Wide range of consequences – medical, psychological, social and economic – not only for victims but also for families and community
- Risk of double victimization: bodily and mental harm, but also risk of stigmatization or rejection by family, friends and community => victims tend to remain silent
- Particularly vulnerable: children born of rape
Sexual Violence
- What IHL says

Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

Article 76 (1), Additional Protocol I, 8 June 1977.

ICC-Statute and jurisprudence of ICTR / ICTY:

- Rape and other forms of sexual violence constituting a serious violation of the Geneva Conventions are war crimes when committed in armed conflict.
- When part of a widespread or systematic attack against the civilian population, sexual violence may also be prosecuted as crime against humanity (in the context of war or peace).
Sexual Violence

- DRC

Prevention:

- IHL training and film for armed forces and groups
  - SV is a crime
  - Legal and health consequences for perpetrators

- 400 arms bearers attended trainings in Jan./Feb. 2008

Awareness raising in communities (film, posters)

- Need to help victims seek medical treatment as soon as possible
- Victim is not at fault and should not be stigmatized
Sexual Violence - DRC

- Medical Assistance:
  - Medical treatment in ICRC supported health centers
    - Post rape treatments: emergency contraceptive pill, HIV/AIDS prophylaxis, treatment for STDs, anti-tetanus, hepatitis B) effective if administered within 72 hours
    - Training course to enable local health staff to administer the treatment
Psychosocial and Socio-economic Support

- Provided through local associations which run *maisons d'écoute* (counseling centers)
  - Training staff of the centers in counseling and mediation techniques, enabling them to provide psychosocial assistance to victims and facilitate reintegration in the family
  - Renovation/construction of counseling centers
  - Socio-economic projects / Material support

- In 2007:
  - 258 people attended ICRC-organized training in counselling and mediation techniques
  - 957 rape victims were monitored by the counselling centres.
Protection:

- ICRC documents allegations of sexual violence, ensuring confidentiality of the victims
- Representations about incidents to the authorities concerned
Conclusions

- Conflicts have different impacts on men and women
- Parties to conflict must obey IHL and its specific protection for women
- Humanitarian programs should take into account the needs and perspectives of women