



**United Nations Entity for Gender Equality
and Empowerment of Women**

Zenith Model United Nations 2014

BACKGROUND GUIDE

**Agenda: Rape, Perceptions of Rape, Rape
Culture – Role of Formal and Informal
Institutions.**

ZENITH MUN'14
MIRANDA HOUSE

LETTER FROM THE EXECUTIVE BOARD

Delegates,

With great anticipation, we welcome you to the United Nations Entity for Gender Equality and Empowerment of Women (United Nations Women) at Zenith Model United Nations 2014.

Since times ranging way back into the past, women have been subject to violence, disrespect and a blatant disregard of basic rights. We, as the UN Women, are taking a small step in reversing the subjugation of women in the hands of culture, society, religion and many other formal or informal institutions. The agenda at hand also pinpoints the areas where the women are not granted absolute freedom and their basic legal rights.

We envision a committee filled with delegates who have researched the agenda at hand thoroughly by recognizing the technical as well as the humanistic aspect of the same. A genuine willingness to surpass individual mental blockages in order to indulge in truly constructive debate so as to truly achieve the ends of the organization will support each one in the committee.

We wish you luck for the conference!

Abhinav Verma

Co-Chairperson

Puneeta Ahuja

Co-Chairperson

Joshika Saraf

Rapporteur

INTRODUCTION TO THE COMMITTEE

In July 2010, the United Nations General Assembly created UN Women, the United Nations Entity for Gender Equality and the Empowerment of Women. In doing so, UN Member States took an historic step in accelerating the Organization's goals on gender equality and the empowerment of women. The creation of UN Women came about as part of the UN reform agenda, bringing together resources and mandates for greater impact. It merges and builds on the important work of four previously distinct parts of the UN system, which focused exclusively on gender equality and women's empowerment:

- Division for the Advancement of Women (DAW)
- International Research and Training Institute for the Advancement of Women (INSTRAW)
- Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI)
- United Nations Development Fund for Women (UNIFEM)

In addition to the aforementioned mandates, the entity must lead, coordinate and promote the accountability of the United Nations system in its work on gender equality and women empowerment. The goal of UN Women is to enhance, not replace, the efforts by other parts of the UN system such as UNICEF, UNDP, and UNFPA, all of which will continue to work for gender equality and women's empowerment in their areas of expertise.

The main roles of UN Women are:

- To support inter-governmental bodies, such as the Commission on the Status of Women, in their formulation of policies, global standards and norms.
- To help Member States to implement these standards, standing ready to provide suitable technical and financial support to those countries that request it, and to forge effective partnerships with civil society.
- To hold the UN system accountable for its own commitments on gender equality, including regular monitoring of system-wide progress.

In accordance with the provisions of resolution 64/289, UN Women will work within the framework of the Charter of the United Nations, the Beijing Declaration and Platform for Action – including its twelve critical areas of concern and the outcome of the twenty-third special session of the General Assembly – as well as other applicable United Nations instruments, standards and resolutions that address gender equality and the empowerment and advancement of women. The organization is a dynamic and strong champion for women and girls, providing them with a powerful voice at the global, regional and local levels. Grounded in the vision of equality enshrined in the UN Charter, UN Women, among other issues, works for the:

- elimination of discrimination against women and girls;
- empowerment of women; and
- Achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security.

As part of the mandate, UN Women supports Member States in setting norms. It conduct research, and compile and provide evidence, including good practices and lessons learned, to inform intergovernmental debates and decisions. It also assist in implementing norms and standards through our country programs. In addition, UN Women leads and coordinates the UN system's work in support of gender equality and the empowerment of women. Besides this, it takes an active part in setting international standards using the means of Intergovernmental Forums for discussing women-centric issues.

Within countries that request its assistance, UN Women works with government and non-governmental partners to help them put in place the policies, laws, services and resources that women require to move towards equality. It draws on extensive knowledge and experience with which interventions work best in a given environment, and which do the most to unlock rapid national progress in attaining national and international commitments to women. It has increasingly become the focal point of the women-related activities of the United Nations and acts a coordinator for its activities in relation to women, while also taking measures to coordinate with regional bodies for regional development.

RAPE

Rape is a type of sexual assault usually involving sexual intercourse, which is initiated by one or more persons against another person without that person's consent. The act may be carried out by physical force, coercion, abuse of authority or against a person who is incapable of valid consent, such as one who is unconscious, incapacitated, or below the legal age of consent.

It is defined in many jurisdictions as sexual intercourse, or other forms of sexual penetration, of one person by another person without the consent of the victim.

The elements that form the definition of rape under the ICC Statute are that:

- "The perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body."
- "The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent."

Some countries, such as Germany, are now using more inclusive definitions which do not require penetration, and the 1998 International Criminal Tribunal for Rwanda defines it as "a physical invasion of a sexual nature committed on a person under circumstances which are coercive". In some jurisdictions, the term *rape* has been phased out of legal use in favor of terms such *asexual assault* or *criminal sexual conduct*. Many other countries or jurisdictions continue to define rape to

cover only acts involving penile penetration of the vagina, treating all other types of non-consensual sexual activity as sexual assault. Scotland is among the countries that emphasize penile penetration, requiring that the sexual assault must have been committed by use of a penis to qualify as rape.

PERCEPTIONS OF RAPE

1. Perception of Perpetrators and Victims

Early studies of social perceptions of sexual violence suggested that most people pictured the crime in an extremely narrow way, involving rape in situations where the victim was violently attacked outside by a stranger at night. In this “classic stranger rape stereotype,” those victims who were considered to be “legitimate” were typically women who were not engaging in any “questionable” behavior such as drinking alcohol or dressing suggestively. According to this stereotype, clear physical force was used by the perpetrator, which was regarded as evidence that in no way had the victim consented. Perpetrators of sexual violence were typically viewed as strangers who were psychologically disturbed, pathological men who preyed on women and children.

Over the years, many scholars and those working in the field of sexual violence attempted to challenge the classic rape stereotype. The 1970s introduced feminist writing on the issue of rape, largely concerned with redefining it with a focus on holding the perpetrator accountable. This included framing it as an issue of power and control, not mental illness. During the 1980s, advocates and researchers emphasized that an exclusive focus on stranger rape prevented recognition of the majority of sexual assaults, which were committed by acquaintances. As a result, “acquaintance rape” became a major public concern, and the topic was seized by the media. Since that time, a large body of research has evolved that explores sexual assault occurring in acquaintance situations, particularly on college campuses.

2. Perception of Justice in Rape Cases

In ancient history, rape was viewed less as a type of assault on the female, than a serious property crime against the man to whom she belonged, typically the father or husband. The loss of virginity was an especially serious matter. The damage due to loss of virginity was reflected in her reduced prospects in finding a husband and in her bride price. This was especially true in the case of betrothed virgins, as the loss of chastity was perceived as severely depreciating her value to a prospective husband. In such cases, the law would void the betrothal and demand financial compensation from the rapist, payable to the woman's household, whose "goods" were "damaged". Under biblical law, the rapist might be compelled to marry the unmarried woman instead of receiving the civil penalty if her father agreed.

Adult women were often extremely reluctant to bring up charges of rape: public admission of having been raped was severely damaging to one's social standing, courts tended to be skeptical of the charges, conviction rates were low, and, in the event that the accusation could not be proved, the victim could

then be accused of committing adultery with the rapist (traditionally a serious offense that could have been punished by mutilation or even death). Certain classes of women, such as prostitutes, were banned from raising accusations of rape altogether.

The criminal justice system of many countries was widely regarded as unfair to sexual assault victims. Both sexist stereotypes and common law combined to make rape a "criminal proceeding on which the victim and her behavior were tried rather than the defendant".

RAPE CULTURE

Rape Culture is an environment in which rape is prevalent and in which sexual violence against women is normalized and excused in the media and popular culture. Rape culture is perpetuated through the use of misogynistic language, the objectification of women's bodies, and the glamorization of sexual violence, thereby creating a society that disregards women's rights and safety.

Within feminism, rape culture is a concept that links rape and sexual violence to the culture of a society, and in which prevalent attitudes and practices normalize, excuse, tolerate, and even condone rape.

Examples of behaviors commonly associated with rape culture include victim blaming, sexual objectification, and trivializing rape. Rape culture has been used to model behavior within social groups, including prison rape and conflict areas where war rape is used as psychological warfare. Entire countries have also been alleged to be rape cultures.

***NOTE FROM THE EXECUTIVE BOARD**

The information provided in the section above only correlates to the theoretical knowledge of the issues relating to rape, however, it is an issue that cannot be understood without taking into account the differences and practicalities of each rape that occurs which itself is on a rise in the recent past. The agenda correlates three intricate concepts of rape where in first the issue of how to define it completely and efficiently is of the utmost importance, followed by tackling the social and legal perceptions of rape as a crime, an incident or an activity conducted by one or more parties. The last part focuses on how it is not the rapist that rapes, but the years of sexist trends and male chauvinism in the society is the real perpetrator of rape. The solution for the same can only be found by recognizing the technicalities of the three issues discussed above and choosing the right mix of formal and informal institutions to carry out the change that we are trying to bring into the society.

To understand the challenges and differences in different rape cases, the following incidents must be looked upon-

1. The Houston gang rape

The 1993 rape and murder of 16-year-old Elizabeth Pena and 14-year-old Jennifer Ertman is considered the most vicious gang rape in Houston, Texas' history.

On the night of the attack, the two girls were trying to make it home before an 11:30 curfew. The shortcut they took over a railroad bridge brought them face-to-face with a gang drinking beer and initiating a new member. Pena and Ertman were grabbed and gang raped for an hour before they were murdered. Authorities were led to their bodies through a tip and a call to the police by a brother of one of the gang members who had boasted about what they had done with the girls. Of the six people convicted, five were sentenced to death.

2. Ukrainian woman raped by three

Oksana Makar, an 18-year-old Ukrainian, was raped on March 8, 2012 by three men. After sexually assaulting her, the men attempted to strangle her and then set her body on fire. She was found by a construction site alive and still alright. Makar later died from the injuries she sustained. Local authorities caught the three men involved, however two of the three, who were well connected in the area, were released with no charges. After a national outcry, the two released men were re-arrested and charged with premeditated rape and murder.

3. Delhi Gang rape and murder case

The 2012 Delhi Gang rape and murder case was one of the most thrilling and brutal cases. A 23 year old woman and her friend were on their way back home after watching a movie Life of Pie. They took a white line bus from Munirka to Dwarka. When the people inside the bus taunted the couple, her male friend tried to intervene. He was beaten with an iron rod and knocked

unconscious. They beat her with iron rod and raped her and damage her abdomen and intestine. All the six people were arrested and one of them Ram Singh died during the trial period in jail. Four of them are going to be hanged and the young boy under 18 has been sent to a juvenile home.

4. Horrific gang rape at the hands of 9 armed men in rural Papua New Guinea

On Friday, 19th April, 2013, the 32-year-old victim was researching birds in a remote forest on Karkar Island when she, her husband and a guide were ambushed by nine men wielding rifles and knives. They tied up the two men and stripped them naked, then bound the woman's hands and gang-raped her for 20 minutes. The men completed the atrocity by hacking off her blond hair with a knife, leaving the group tied up alone hours away from the nearest village. The group eventually freed itself and found the way to the nearest village.

Husband and wife returned Saturday to Port Moresby, the nation's capital, where they filed a report with police and the American embassy. On Sunday, the brave victim spoke publicly about the incident with reporters. The crime drew a sharp rebuke from Peter O'Neill, the prime minister of Papua New Guinea, who called it the "cowardly act of animals."

5. Gang rape by Muslim asylum seekers of a young 29-year-old Swedish mother of two

Seven-hour non-stop gang rape by 12 Afghan Muslim refugees was the 'most gruesome rape marathon in Sweden's history,' said prosecutors. The rape was oral, anal, and vaginal, with up to three rapists in her at the same time. However, only 7 of the 12 rapists were convicted. The other Muslim onlookers were clapping and cheering and calling the woman a "whore" and a "slut," how Muslim men describe

unveiled women. The victim is now confined to a wheelchair, suffering severe mental distress. The Swedish media concealed the ethnicity of the perpetrators and quickly removed the story. Swedish socialists say it would be “racist” to deport the rapists. Sweden is now considered the rape capital of the world.

6. Mount Rennie rape case -Sydney

On 9 September 1886, sixteen-year-old Mary Jane Hicks, while walking to a city employment registry, was offered a lift by Charles Sweetman, the driver of a hansom cab, who instead drove her in his cab to the Moore Park area, an

isolated piece of bushland in the suburb of Waterloo. He attempted to molest her in the cab but she screamed for help. Two young men approached and took her out of the cab, purporting to save her from disgrace. At this point, Sweetman departed with his cab.

The young men walked her to a different isolated location where they were joined by several others, some of whom began to take turns in raping her. The girl's screaming was heard by a passer-by, William Stanley, who attempted to rescue her but was driven off by the gang with bricks, stones and bottles. Stanley ran to distant Redfern police station, where he reported the crime at about 4 p.m. When the police arrived on the scene at 5 p.m., they interrupted the crime which was still in progress, but were unable to apprehend any of the fleeing offenders. Following inquiries, twelve men were identified and eventually arrested, including Charles Sweetman, the cabman. At least one reporter formed the view that Sweetman had deliberately planned to deliver a girl to the push members who were assembled and waiting for the purpose.

The victim, Mary Jane Hicks, testified that she had fallen into and out of consciousness during the ordeal, but gave evidence that at least eight men held her down and took turns to rape her, and that many others were present, including some who had not been apprehended.

7. Rape of South African Teenager Anene Booyesen

On 2nd February, 2013, seventeen year old Anene Booyesen was found by a security guard at a construction site after she had been viciously raped and mutilated. Anene had been left for dead after being gang raped. Booyesen had been cut open from her stomach to her genitals—at least one of her attackers then reached inside of her abdomen and withdrew her intestines, replacing them with shards of a broken glass bottle. When Anene was discovered at the construction site, her intestines had been strewn about her body and were covered in sand.

According to her foster mother, Corlia Oliveier, all of Booyesen's fingers had been broken as well as both of her legs. Anene's throat had also been cut. Ms. Booyesen eventually succumbed to her injuries and died shortly before 10PM, some time after being able to identify at least one of her attackers—a man who had allegedly been an boyfriend and childhood friend. Two other men were later arrested and all are set to be arraigned within the coming week.

