



WOMEN'S HEALTH
GOULBURN NORTH EAST

Women's Health Goulburn North East Members' Newsletter July 2009

Human Rights

"Human rights are the same for all - male and female, young and old, able bodied and people with disability, regardless of our background, where we live, what we look like, what we think or what we believe"

Quote from the Australian Human Rights Commission website.

Human rights are about equality and dignity for everyone. A society that commits to human rights, commits to ensuring that everyone is treated with dignity and respect. Human rights are important to Australia's democracy. The independent **National Human Rights Consultation Committee** has been appointed to conduct the National Human Rights Consultation to seek Australians' views about human rights. The committee will look at the way that Australia currently safeguards human rights and consider a range of ways to promote and protect human rights in the future. The National Consultation will look at three key questions:

1. Which human rights and responsibilities should be protected and promoted?
2. Are these human rights currently sufficiently protected and promoted?
3. How can Australia better protect and promote human rights?

The Consultation will run from December 2008 to August 2009. A Community Roundtable Session was held on the 16th April in Wodonga. You can read this session report and others from around Australia on the following website:

www.humanrightsconsultation.gov.au

The **Australian Human Rights Commission** is an independent statutory organisation that works to protect and promote the human rights of all people in Australia. The Commission's work covers four key areas:

- Providing education and raising public awareness about human rights
- Handling complaints of discrimination and breaches of human rights
- Researching human rights issues and contributing to policy developments
- Legal advocacy on human rights issues

Complaints

No one has to put up with discrimination, harassment or bullying. There are laws to protect you from discrimination in areas of public life such as: employment, education, sport and the provision of goods and services. These laws apply to everyone in Australia regardless of where they live. If you think you have been discriminated against, you can lodge a complaint with the Commission. It doesn't cost anything to make a complaint and if you are unsure if what you have experienced could be discrimination, you can call the Commission to talk about it. For more information or to discuss a complaint contact the Complaints Infoline at:

Phone: 1300 656 419

Email: complaintsinfo@humanrights.gov.au

TTY: 1800 620 241

Free Telephone Interpreter Service: 13 14 50

"Human rights help us to recognize and respect the fundamental worth in ourselves and in each other"

"Having others respect our human rights comes with the responsibility to respect the rights of others"

Quote from the Australian Human Rights Commission website.

National Human Rights Consultation Submission

Women's Health Goulburn North East has submitted five key recommendations to the National Human Rights Consultation Committee. These recommendations are as follows:

Recommendation 1: The right to live free from violence.

Violence, be that physical, sexual, psychological, social, financial or the restriction of religious or cultural practice, is a fundamental violation of a person's human rights. Specifically acknowledging this right is a fundamental step forward in ensuring that 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"¹ is eradicated in Australia.

Violence against women and their children further impinges on their right to health, as violence in any form has serious implications for an individual's physical and psychological health status. It is our view that such acts as domestic and family violence, rape, including rape by a present or former partner, sexual assault, human trafficking, sexual slavery, female genital cutting and forced prostitution, must be specifically named as human rights violations in an Australian context.²

Indeed, Women's Health Goulburn North East believes it is essential that partner rape be specifically named as a human rights violation. This recommendation is based on independent research conducted by our organisation with 21 women from the Hume region, 23 health professionals and 30 police officers, which found that partner rape occurs across all socio-economic backgrounds and that women experience further disadvantage due to disability or racial discrimination.³ Although the law was changed in 1985 to criminalise rape within marriage, the attitudes of some men remain in a past where women had little autonomy and men had a sense of entitlement.

Today, the attitudes of some community leaders continue to support this misplaced entitlement. We heard from women and health professionals that police, ministers and doctors knew what was happening to these women and did nothing. We heard that women who spoke up would suffer recriminations from their community. And we heard that only six of the 30 police interviewed would advise someone they love to report partner rape. The fact that the perpetrator of rape is often the father of the victim's children complicates a woman's decision to press criminal charges.

Including the right of a woman to be free from rape by her intimate partner in a National Human Rights Charter would assist in removing the current complicity of society in keeping this assault hidden.

Recommendation 2: Every person is entitled to all the rights and freedoms set forth in a human rights charter, regardless of their sexual orientation or gender identity.

Recommendation 3: The federal Human Rights Charter should extend to non-citizens of Australia.

Recommendation 4: Women should have the right to affordable, safe and accessible methods of contraception.

Recommendation 5: Women must have the right to reproductive choice and to be supported in the choice they make. A women's right to legal, safe, affordable and accessible abortion should be part of the National Human Rights Bill or Charter.

For the full transcript please go to the Women's Health Goulburn North East website:

www.whealth.com.au

Additionally, Women's Health Goulburn North East support the fourteen recommendations from Women's Health Victoria, particularly that abortion must not be expressly excluded in the proposed charter as occurred in Victoria. To do so is to ignore "the right of all women to control all aspects of their health, including their fertility."⁴ The full submission is available on the Women's Health Victoria website:

www.whv.org.au/publications&resources/submissions/

¹ United Nations, *The Declaration of the Elimination of Violence Against Women*, United Nations General Assembly, 1994, Article two.

² Ibid.

³ D. Parkinson, *Raped by an Intimate Partner: A research Report*, Women's Health Goulburn North East, 2008, p. 1

⁴ Fourth World Conference on Women. *Beijing Declaration and Platform of Action*. Beijing. 1995.



An inspirational woman fighting for Human Rights

Abridged from The Age

Frud Bezhan
April 14, 2009

FOR the women of Afghanistan, it is yet another brutal message — that death awaits those who choose a public life.

Sitara Achakzai — a women's rights campaigner — was gunned down in the streets of Kandahar on Sunday. She is among several high-profile women assassinated by the Taliban in recent years. It is yet another example of the extreme violence women face in this embattled country, where rape and murder are widespread.

Malalai Joya (pictured) understands better than most the oppression of Afghan women — and the danger of speaking out. The women's rights activist and member of Afghanistan's national parliament has lived in hiding for five years and never spends more than 24 hours at the same house. She sleeps, eats and breathes in the shadow of six heavily armed bodyguards and wears a burqa to conceal her identity.

Malalai Joya's plight — and that of the other high-profile women — is symbolic of a country in turmoil. More than seven years after international forces removed the Taliban from power, Afghanistan is slipping further into violence and lawlessness.

Joya's battle is against the warlords who, she says, are running the country. These men, who Joya refers to as the "Taliban's brothers in arms", are former commanders of the various Islamist groups, together known as the mujahideen, who fought and defeated the Soviet Union and communist Afghan government in the 1980s. Soon after coming to power, these groups turned on each other, waging a brutal civil war in which tens of thousands of people were killed, thousands of women and girls were raped, and millions of people were made refugees. The bloodshed only stopped when the Taliban took power.

"Today, because there is no strong central government, Afghanistan is carved up between these same warlords, who have now filled the shoes of the Taliban," Joya says. "Afghanistan is once again in the hands of rapists, murderers and extremists."

Asked why the warlords are so desperate to silence her, Joya responds: "I am the fundamentalists' most unrelenting and outspoken critic. They see women as second-class citizens and are threatened by the idea of a woman openly questioning their authority. The fundamentalists also realise that when I reveal their crimes and demand justice, it is not my voice alone but the voice of all Afghans they hear."

Joya, now 30, first spoke out more than five years ago. As a delegate at a constitutional convention in Afghanistan she publicly accused the country's leaders, many of whom were there, of war crimes, human rights violations, involvement in the opium trade and supporting the Taliban. She said they should be prosecuted in national and international courts. Her remarks were met by stunned silence and then uproar from the 300 delegates, most of them former mujahideen commanders and ex-Taliban officials. Joya was branded an infidel and "whore", while one delegate stood on the floor of the forum and demanded that Joya be taken away and raped.

Joya's stance against the warlords seemed to be endorsed when she was subsequently elected, at 27, as the youngest member of parliament in Afghanistan's landmark elections of 2005. There she continued her outspoken ways. She is nearing the end of a two-year suspension from parliament, imposed after she used a television interview in May 2007, to accuse fellow MPs of being criminals opposed to women's rights, obstructing free speech and intimidating prominent Afghan women. In response, MPs voted overwhelmingly for her suspension, though their decision has no basis in law.

"Ever since I have started my struggle for human rights in Afghanistan, for women's rights, these criminals, these drug smugglers, they've stood against me," she says during a phone conversation. "They can kill men but they cannot silence my voice because it is the voice of all the people of Afghanistan calling for change, peace and justice."

Joya began her campaign for social and political change after returning to Afghanistan 10 years ago. Her family had fled the Soviet invasion 16 years earlier, settling in one of the many refugee camps along Afghanistan's border with Pakistan. Plunged into a life of poverty and uncertainty, Joya, as a teenager, began humanitarian work for various organisations in Pakistan to help provide for her family — two parents and nine children. During her regular visits to refugee camps she met many ordinary Afghans, saw their suffering and learned of the crimes of the various mujahideen groups vying for power.

"The experience had a profound impact on me," says Joya, who is still haunted by stories of women being raped, of children being kidnapped in the middle of the night, and of men being beaten, tortured and killed.

Frud Bezhan is a freelance journalist.

An Educational Film on Partner Rape

Women's Health Goulburn North East, supported by WESNET have recently produced an educational DVD based on the 2008 research report *Raped by a Partner*. The DVD is aimed at health and legal professionals; women affected by partner rape; men's groups and the community. It will be released in August 2009.

Partner rape is a human rights issue

In April this year the Afghanistan Government drew criticism for a new law that critics say makes it legal for men to rape their wives. The law, signed by Mr Karzai last month, is intended to regulate family life inside Afghanistan's Shi'ite community, which makes up 10-20 per cent of the country's 30 million people. Under an article legislating the frequency of sexual relations between Shi'ite husbands and wives, husbands have the right to sex every fourth night unless the wife is ill.

The UN Development Fund for Women has said the law "legalises the rape of a wife by her husband". Asked about the law at a news conference on Saturday after the NATO conference in Strasbourg, France, Mr Obama described it as "abhorrent". He said the US was communicating its views to the Karzai Government. "We think that it is very important for us to be sensitive to local culture, but we also think that there are certain basic principles that all nations should uphold, and respect for women and respect for their freedom and integrity is an important principle," Mr Obama said.

Even before Mr Obama's comments, Mr Karzai said on Saturday he had ordered the Justice Ministry to review the law, and if anything in it

contravened the country's constitution or sharia law, "measures will be taken". The issue of women's rights is a source of tension between the country's conservative establishment and more liberal members of society. The Taliban government that ruled Afghanistan from 1996 to 2001 banned women from appearing in public without a body-covering burqa and a male escort from her family. Now millions of girls attend school and many women own businesses. Of 351 parliamentarians, 89 are women.

But in the staunchly conservative country, critics fear those gains could easily be reversed. Fawzia Kufi, a politician who opposed the legislation, said this week the law undermined all advances for Afghan women in the past seven years.

Canadian Prime Minister Stephen Harper, who has criticised the law, offered qualified praise for Mr Karzai's decision to review it. "There is going to remain enormous pressure on the Government of Afghanistan on this question," he said in Strasbourg.

Mr Karzai did not mention the controversial article on Saturday, but said at a news conference he had studied the law earlier in the day and "I don't see any problems with it". He complained that Western media outlets had mistranslated it. He read an article of the law during the news conference that appeared to restrict Shi'ite women's right to leave their homes, although Mr Karzai underscored a provision that allowed women to leave in emergencies.

Critics have accused Mr Karzai of signing the law to court Shi'ite votes in the country's August presidential election.

Article from Guardian April 5, 2009

How can YOU get involved?

We all have a role to play in building an Australian society where human rights are enjoyed by everyone, everywhere, everyday. Here are some ways you can get involved and help make this vision a reality.

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| <ul style="list-style-type: none">• Keep up-to-date about current human rights issues in Australia and overseas by joining the electronic mailing lists at:
www.humanrights.gov.au/about/mailling_lists/• Find media releases, opinion pieces, speeches, media kits and extensive research and project information at:
www.humanrights.gov.au/about/media/• Teachers can download a wide range of curriculum-linked human rights education resources at:
www.humanrights.gov.au/education/resources/• Students can check out highly popular <i>Info for Students</i> Resources at:
www.humanrights.gov.au/info_for_students/ | <ul style="list-style-type: none">• Stay informed of current human rights abuses overseas and find out more about the online action centres by checking out the following websites:

Human Rights Watch
http://www.hrw.org/en/home

Amnesty International
http://www.amnesty.org.au/

United Nations
http://www.un.org/en/rights/

World Vision
http://www.worldvision.com.au/Home

Oxfam
http://www.oxfam.org.au/ |
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