

# CHAPTER



WOMEN

AND

ARMED CONFLICT

# E

## CRITICAL AREA OF CONCERN

The effects of armed or other kinds of conflict on women, including those living under foreign occupation

*1. Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.*

*2. Reduce excessive military expenditures and control the availability of armaments.*

*3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations.*

*4. Promote women's contribution to fostering a culture of peace.*

*5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.*

*6. Provide assistance to the women of the colonies and non-self-governing territories.*

### OVERVIEW

The Australian Government is a constructive contributor to responsible international security action.

Since 1995, Australia has continued its commitment as a constructive and responsible player, supporting dialogue and activities within our region and elsewhere to promote a stable and prosperous world. Valuing and respecting national sovereignty and the inalienable human rights of individuals,

Australia has contributed to a range of measures to advance our shared interests in these important areas, including peacekeeping efforts under the auspices of the United Nations.

Australia has been at the forefront of the development of international human rights and international humanitarian law and measures to reduce the spread of armaments, including land mines and laser weaponry.

Since 1995, Australia has worked actively for the adoption of measures to promote and protect women's human rights in armed conflict. Australia was instrumental in the development in 1998 of the Rome Statute of the International Criminal Court, which it signed on 9 December 1998. Australia argued successfully for the inclusion of female jurists on the Court, and to include sexual violence in armed conflicts in the definition of war crimes. Australia has supported international standard setting efforts, such as the Optional Protocol on children in armed conflict (see below).

Australian NGOs are active in the promotion of women's involvement in dialogue for peace internationally.

Recognising that women are particularly vulnerable in times of war, Australia offers specific humanitarian assistance to women refugees including resettlement under

Australia's humanitarian programmes. Women who are resettled receive comprehensive settlement assistance to assist their prospects for integration into the Australian community.

Women in the Australian Defence Force (ADF)

Women currently comprise 14% of the ADF. The vast majority of ADF employment categories are open to women.

In 1996, the Australian Government reviewed women's participation in the ADF. The review report, entitled *Women in the Australian Defence Force*, examined the cultural, social and institutional barriers to women's career progression and retention in the ADF. The review found that a more systematic and strategic approach was required to eliminate gender-based discrimination. The report's recommendations addressed a range of personnel, management and leadership issues, equity policy, equity training, job competencies, human resource management practices (recruiting, training, transfer, promotion and performance appraisal), balancing family and work responsibilities, employment practice and equity performance review. The recommendations are being implemented by the Defence Equity Organisation.

In 1998, a further review of women in the ADF examined the limitations

placed on the employment of women by equipment and/or methods of operations; attitudes to the employment of women in combat in Defence and in the community; and overseas experience in the employment of women in combat. The Chiefs of Staff Committee is examining the recommendations of the report.

## STRATEGIC OBJECTIVES

*1. Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.*

## WOMEN'S ROLE IN CONFLICT RESOLUTION

Australia is a member of the OECD Development Assistance Committee (DAC) Taskforce on Conflict, Peace and Development Cooperation. Australia has supported DAC research into assistance of victims of violent conflict. This research includes analysis of ways to support women, through development assistance, to become primary actors in the conflict resolution process.

Australia has supported the Neutral Peace Monitoring Group on Bougainville, Papua New Guinea. Australia has provided civilian personnel for the small, unarmed,

regional group monitoring the ceasefire agreement in Bougainville. Women were strongly encouraged to nominate to take part in these short-term missions. As part of the peace establishment negotiations, Australia, through its aid programme, also helped to organise separate meetings for women to ensure their voices were heard.

#### AID FOR VICTIMS OF CONFLICT

For Bougainvillean women displaced by conflict, the Australian government has delivered essential goods including clothing, gardening tools, construction materials, cooking utensils, medical supplies and services. Women have benefited from training programmes in primary health care and adult literacy. Australian and Bougainvillean NGOs have conducted workshops and training across Bougainville in conflict resolution, trauma counselling and domestic violence, in an effort to further engage women in the peace process.

*See also:*

- *D: Violence against Women* for details on serial sponsorship.
- Strategic Objective 5 and the 'International Aid' sections below.

## STRATEGIC OBJECTIVES

2. *Reduce excessive military expenditures and control the availability of armaments.*

### DEFENCE EXPORTS

In a global context, Australia undertakes only limited defence-related research and development, and defence exports are modest. Australia is unlikely to become a major exporter of a wide range of defence goods but will continue to export to niche markets. The export of defence products from Australia is carried out within carefully enforced guidelines.

The Australian Government does not permit export of defence goods to any country under a mandatory UN arms embargo, to countries whose policies are hostile to its own, or to countries which seriously violate their citizens' human rights (unless there is no reasonable risk that the items concerned will be used against those citizens).

### LAND MINES

Australia has recognised the humanitarian problem caused by landmines and the particular effects on women and children of the indiscriminate use of landmines. Australia has accepted that the only effective solution is to eliminate anti-

personnel landmines as a weapon of war. On 15 April 1996, the Australian Government announced that Australia supported a global ban on anti-personnel landmines and unilaterally suspended their operational use by the Australian Defence Force.

A revised Protocol II to the Inhumane Weapons Convention, which strengthens the restrictions on the use and transfer of landmines, was adopted on 3 May 1996 in Geneva. Australia was amongst the first States to ratify the Protocol in August 1997. The Australian Government is supporting the implementation and review conferences (November 1999 and 2001) and will continue to encourage increased adherence to the Convention as well as encouraging further ratification of the protocol.

On 14 January 1999, Australia ratified the *Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti Personnel Mines and on their Destruction*. Australia is active in promoting universal adherence to the Convention. Until the Ottawa Convention is universally observed, Australia will pursue complementary international strategies to strengthen the global regime against landmines.

Australia will continue to lead efforts for the Conference on Disarmament in Geneva to negotiate a universal ban on

the transfer, export and import of landmines in order to find a truly effective solution to the global landmines problem.

In late 1998, the Australian Parliament passed the Anti-Personnel Landmines Convention Act 1998. The Act creates offences relating to the placement, possession, development, production, acquisition, stockpiling and transfer of anti-personnel mines by Australian citizens or members of the ADF, or on territory under Australian jurisdiction or control. The ADF is amending its doctrinal and operational manuals, which have the force of law, to ensure they comply with the Act.

## MINE CLEARANCE

On 31 March 1998, the Australian Minister for Foreign Affairs, the Hon Alexander Downer MP, announced the appointment of the Parliamentary Secretary to the Minister for Foreign Affairs, the Hon Kathy Sullivan MP, as Australia's Special Representative on De-mining. Mrs Sullivan's appointment underlines the priority the Australian Government places on building a solution to the global landmines problem.

Australia has been a long-standing contributor to international landmine clearance programmes. The Australian Government committed additional funding to de-mining of

approximately \$10 million and is actively engaged in international fora seeking to develop further strategies for de-mining and the treatment of landmine victims. The Australian Government expects to allocate in excess of \$100 million for de-mining, victim assistance and related activities by the year 2005.

Australia is currently the largest donor to Cambodia's de-mining programme. Australian soldiers are deployed in de-mining in Cambodia and Mozambique.

Australian NGOs are also making an important contribution to de-mining and victim assistance programmes in Cambodia, Mozambique, Laos and elsewhere. In providing assistance to landmine-affected countries, Australia concentrates on sharing its technical de-mining expertise with local and national organisations, thereby helping to develop Indigenous expertise in landmine clearance techniques. Australia is also active in funding landmine awareness activities in local communities and schools, and in supporting the treatment and rehabilitation of landmine victims.

Australia will continue to encourage non-parties to adhere to the *Inhumane Weapons Convention*, particularly countries that are non-signatories to the *Ottawa Convention*. Action in

international fora, such as the Conference on Disarmament, is complementary to the *Ottawa Convention's* goal of a global norm against landmines.

### LASER WEAPONS

Australia ratified the *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects* (the Inhumane Weapons Convention) in 1983. On 22 August 1997, Australia ratified Protocol IV to the *Inhumane Weapons Convention*, on Blinding Laser Weapons.

### NUCLEAR WEAPONS

Australia ratified the Comprehensive Nuclear Test Ban Treaty on 9 July 1998 and the pace of ratification is expected to continue.

*See also:*

- *D: Violence against Women* for details on serial sponsorship and the 'buy back' armaments measure.

### TERRORISM

Australia actively participated in the Ad Hoc Committee drafting an International Convention for the Suppression of Terrorist Bombings, which was adopted in December 1997.

Australia is currently engaged in the necessary domestic consultation processes to determine signature.

Australia is also participating in a further Ad Hoc Committee to draft a Convention Against Nuclear Terrorism and a Convention for the Suppression of Terrorist Financing, and participated in the latest session of the Ad Hoc Committee in March 1999.

## STRATEGIC OBJECTIVES

3. *Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations.*

4. *Promote women's contribution to fostering a culture of peace.*

## AUSTRALIAN DEFENCE FORCE (ADF) HUMAN RIGHTS TRAINING

The Defence Equity Organisation is developing a strategy to ensure that the core content of all equity and diversity training is the same across the ADF. The strategy covers initial training, promotion courses, senior leadership and specialist courses. The ADF's human rights training has a strong focus on the legal application of force during times of conflict, and on the treatment of civilians and those who become 'hors de combat' (that is, sick, wounded and prisoners of war).

This training is provided from point of entry, throughout members' careers and prior to overseas deployment. Instruction prior to overseas deployment also focuses on cultural diversities which members will experience. Members also receive equity and gender integration training from point of entry and in promotion courses.

## CHILDREN IN ARMED CONFLICT

Australia is an active participant in negotiations on an Optional Protocol to the *Convention on the Rights of the Child* on the involvement of children in armed conflict. The text has been finalised and will be submitted to the UNCHR in March 2000. The Optional Protocol will raise the age of voluntary and compulsory recruitment of children into the armed forces and prohibit the participation of children below 18 years.

The minimum age for recruitment into the ADF is 17 years of age. The ADF takes all feasible measures to ensure that members under age 18 years of age do not take part in hostilities.

## SEXUAL VIOLENCE AS WAR CRIMES

At the 1995 International Conference of the Red Cross and Red Crescent Societies in Geneva, Australia lobbied successfully for a resolution against

practices of sexual violence in armed conflict, the use of rape as an instrument of terror, forced prostitution and any other form of indecent assault.

On 17 July 1998, a Statute was adopted by the United Nations for the establishment of an International Criminal Court. Australia has been a strong supporter of efforts to establish the Court. Australia strongly supported the inclusion of rape, sexual slavery, enforced prostitution and other forms of sexual violence in the definition of war crimes. Australia signed the Rome Statute of the International Criminal Court in December 1998, and is now commencing the process which is required under national law to ratify the statute.

### AUSTRALIAN NGOS

Australia has a number of NGOs that undertake international activities for peace and freedom. The Australian chapter of the Women's International League for Peace and Freedoms works for disarmament, full rights for women, racial and economic justice, a sustainable environment and an end to all forms of violence. The International Women's Development Agency undertakes programmes with women around the world to promote the equitable growth of people and communities and the just distribution of basic resources and respect for human rights. The Australian National

Committee on Refugee Women works to improve the lives of women and children from a refugee background at a local, national and international level.

These and many other Australian organisations are built on the dedicated commitment of women around the country.

## STRATEGIC OBJECTIVES

*5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.*

### ASSISTANCE FOR REFUGEE WOMEN

Through bilateral and NGO programmes, the Australian Government funds a range of projects which take into account the needs of refugee women. The Australian Government supports vocational training to increase refugee women's employment opportunities and to address improved nutrition, conflict resolution and peace building.

The Australian Government is strongly committed to helping refugees and people who have faced serious abuses of their human rights. Australia's global and non-discriminatory *Humanitarian Programme* assists people affected by humanitarian crises

through resettlement. The size and composition of the programme are decided each year after wide-ranging community consultations and consideration of the world-wide resettlement needs identified by the United Nations High Commissioner for Refugees (UNHCR).

The 1999-2000 *Humanitarian Programme* has been set at 12000 places. This is notionally divided between offshore and onshore components, with 10000 places for people from overseas and 2000 places for people in Australia found to be in need of protection in accordance with Australia's obligations under the 1951 *Convention Relating to the Status of Refugees* and its 1967 Protocol.

The *Humanitarian Programme* is sensitive to the specific circumstances and needs of refugee women in a number of ways:

- comprehensive guidelines have been developed to assist departmental officers assess gender-based claims by applicants. In recognising that women may experience persecution and discrimination differently from men, the *Guidelines on Gender Issues for Decision Makers* provide advice on how decision makers can best approach claims of gender-based persecution. The Guidelines provide practical guidance on procedural issues which can

influence women applicants and which may affect their ability to present their claims (eg, in relation to receiving applications, managing interviews and ensuring confidentiality of information); and

- the *Woman at Risk Programme* (a component of the *Humanitarian Programme*) was set up in 1989 to advance the UNHCR goal of protecting refugee women and women of concern to UNHCR. It recognises that women in particularly vulnerable situations are often exposed to great risk of serious abuse, sexual assault, victimisation or harassment where traditional support and protection have broken down. Applicants can include female heads of families, mothers, widows and abandoned or single women identified as being at risk and in need of resettlement and are given priority. Australia granted more than 3000 visas between July 1989 and June 1999 and the planning figure for 1999-2000 is 420 places. Australia is one of the few resettlement countries that operates a specific *Woman at Risk Programme*.

In 1997, the Australian Government introduced special 'split family' provisions enabling holders of humanitarian visas granted overseas, or protection visas granted within Australia, to apply for entry of their

immediate family members to Australia without charge.

Australia's overseas aid programme included \$100.9 million for humanitarian relief programmes overseas in 1998-99. This is a significant increase from \$81.2 million in 1997-98. Much of Australia's humanitarian overseas relief supports refugees, many of whom are women, in countries of first asylum and where possible, assists in their repatriation. For example, Australia is providing support for a community resettlement programme in Sri Lanka that places a priority on women's needs. The programme supports micro-projects for communities in economic transition and currently includes projects that address resettlement, de-mining and the development of income generating activities.

## KOSOVO AND EAST TIMOR

The Australian Government has actively assisted in the recent humanitarian crises in Kosovo and East Timor.

The Australian Government responded to the UN's urgent humanitarian request to grant 'temporary safe haven' visas for persons displaced by the unrest in both Kosovo and East Timor. Women evacuees comprised 48% of all Kosovar and 52% of all East Timorese evacuees.

Australia provided urgent and initial

humanitarian assistance of \$3 million through UN agencies including the UNHCR, the *World Food Programme* and the Office for the Coordination of Humanitarian Affairs to assist with the displaced people of East Timor and West Timor. This funding is being used for activities such as purchase and transport for emergency relief supplies (blankets, plastic sheeting for emergency shelter, health and kitchen kits, mosquito nets and buckets, as well as food and water supplies).

The Australian Government is also working with Australian NGOs to develop further options for assisting in the humanitarian crisis in East Timor.

Australia has enacted the *International War Crimes Tribunals Act 1995*. This legislation implements in domestic law Australia's obligation to assist the tribunal established by the United Nations Security Council to investigate and prosecute war crimes and crimes against humanity committed in the territory of the former Yugoslavia, including Kosovo.

## HUMAN RIGHTS INFORMATION

The Australian Department of Immigration and Multicultural Affairs maintains country information on human rights abuses and UNHCR convention-related matters involving the violent ill treatment, including rape

and sexual abuse, experienced by women living in countries involved in civil war and conflict.

The information is available in electronic form and as hard copy documents for 60 countries, and as hard copy documents, for the full range of countries from which asylum-seekers arrive in Australia. It is used by departmental decision-makers and members of the Refugee Review Tribunal to assist in their determination of applications for refugee status in Australia.

*See also:*

- Strategic Objectives 1 and 3 above.

## STRATEGIC OBJECTIVES

*6. Provide assistance to the women of the colonies and non-self-governing territories.*

Not applicable to Australia.

## OBSTACLES AND LEARNING POINTS

- Unrest in many parts of the world since 1995, and the emergence of situations of armed conflict, continue to preclude the full attainment of the objectives of the Beijing Platform for Action. Women and children continue to be victims of armed conflict throughout the world.
- Australia has encouraged the use of peaceable dialogue and constructive engagement as an effective means to address emerging unrest and human rights abuses, with the goal of peaceable and cooperative action by sovereign nations to resolve problems within their jurisdictions.
- Where serious human rights abuses have occurred, Australia has shown itself ready to support international tribunals established to investigate and prosecute these abuses.
- Good progress has been made in standards setting conventions, particularly with regard to reducing inhumane armaments. Australia has been an active player in global de-mining activities and measures to reduce the availability of inhumane armaments. However, non-signature of key conventions by some States Parties continues to prevent the full achievement of these goals.
- The Australian community is supportive of humanitarian efforts, including the provision of temporary asylum to women, men and children affected by conflict in Kosovo and East Timor. The Australian community has made a sizeable contribution to private humanitarian aid appeals to provide assistance to those affected by conflict around the world.

- The Australian Government has made a strong commitment to support women in the ADF, through major reviews in 1996 and 1998. There has been, and continues to be, concerted action to address the findings of these reviews. There is widespread acceptance of these activities among both the Australian public and members of the ADF. Even so, it will take time to fully effect changes in deeply-rooted organisational practices and to ensure that women are able to participate in the ADF without attitudinal or other barriers.

### CONCERNS OF WOMEN IN THE COMMUNITY

There are concerns about the incidence of sexual violence against women in conflict and the need for an adequate level of government support to organisations providing services to women victims.

### FUTURE COMMITMENTS

Future commitments for women are incorporated above.

In the Australian Government system, new funding commitments are customarily announced in the annual Federal Budget. Additional commitments may be publicly announced in the context of the election platform or at other occasions.

The Australian Government's future budget commitments for women are comprehensively outlined in Delivering on our Commitments for Women, the Budget Ministerial Statement on Women from the Minister Assisting the Prime Minister on the Status of Women. A copy of this statement has been provided in response to Part 2 (Financial and Institutional measures).