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CONQUER FROM WITHIN

UNCSW STUDYGUIDE



UNCSW FUNCTIONS AND CAPACITY

The main function of the UNCSW (United Nations Commissions On The Status of Women) is to promote women's rights, how women are treated all across the world and to empower them. They also play an important role in promoting gender equality.

The UNCSW (United Nations Commissions On The Status of Women) sets a multi- year programme to consider the progress and make recommendations on them.

Under its current method of work, at each session of commission:-

- They discuss many new issues and approach the questions which are affecting women's rights, gender equality and other many issues against women.
- They have taken many initiative steps and measures to build a strong mainstream on gender equality through many programmes, actions and policies.
- They celebrate March 8 as International Women's Day
- They take many resolutions and conclusions on empowering women and they protect their rights.
- They contribute towards the point of view of gender in the work of other intergovernmental organizations and bodies.

CONCLUSION

UNCSW is committed to gender equality and women empowerment. To make progress in meeting the needs of women was the initial reason to establish UNCSW.

UNCSW sets global standards for achieving equality and works with the government and civil society to design and initiate laws, programs, policies and services to ensure that the standards are effectively enforced and truly benefit women across the globe. (1)



TOPIC - CULTURE AND PERSPECTIVE OF NORMALIZING RAPE AND HARASSMENT

INTRODUCTION TO THE TOPIC

Rape- a felonious act, which usually involves a predator and a victim, where the predator sexually assaults the victim.

Rape culture- the culture in which sexual violence is normalized. Victim blaming is widespread in this culture. It perpetuates in our life in the form of misogynistic language, misogynistic jokes, and the objectification of women and their bodies.

What “rape” means :

The definition of rape is changing year by year. In the late 20th century, rape was an act of sexual intercourse which is done against the will of the woman. But in the present day scenario, rape can occur to anyone regardless of age and sex and is of many forms. Even if the couple is married, a partner can't force another into a sexual act as that would be considered marital rape. Rape has continuously been excused as manifestation of any race, ethnic or class in which one is taken as a property of another.

What “rape culture” means:

1 out of 5 American women survive an attempted or completed rape but victims are doubted, shamed and harassed.

Rape cases not being reported is part of this issue as well.

If a victim does report, investigation might not be executed.

Prosecutors refuse to take up cases that the police do recommend, worried about how it may end due to the sensitivity of the topic.

If a rape case does go on trial, survivors are re-traumatized by the process.

If a rapist does get convicted, he can receive an extraordinarily light sentence, again posing a problem by implying that the crime was only worth that level of punishment.



(3) What is Victim blaming?

Victim blaming occurs when the victim is held accountable for what has happened to them instead of on the predator for what they have done.

Common phrases like :

“ she asked for it”

“ You were walking in a dangerous neighborhood, what’d you expect?”

“Boys will be boys”

“You were wearing such a short skirt! What did you expect from him?!”

“I think you're lying, there are no bruises. How do I believe you were assaulted?”

“Women should avoid dressing up in revealing clothes in order not to get victimized”

“She was flirting with him”

“Women say “no” when they mean “yes”” etc.(4)

HISTORY OF TOPIC

Many women were highly criticized because of rape. Earlier, society defined rape as the male taking over women. Society shames the one who survived rape, as well as the perpetrator.

During the 1970s, the emergent of the 'second-wave feminist' where many women got plagued because of getting raped. At that time, people knew what rape was but didn't take any action as they thought that the rapist was mentally sick. In the 1970s, many saw rape crisis being opened. For an example, in 1975, there was an advertisement which

was provided by the Boston Area Rape Crisis Centre, which displayed having 24 hours hotline, that would serve any women who had been raped or attacked near Boston.

There was a Hebrew Law which tells that if a woman was raped outside the city, then she will be forced to marry her rapist.^(5)In the late 15th century, the legal definition of rape in England had a narrowed to apply to the theft of a woman's virtue, either the



women's virginity or the married women's honour and the father or the husband of the raped woman are pressed criminal charges if the women get raped.

Many American laws were provided by the British laws and the term 'rape' was meant to nonsexual crime of violence. But the definition got changed when in the 12th century, it was made a clear difference between abduction and rape by the Codex of Gratin.

"An accusations easily to be made and hard to prove and harder to be defended by the party of accused, tho never so innocent" ()

-Lord Matthew Hale, a British Judge, in the late 1600s(6)

Suryanelli rape case

January 16 1996, a young girl aged 16 was abducted from her school hostel (Idukki district, Suryanelli) by a bus conductor, first suspect, then handed over to the second suspects Usha and Dharmarajan and was transported from place to place in Kerala and Tamil Nadu for 40 days. She was presented to 41 men and raped 67 times. She was transported for over 3,000 kilometers by the gang during the rape.

Rape, kidnapping, criminal conspiracy, wrongfully concealing abducted person, human trafficking and gang rape were the crimes involved in this case.

On the 2nd of September 2000, a sessions court at Kottayam was held. 35 of the accused were convicted to prison sentences ranging from 4-13 years and 4 were liberated.

40 people including 9 business men, 2 advocates, 2 railway employees, 3 auto brokers, 1 mechanic, 1 policeman, 5 drivers, 1 professor, 1 clerk, 5 labors, 6 farmers, 1 bus conductor, 1 nurse and sex worker Usha were all involved with the minor and faced trial in the case.

The main suspect Dharmarajan who was fleeing, faced trial separately afterwards. In 2001, he was convicted and sent to life imprisonment for procurement of the girl and not rape.

On January 20th, 2005, all suspects but Dharmarajan were liberated. His sentences was altered from life imprisonment to 4 years of rigorous imprisonment . (7)



CURRENT SITUATION

Happenings in Bangladesh

According to the Bangladeshi Human Rights Group, 732 rape cases were reported in 2018. In the year 2019, rape cases were doubled to 1413.

The country is seeing more than four rape cases per day on average. According to the government's One Stop Crisis Center, over the past 19 years only 3.5% of cases went to court under the Prevention of Oppression Against Women and Children Act 2000 and only 0.37% cases resulted in convictions. (8)

During the World War II, both Allied and Axis armies committed rape as a means of terrorizing enemy civilian populations and demoralizing enemy troops. In the second half of 20th century, rape cases were reported in 20 more military and paramilitary conflicts. Rape was used as an instrument of ethnic cleansing in the former Yugoslavia, in the 1990s. It was as a means of genocide in Rwanda. In the late 20th century, the international community began to recognize rape as a weapon and strategy of war because of the prevalence of rape in the Balkan and Rwandan conflicts. And efforts were made to prosecute such acts under existing international law. In 1993, the United Nations Commission on Human Rights declared systematic rape and military sexual slavery to be crimes which are against humanity and are punishable as violations of women's human right. In 1995, the UN's Fourth World Conference on Women specified that the rape during wartimes by armed groups to be considered as a war crime. In the year 1998, the International Criminal Court was granted jurisdiction over a range of women's issues, including rape and forced pregnancy. In the year 2008, a resolution was adopted by the UN Security Council affirming that "rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide." In the early 21st century, there were more rapes in South Africa according to Interpol. A study in the year 2009 conducted by the Medical Research Council in South Africa showed that rape had been committed by more than a quarter of South African men.

In the year 2009, UN officials and several human rights and aid organizations, including Human Rights Watch and Oxfam got involved and a large number of rapes of males in Eastern Congo were reported. (9)



PREVIOUS UN ACTIONS

Convention on the Elimination of All Forms of Discrimination

CEDAW a treaty made by the UN in 1981 that outlines a woman's equality. The parties of the state is required to fight sex based discrimination through education and politics. It also ensures the elimination of prejudices and practices that are stereotypical. The CEDAW has no enforcement mechanism. The Optional Protocol for CEDAW was enforced in 2000. It stated that any individual or groups can submit complaints to the committee if they have ratified the protocol.

In 1992, the committee adopted the General Recommendation 19. It explains that the prohibition of gender-based discrimination includes violence. The committee stated that the violence that is shown or directed at a woman for being a woman. It includes mental, physical or sexual harm or suffering from these acts. State parties said that CEDAW must take all the responsibility for taking important measures to eliminate all these ludicrous acts.

In 1993, the UN General Assembly adopted the Declaration on the Elimination of Violence Against Women. The declaration explains that the violence against women shows the historical unequal relations of power between men and women, which led to discrimination and domination against women by men. (10)

United Nations Decade for Women

This program started on January 1, 1976. The goal was to promote equal rights and opportunities for women all around the world.

Between 1975 and 1985, three major meetings were conducted for women. The first UN women's conference was held in Mexico City in 1975 and designated this decade as the UN Decade for Women. After five months the UN General Assembly launched this decade program.

The second conference was held in 1980, Copenhagen; and the third conference in 1985, Copenhagen. The meetings discussed the issues concerning equal pay, violence against women and basic human rights.

The conference held in Mexico produced two major documents. the "Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace" and the "World Plan of Action for the Implementation of the Objectives of the International Women's Year."



The conference in Copenhagen reported on the progress since the previous meeting and produced the “Program of Action.”

The conference in Nairobi celebrated the accomplishments achieved by the program and created an agenda that would guide people in future for the efforts to promote equality worldwide for women. Also, there “The Nairobi Forward-Looking Strategies for the Advancement of Women” was an adopted document.

Another conference was held in Beijing in September 1995 for the implementation of the policies mentioned in that document. (11)

Economic and Social Council (ECOSOC)

It was established by ECOSOC resolution 11(II) of 21 June 1946. It helps in promoting women’s rights, documenting women’s lives and shaping global standards on gender equality and women empowerment.

In 1996, the ECOSOC expanded the commission’s mandate and decided that it should take the lead role in monitoring and reviewing the progress and problems for the implementation of the Beijing Declaration and Platform for Action.

The commission had a two week session and during this time period, representatives of UN Member States, civil society organizations and UN entities gathered at UN headquarters in New York.

They discussed the progress of the implementation of the 1995 Beijing Declaration and Platform for Action, the key global policy document on gender equality, and the 23rd special session of the General Assembly held in 2000, as well as the new issues emerging that affect gender equality and the empowerment of women.

Members of the states agree with one another on the actions to accelerate progress and promote women’s happiness and enjoyment of their equal rights in political, economical and social fields. (12)

KEY QUESTIONS TO CONSIDER

- 1) What actions has your government taken to spread awareness on the perspectives it's people need to take on rape culture?
- 2) What regulations has your government placed to punish those involved in cases of sexual violence?
- 3) What measures has your government taken to protect it’s population from occurrences of rape?



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