

DOMESTIC VIOLENCE IN THE OSCE REGION



September 7, 2001

Briefing of the
Commission on Security and Cooperation in Europe

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ABOUT THE ORGANIZATION ON SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe (OSCE). The membership of the OSCE has expanded to 55 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys more than 20 missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

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FRIDAY, SEPTEMBER 7, 2001

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DOMESTIC VIOLENCE IN THE OSCE REGION

FRIDAY, SEPTEMBER 7, 2001

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The briefing was held at 10:30 a.m. in Room 2200, Rayburn House Office Building, Washington, DC, Honorable Christopher H. Smith, Co-Chairman of the Commission on Security and Cooperation in Europe, moderating.

Witnesses present: Winnie Bartel, Executive Director, World Evangelical Fellowship Commission on Women's Concerns; Nancy Murphy, Executive Director, Northwest Family Life Learning and Counseling Center, Seattle, Washington; Robin Phillips, Director, Women's Human Rights Program, Minnesota Advocates for Human Rights.

Mr. SMITH. Good morning. Ladies and gentlemen, I want to thank all of you for coming out to this very important briefing on domestic violence in the OSCE region. My name is Chris Smith. I'm the Co-Chairman of the Commission on Security and Cooperation in Europe. I have been on the Commission now for 10 of my 11 terms as a Member of the House.

This issue of domestic violence and violence against women, in general, including the egregious issue of trafficking, has been an issue that we have tried to address, not only through hearings, but also through legislation. We have put on the table a copy of the Victims of Trafficking and Violence Protection Act, of which I was the prime sponsor last Congress, which has now been signed into law. The bill had several major components. The first dealt with trafficking and the exploding issue of women being trafficked, mostly into prostitution, and treated as slaves.

The second part of the bill deals with the reauthorization of the Violence Against Women Act, a 5-year, \$3.3 billion piece of legislation that had a number of new components to it, including an emphasis on stalking, a form of violence that happens on our college campuses increasingly.

There is also a Megan-type law where there has to be disclosure. Megan Kanka, the young girl who was exploited and violently killed several years ago, lived in my district. We now have in that legislation a similar disclosure provision so that a known predator on a college campus has to be made known so that at least a warning signal goes out.

We also have a new provision in the law dealing with immigrant women, women who are being exploited, who may be here illegally. They find themselves at a loss to disclosing that and bringing action against a perpetrator because of fear of deportation. Copies of that legislation are over there if you'd like to take a look at it.

In 1991, and again in 1999, the 55 participating States of the Organization for Security and Cooperation in Europe [OSCE] committed themselves to addressing violence against women. Despite these long-standing commitments, to date, the issue has not had a high profile in the work of the OSCE, and more important, in many OSCE countries themselves. In June of this year, the OSCE convened, for the first time, a one-day meeting

in Vienna, Austria, to raise among the national delegations an awareness of the scope and severity of the problem of violence against women, including domestic violence, in OSCE countries.

Domestic violence is a serious problem in every country where it has been studied, including in OSCE participating States. Research shows that women of all ages and socioeconomic and educational backgrounds are subject to domestic violence. Statistics regarding the prevalence of domestic violence are staggering. According to the Department of Justice's National Violence Against Women Survey published in July 2000, of the women who reported being raped and/or physically assaulted since the age of 18, three-quarters were victimized by a current or former husband, cohabiting partner, date or boyfriend. Approximately 1.5 million women, and nearly 835,000 men, are raped and/or physically assaulted by an intimate partner annually in the United States.

Data from other researchers indicates that around the world, at least one in three women has been beaten, coerced into sex or otherwise abused during her lifetime. In this country, on average, more than three women are murdered by their husbands or boyfriends every day, according to the statistics. In a national survey of more than 2,000 American families, 50 percent of the men who frequently assaulted their wives also frequently abused their children.

In other OSCE countries, the problem is just as bad and perhaps even worse. In Russia, for example, the government's statistics reveal that 14,000 women died in one year alone, 1997, due to domestic violence. In Hungary, non-governmental organizations estimate that 150 women die each year at the hands of their husbands or boyfriends and hundreds more take their own lives to escape an abusive relationship.

As appalling as these statistics are, research in the United States and worldwide indicates that many, perhaps most, instances of domestic violence are never reported to legal authorities. So the statistics may not even tell how pervasive the problem is. I think we're looking just at the tip of the iceberg. Domestic violence infringes upon an individual's right to life, to security of person, and to freedom from torture, cruel, or inhuman and degrading treatment.

Despite the shocking statistics and the obligation of governments to respond when an individual's human rights are under attack, individuals in many countries minimize the problem of domestic violence or even consider it a matter of private concern outside the purview of the legal system. Police routinely discourage women from making complaints against abusers, and abusers are rarely removed from their homes or jailed. The overwhelming response to domestic violence by the police, prosecutors and the courts is to urge women to reconcile with their abusers despite the danger this poses for the battered woman.

In many countries, legal and social services for victims of domestic violence are severely lacking. We have today a number of very important spokeswomen, people who have been on the cutting edge of trying to mitigate and, God willing, end this terrible practice. First, we will hear from Robin Phillips, the Director of the Women's Human Rights Program at Minnesota Advocates for Human Rights.

Ms. Phillips is an attorney and has conducted fact-finding missions to document violations of women's human rights in the context of domestic violence in Romania, Bulgaria, Albania, Macedonia, Poland, Armenia, Moldova, Ukraine and Uzbekistan. Ms. Phillips has written on a variety of topics related to women's human rights including trafficking in women, employment discrimination, sexual harassment, domestic violence, and she has

taught a course on women's international human rights at the University of Minnesota Law School.

Next, we will hear from Winnie Bartel, who serves as the Executive Director of the World Evangelical Fellowship Commission on Women's Concerns and its Task Force to Stop Abuse Against Women. Ms. Bartel has a Bachelor's Degree in Psychology from Tabor College and a degree in Biblical Counseling from Scope Counseling Institute in Oklahoma City. She has worked as a marriage and family counselor for more than 25 years, and is a frequent guest speaker at women's conferences and other gatherings.

Finally, we will hear from Nancy Murphy who is a licensed mental health counselor. Ms. Murphy has worked in the field of domestic violence for 11 years. She is currently the Executive Director of the Northwest Family Life Learning and Counseling Center in Seattle as well as an Adjunct Professor at local Seattle universities and host of a daily radio program addressing the issue of family violence.

Ms. Phillips, if you could begin.

Ms. PHILLIPS. Thank you all for coming. I want to thank the Helsinki Commission for allowing me to come and speak to you about issues that are really important to me. As Congressman Smith said, I'm Robin Phillips and I'm here to talk to you about Minnesota Advocates for Human Rights' work on domestic violence in OSCE countries.

We document domestic violence as a human rights abuse, which means we document the prevalence of the problem. We do an analysis of the legal system and the government response. Then we review whether the response is consistent with the country's international obligations under the treaties it has ratified. I left some reports out on some countries where we have studied domestic violence.

Domestic violence is a serious problem in each country where we have done research and I will be bringing up specific examples from countries where we have worked but it is important to point out that the problem of domestic violence is universal. Generally speaking, no country should be singled out for greater violations than any other country. That being said, no country's human rights violations should be ignored just because they happen everywhere.

Women are being seriously injured and killed by their husbands and intimate partners in countries around the world. Women's human rights are being systematically violated. Governments of these countries are not responding appropriately to the problem. These governments are not complying with their international human rights obligations to protect the human rights of every person in their countries. The United Nations has clearly outlined the responsibilities of governments to protect against human rights violations and to provide adequate remedies when human rights are violated.

Governments are also required to meet the health and social needs of the victims in compliance with their treaty obligations. However, today, I will focus on the civil and political rights violations associated with domestic violence and the lack of appropriate legal remedy. At the end of the presentation, we'll take questions. I would be happy to answer questions about any of these issues.

Although each country in the OSCE region is unique, there are many similarities in their approaches to domestic violence. Often the first and only opportunity for the state to intervene in a domestic violence dispute is when a woman calls the police to seek assistance. The police response in the countries we have studied is lacking.

The police often do not take the problem seriously. They do not respond to calls for assistance and if they do, they do not remove the perpetrator from the home. For example,

in Macedonia, a woman I interviewed had made several complaints to the police about beatings by her husband. She went to the police station with a broken jaw and blood all over her face. The police ignored her and refused to arrest her husband. They only arrested her husband when he attacked the woman's cousin when he was trying to protect her.

Also, in Macedonia, several women in prison were also victims of domestic violence. They were either forced to commit crimes such as prostitution or theft by abusive partners or they killed their abusers to protect themselves. Several women reported that police had raped or beaten them while they were in custody. These women said they were much more comfortable being in prison because they didn't have to worry either about their husbands or being harassed by the police. The warden of the prison in Macedonia said that he ran the only shelter in the country.

When we asked the Chief of Police in Skopje and the Deputy Minister of Internal Affairs to respond to these allegations, they simply denied that any domestic violence existed, and they said that all of the stories we heard were simply untrue. In many countries where we documented domestic violence, people who provide services to women identified police and military officers as perpetrators of the problem. Many pointed out that when perpetrators have connections to the police, the police are even less likely to intervene.

In many countries, the police also face a serious lack of resources. For example, in both Moldova and Ukraine, many police officers have not been paid for several months, and they do not have money to put gas in their police vehicles. Several officers described riding the bus to answer police calls, and when we asked what the police officer did when he believed a serious crime was in progress, he said, "I run."

With limited exceptions, police training does not include instruction on proper intervention in cases of domestic violence. Police are not trained about the unique issues domestic violence victims face or the human rights implications of failing to appropriately respond to a call. Women also run into obstacles when they attempt to pursue prosecution of domestic assaults. The greatest obstacle for many is the forensic medical system.

Generally, the only evidence the court will accept of an injury is an official certificate from a forensic medical expert. The purpose of the certificate is to document the extent of an injury a woman has sustained. In some countries, the offices of the forensic doctors are at inconvenient or inaccessible places. The office hours are extremely limited or the doctors charge fees that can be as high as an average month's salary for a woman. One example is Moldova: the Forensic Institute is located 10 minutes beyond the last bus stop, and women generally do not have money for cabs, and families do not routinely have cars. There is just no way for a victim of violence to get there.

In other countries, forensic medical doctors will consider the circumstances of an assault and modify the description of the injuries based on their opinion of whether the woman provoked the assault. For example, in Romania, we reviewed court files of domestic assault cases. In one, a forensic doctor graded an injury as minor and described it as taking 14 days to heal. The injuries the woman sustained included a broken leg. When we asked why they would grade a broken leg as taking 14 days to heal, the judge said the doctor likely asked the woman questions and because he believed she provoked the assault, he downgraded the injury. The consequence of grading an injury at this level in Romania is that the woman is left to prosecute the case on her own, with no assistance from a state prosecutor.

The legal system in each of these countries where Minnesota Advocates has worked allows a crime victim to pursue a private criminal prosecution if the state does not prosecute. In the case of domestic violence, women face additional burdens because of their fear of the abuser and the expense of prosecuting a case against someone upon whom the woman may be financially dependent.

In Poland, several forensic doctors expressed extreme skepticism of women victims of violence. They said that they viewed their first responsibility as determining whether the injuries could have been caused in the manner the victim described. They expressed the opinion that a woman would lie to achieve an advantage in a court case, although none of the doctors interviewed could give specific examples in which a woman actually did lie. Doctors universally expressed this mistrust of women.

The actual laws also present an obstacle. For example, in Bulgaria, the criminal code divides assault into three levels, grave, medium and light. Pursuant to the criminal procedure code, the state does not prosecute light injuries and only prosecutes medium injuries if the victim and the perpetrator are not related. The result is that if a woman is stabbed walking down the street and does not sustain permanent injuries or permanent disabilities, the state will prosecute that crime. However, if she walks into her own home and sustains the same injuries from her husband, the state will not. Though the injuries result in a criminal offense based on the criminal code, the woman is again left to prosecute the crime on her own.

Besides the failure of the state to assist in prosecution, the courts often fail to assess proper penalties. Dozens of judges in countries in the region express reluctance to harm the family relationship by sentencing a batterer to serve jail time.

One judge in Bulgaria said that there is little public interest served by sentencing men who beat their wives to serve time in jail because these men do not pose a danger to society in general. Often men receive only a suspended sentence or fine. With a fine, married women are legally responsible for insuring that the fine is paid because of their relationship to the perpetrator. In Armenia, women expressed reluctance to pursue prosecution of domestic assault because they didn't want to jeopardize their limited family resources.

In many countries, the legal system response is focused on reconciliation. In Albania, women experienced a complete lack of support at all levels of the legal system. Prosecutors, judges and police all view their role as convincing a woman to pardon her husband. The result is that in a 5-month period, 150 to 300 women presented their cases to the prosecutor's office in Tirana and only 10 cases were actually filed in court. All ten were dismissed on the first day at the women's request pursuant to the urging of the judge.

Many government officials in the countries in which we work express opinions about domestic violence based on myths that are common in the United States and in countries all over the world. The most common is that alcoholism causes domestic violence. Although alcohol may exacerbate a particular beating, data shows that many perpetrators continued to abuse after they've stopped drinking.

In Poland, the entire government intervention is based on the myth that alcoholism causes domestic violence. The intervention programs focus on alcohol treatment for the man and not on holding the man accountable for committing a crime and violating his wife's human rights. In fact, the domestic violence intervention program is run out of Poland's agency for solving alcohol related problems.

Although the situation is grave, there are reasons to be hopeful. I was privileged to attend a police training workshop in Moldova. A high-level official of the Ministry of In-

ternal Affairs stood in front of a room of first-line police officers and told them that domestic violence violates the fundamental human rights of women. He said, "What that means is when you do not respond to a call, you are violating international human rights law and that is unacceptable."

This statement is powerful. Directives from top officials are critical to improving the state response to domestic violence. The United Nations has taken the lead in recognizing domestic violence as a human rights abuse. Many countries in the OSCE region are very concerned with improving their respect for human rights. As a result, many states are at the beginning stages of recognizing the problem of domestic violence as a human rights abuse. Although this recognition has not necessarily translated yet into improved state response, it is a necessary first step.

Whenever I have a chance to address this issue publicly, I like to close by encouraging people who work on advocacy efforts for women and people who make policy for women, to listen to women, to listen to their stories, and to remember always that we do this work because women are being beaten and killed. We want to protect them. We need to listen to their stories to determine the best solutions and the most effective responses to the problem. Thank you for your time.

Ms. BARTEL. Thank you, Robin, for sharing this morning. And I want to thank all of you for coming. There are those of us who sit here in this row that are working in the trenches of this every day. To get a listening ear for the hundreds and thousands and millions of women we represent is awesome. I want to thank, first, Maureen Walsh from the Helsinki Commission for putting this together today. This encourages me beyond words because we sit there and wonder is anybody ever hearing what we're seeing as we travel around the world.

I want to thank Representative Smith. Congressman Smith was with me in Beijing in 1995 when we were at the UN Conference on Women. We trenched through the mud, spent weeks there speaking for the human rights of women, and he continues to be our advocate. We are so thankful for him, and we are appreciative of his efforts. Also, I want to thank the gentleman for being in this room. I wondered how many gentlemen would be here to hear the issues of the suffering of women, because of the fact when I travel around I'm told, "Oh, Winnie, it is a really good thing. You women should address these issues. That is your thing. You need to do it. We feel sorry for you." Never do they realize that there's another part of this equation that is missing: the perpetrator.

I know full well, gentlemen, as a marriage and family counselor, women abuse men, and I apologize. I apologize immensely to you on that behalf. But the statistics are far more severe on the other ratio. So thank you for being here.

The problems of abuse against women have been around for centuries. What is truly becoming a universal phenomenon is that it is becoming evident things are worsening. I can document this from the U.N. Conference in 1995 where we tried to address the issues. Things have gotten worse 6 years later. In our modern world today, women are increasingly filling significant roles in business and society as well as in the church and in the home.

However, along with these greater responsibilities has come a proverbial onslaught of all forms of abuse. As a world leader in the evangelical church, I sadly share with you that battered and bruised, hundreds of thousands of women quietly fill houses of worship around the world keeping silent about the secret that rules their lives. They are victims of domestic violence and abuse.

As Executive Chair of the Task Force on Abuse Against Women sponsored by the Commission on Women's Concerns for World Evangelical Fellowship, I must report to you that no society is exempt from domestic violence just as my sister here, Robin, did. As I travel around the world, I have witnessed firsthand the immense injustice against women which challenged me to appoint this international task force on abuse and injustice against women.

The task force is made up of the World Evangelical Fellowship [WEF] leaders from every region of the world: Africa, Asia, Caribbean, Europe, Latin America, Middle East, North America and the South Pacific. It also includes women of expertise, such as medical doctors, sociologists, and psychologists, as well as theologians. We began our study by developing a Biblical affirmation of human dignity and value and a biblical response to preventing abuse against women. This was the foundation for our work.

The 3-year study concluded its research this spring by publishing our report titled *No Place for Abuse*. I brought a few extra copies for you. If there isn't enough, you may see me. I will send you this report. This is our complete analysis and our research, our findings and our suggested programmatic changes.

Our survey was conducted in each region of the world through the WEF framework of regional and national alliances which covered approximately 114 nations. In the OSCE region, we have two representatives on our task force, one from Croatia and one from Bulgaria. I must confess that we have found, as a whole, the church has not wanted to believe that this perpetration exists in the Christian home.

Pastors have not spoken about this issue in the pulpit and leaders have not been willing to discuss this element within their sphere of influence. As I have been speaking with women around the world, it has become very evident that abuse and injustice against women is one of the cruelest and greatest challenges women face going into the 21st century. As recent as 2 weeks ago, I received a report from one of my European contacts that women in Afghanistan have now lost all hope of anyone ever coming to their aid. Hope is gone.

In Europe, a report received on August 20 showed clearly that in eastern European states, more and more women are being trafficked into sex slavery. This is a growing phenomenon. Criminal gangs lure tens of thousands of young women from poverty in the former Soviet bloc, sending them into nightmarish underground sex slavery in Europe. I was there a year ago and witnessed first-hand the sex slave trade markets. I was aghast.

The good news is we're beginning to see light at the end of the tunnel. Hope is on the horizon. At the 11th General Assembly of the World Evangelical Fellowship in Kuala Lumpur, Malaysia, 3 months ago, where hundreds of world leaders gathered, they unanimously approved the resolution to stop abuse against women. Copies of that resolution are being made for you and you may have one of these resolution copies. The resolution clearly denounces abuse and injustice as an evil, calling it a sin. It clearly states they will offer healing for those wounded in body, mind, and soul, and protect and provide help for those in need of safety. It also clearly states that they will admonish offenders in cooperation with civil authorities.

The churches failed in this matter, says Reverend Gregory Kivanguli, from the Pentecostal Church in Nairobi, Kenya. We need to talk about this matter, he told me, and condemn it from the pulpit. More church leaders and members are acknowledging that there is a problem but there is still much work to do. The church must make a stand about abuse and domestic violence against women. We must begin to speak out so that the voice

of the religious community is loud and clear: violence cannot be tolerated, and there is no religious, Biblical, or theological justification for domestic violence or any other abuse.

In the faith community, there is nothing in religious teachings of any faith or tradition that justifies abuse. As a marriage and family counselor myself, I have found that religion is often the missing component in secular counseling programs for battered women. Many of my peers feel as I do. Many counselors and social workers in domestic violence programs are beginning to recognize that it is a critical component of recovery, and we are now seeing a few communities of faith who are working and collaborating to respond to abused women. It is important for counselors to understand the role that religion plays in the lives of many abused women.

Spiritual issues are a crucial dimension of most women's experience of personal violence. The vast majority of women in the world today have some affiliation with a faith tradition. It cannot be overlooked when we address violence against women. A woman's religious beliefs will be a factor in how she responds to violence in her life, says Reverend Thelma Watson, an ordained Presbyterian minister who heads up a center for the prevention of sexual and domestic violence. They will either get in the way of her finding ways to protect herself and her children or they will be a resource to her.

Women are more likely to disclose their violation and abuse within the community of faith. A woman may be afraid to utilize community services and worry that a shelter will not respect her beliefs. She may go to a spiritual leader and be told to go home and be a better wife, putting her in danger of further and more serious abuse.

Women are silenced if their disclosure does not receive practical and emotional support. Churches, synagogues and mosques have been silent on the issue largely because of their emphasis on family and denial that people of religious conviction would abuse their loved ones, say some clergy. The church sees itself as an institution that is supposed to preserve marriage and families. So that is what they think they are supposed to do. We have heard it said by Christian leaders that they didn't have the problem of domestic violence in their congregation or denomination because they teach that families are people who treat each other well. So they are extremely shocked to find that statistics prove otherwise.

Let me share a few of those statistics. Some of them have already been stated. Domestic violence is a leading cause of injury and death to women worldwide. The World Health Organization says one in five women around the globe is physically or sexually abused in her lifetime. The American Medical Association, which was Rep. Christopher Smith's statistic, claim it is one in three. Their records prove it. Our study throughout the 114 nations and throughout the evangelical and faith-based communities show it is one in four. Our study verified the secular, or the American Medical Association's, findings in third world countries.

The American Medical Association says 1.8 million women are assaulted by their husbands every year. Gender violence causes more death and disability among women ages 15 to 44 than cancer, malaria, traffic accidents or war combined. Between 50 and 70 thousand women are smuggled into the United States as sex slaves. A report just received by the University of Texas on the 18th of August reveals that an increasing number of women from Russia are smuggled into the United States and forced to work as topless dancers and sex agents.

The head of the Women in War Project for the International Red Cross said to me in a report that she sent, that women and girls are the subject of innumerable acts of vio-

lence during situations of armed conflict. In Croatia, I just talked Monday to our leader from Croatia, the woman on our task force, Ksenjia told me, she said that in her research, again, she said, I wanted to find anything fresh and new that I could find for you for your report, Winnie. She said in the capital city of Zagreb, she said they found one, *one, one*, safe house. She also found only one group that is beginning to address this issue of abuse and injustice, a small initiative called the Center for Women's Studies.

She states there are no laws or mechanisms in place protecting women and when police receive the calls from women for help, the response is always the same. That is a family issue and they do not intervene in family issues. There's no legal support. However, again, let me state, ever more church leaders and members are beginning to acknowledge the problem. I'm pleased to share with you that religious leaders and faith communities in some parts of the world have begun to seek solutions for this violence. Here's just a sampling.

I shared previously with you about the whole World Evangelical Fellowship international response in May, 3 months ago, making this resolution to do everything within its power to stop abuse against women. I want you to know what this represents and how big an influence this is. This represents 114 national fellowships plus 105 associate member bodies which make up 1.6 million churches worldwide with a membership of more than 165 million evangelicals. That is huge in number.

I'm also happy to report to you that the WEF task force is currently focusing our newest initiative, a pilot project, in Croatia. We are partnering with the Evangelical Theological Seminary there to begin teaching and training courses beginning this November of this year. These courses will focus on Biblical and practical resources to counteract abuse. We will be there in November. I'm most proud to share with you that September 19–21 of this year, in 2 weeks, there will be held in the Houston, Texas, Astrodome, the Global Celebration for Women. An historic event never before attempted. Thirteen international women's organizations and more than 120 national organizations are gathering to unite their efforts in raising awareness of the immense suffering and injustice to women around the world and the need for the churches and the faith-based organizations to begin to respond.

What is significant is that each of the 13 world organizations, the fact that they are bringing together all of their world leaders to work together on this immense global state of emergency. I'm happy to share with you there will be a good representation from the states represented by the OSCE region of the world.

In Bulgaria, our WEF task force member reported this week to me that there is beginning to be a small, yet concerted, effort by faith-based organizations to join to address abuse because there is more and more public attention drawn to the severity of this problem. I talked to the Seventh-day Adventist Church's Director of Women's Ministries worldwide, Ardis Stenbakken, and she says that at every retreat and conference that they are holding, they talk about this issue and they educate their clergy. That is the commitment made by the Seventh-day Adventist Church.

The Presbyterian Church, as well, has formed a U.S. task force on healing domestic violence, and the task force is completing a policy statement which recommends that pastors, volunteers, and church officers must be trained to recognize and respond to family violence. They also recommend that pastors address this issue from the pulpit. Each church is to maintain a listing for referrals to the local government agencies for help. I could tell you more but I will go on.

Several interesting and very critical points must be made in closing regarding this

serious issue of abuse. From my personal and painful journey of recovery from sexual and psychological abuse as a child, I have come to the full knowledge of the immense importance of clergy involvement. Clergy hold tremendous power in their hands. The journey to healing is made extensively shorter in people's lives when the faith-based community gets involved.

Therefore, the Task Force on Abuse Against Women sponsored by the WEF Commission on Women's Concerns current initiatives are as follows: first, we are educating clergy. Our commitment is to educate clergy and make churches safe places to disclose abuse. When abuse is addressed from the pulpit, in the pastoral study, in women's Bible study classes, in Sunday school or in premarital workshop, things begin to happen within the church community. The implicit message rings out loud and clear: this church or this pastoral staff is a safe place to share experiences of being hurt. The first step on the road to recovery for women suffering abuse is to disclose the pain and humiliation they have endured to someone who is willing to listen in an environment that is safe and supportive. That is critical.

Second, to ensure coordinated appropriate response to the abuse victims. Once a woman's safety is assured, a plethora of practical needs surface. The provision of emergency financial assistance or permanent lodging or child care or legal counsel or transportation or help for ongoing emotional needs or medical attention or spiritual counseling.

Third, we're seeking to pave the pathway from the steeple to the shelter. Victims of violence experience a multitude of practical and spiritual questions and dilemmas. They need multi-faceted support, religious and secular, emotional and practical, yet workers trained in very different disciplines and ways of thinking often find it hard to cooperate to achieve a single goal. Secular workers, like social workers, do not often refer religious clients to clergy because they feel that the counsel offered in a pastoral study will thwart their client's healing journey.

Clergy, on the other hand, are reluctant to refer their parishioners to secular resources of help because they fear the counseling offered in a community health setting will break up the family and thwart a woman's spiritual development. Violence is a multi-faceted community problem with social, psychological, spiritual, legal and economic aspects. It cannot be eradicated by any one segment of society, however well intentioned. Working in isolation from the broader community, churches and clergy have a unique role to play in responding to the needs of abuse victims and their families. Faith communities can raise awareness of abuse and support violence-free family living by offering educational programs for men, women and children during their weekly routine of church life.

Holding abusers accountable while offering hope for those wanting to change their violent behavior is another avenue of intervention by congregations. The task force suggests restorative measures in its report, however, realizing that it is exceedingly difficult for abusers to alter their patterns of behavior. Our report suggests that the church take firm action in dealing with abusers referring to group intervention programs which force the abuser to take responsibility for his abuse. Spiritual leaders have a valuable, distinct role in the fight to end violence in the family, but their practical and emotional assistance is far more effective when offered alongside the resources of other professionals and agencies. Working together, combining expertise and mission, augments the healing journey of victims and has a potential to transform the neighborhoods that churches serve, ultimately affecting an entire city and the nations of the world.

In closing, I would like to make an additional statement. I must address the current imprisonment of women who are aiding the people of Afghanistan. The Taliban, in its

deliberate violation of basic human rights and total domination of Afghan women and girls has, in truth, declared a war against women including more than half the world's population. The Taliban's unwarranted severity against our American workers demonstrates not religious prejudice but their unrelenting disrespect for all women.

On behalf of millions of women in World Evangelical Fellowship, whom I serve, and the female members of the 13 founding partner organizations sponsoring the Global Celebration for Women, I commend the service of these heroic women and renounce those who persecute them. We ask that the articles of the Geneva Convention protecting religion and gender be invoked and that we plead for mercy that Afghanistan's ruling council drop all charges and that the international community refuse to tolerate those who conspire with such aggregation toward women. Thank you very much.

Mr. SMITH. Thank you, Ms. Bartel. Ms. Murphy.

Ms. MURPHY. Good morning. I'm from Seattle, Washington. It is about 8:00 Pacific time and I'm not a morning person. Nevertheless, it is very touching to hear each of your comments and for this invitation today to speak about something that is so dear to so many of our hearts. Obviously it is dear to yours because you are here, so thank you.

I'm going to give a perspective on domestic violence services in the United States. I'm quite ignorant about the OSCE. But when I read about what is being done, I'm very excited. Because our world's getting smaller and smaller, I think the efforts we make in any part of the country impact all of us. So thank you.

I'm the Executive Director of Northwest Family Life, a domestic violence center that provides advocacy and support for victims and treatment for batterers. We are a little "hole in the wall" agency, however, I believe that we represent growing work that is happening and needs to happen around the world. We have 600 men in a treatment program; men who are court-ordered to a minimum of a year-long treatment for domestic violence. We have 40 women. We have court-ordered teenagers in a "fresh start" program. They are mandated to attend our treatment program through the courts. As well, we provide victim services for hundreds of adults and offer a child witness program for children who witness violence.

We weren't very popular 10 years ago. We were really looked at as though we were part of the problem. It was assumed that we were trying to do family reconciliation, keep everyone together, and there was a lot of bias. We have made mistakes. But, one thing we know is that people care about their families. Women love their husbands. Husbands love their wives, or they love women. What are we going to do to promote peace in the home? We have attempted to address this issue in a way that does not polarize the sexes, saying that all men are bad and all women are good, in a way that does not overlook the needs of children. We believe healthy families are possible but oppose violence and abuse in the home.

If we can take a moment to think of whom we're speaking: Think of the woman who, at this moment, is suffering abuse. Take a moment to put yourself in her shoes. The shoes of a woman brutalized in unspeakable ways by the man who pledged to "love, honor and cherish her, 'til death do us part." You are hit in the face, punched in the stomach, cursed, raped with a blunt object, called names that sear your mind in front of your small children. If we could just take a moment to think of her because that is who we represent today. Even if she isn't being physically assaulted, think of her being yelled at or screamed at or put down so that those words are seared into your mind like a tattoo.

We speak of domestic violence today as representatives of the battered women who look after our country's children.

I want you to listen carefully, because there is a belief system permeating our world that allows violence in our homes and keeps us from naming behavior that has hurt so many women and children. It is the belief that what happens behind closed doors is a private family matter. It is not our business. I say it is! Violence at home is called domestic violence and it is our business. Imagine you are the woman who says “no more” and reaches out for help. Your face is stained with bloody tears like we heard about the woman in Macedonia. Your heart is broken, and your children are motionless with terror. What would you hope for? Would you hope for safety? Comfort? Guidance? Maybe revenge? Would you know where to turn? Or if you stayed with your husband or with your abuser, would that mean that you liked abuse? That you wanted it? Would it mean that you deserved it? Or could it mean that you were wounded, and you were afraid, and you were exhausted?

What message would you give your children if they stayed and if you left? How would you survive? What would your kids do without their father? What would your family think? Would you ask, where is God? Is there really a God?

We have heard today that domestic violence is the leading cause of injury and death to women worldwide. One in three women around the globe is physically, sexually abused once in their lifetime. How many women are here? Say, 40? What does it tell us about even the group here when we say “one in three”? Yet, is domestic violence part of our daily conversations, or is it something that we, too, avoid speaking about?

Gender violence causes more death and disabilities among women age 15 to 40 than cancer, malaria, traffic accidents and war. Primarily, but not always, domestic violence is a crime committed by men against women. We have heard today that it is global in nature. In research conducted in several OSCE countries, the following percentages of women report being physically assaulted—only physically assaulted. Consider the fact that if we factored in sexual and emotional and spiritual assault, then the numbers would be even higher than these: United States, 22.1 percent; Canada, 29 percent; Norway, 18 percent; Switzerland, 12.6; Turkey, 57.6; and in the United Kingdom, 30 percent.

Now, imagine that the battered woman calls you. You know that no one deserves to be beaten and abused. You know that you need to find her a safe place. You know that without intervention, violence is not going to stop in this home, but how are you going to respond? Would you know ways to keep her husband from terrorizing her? Would you know ways to keep safe?

You knew how to tell her that no one deserves to be beaten by the one they love, that the home should be a place of safety and that it grieved you that this was not the case for her. What if you knew of a shelter that had a bed for her and her children and were able to assist them in finding safety?

What if you knew all the right things to say and do, and you had all the time and money needed to help her, but her husband kept calling her, full of remorse and promises? Or, the pastor of their church convinced her that it was her God-given duty to stay faithful to her husband, to submit to his desires, to continue to take the abuse and to forgive and forget.

What if a family member betrayed a confidence and told the children’s father where you had carefully hidden his family before his treatment was completed?

What if the judge ruled for joint custody of the children even though the father had demonstrated, over and over, cruelty and neglect of his very own kids? Now the mother was required to stay in contact with her abuser.

Would you begin to fear for your life as well for getting involved?

Domestic violence, in most times and places, has historically been “a family matter.”

The notion implied in that phrase was that what happens behind closed doors is nobody else's business. It is a private affair to be handled within the family.

Quite to the contrary. What happens behind closed doors very much impacts our world. It affects each of us either directly or indirectly and to insist otherwise is ludicrous. March of Dimes research tells us that domestic violence is the number one cause of birth defects in newborn children. The number one cause of birth defects in newborn children.

Here's another case that makes what happens behind closed doors our business: children who witness abuse. They haven't been abused necessarily, but they have heard it. They have heard the yelling and screaming. They have seen it. These children are 1000 percent more likely to be our next abusers or our next victims. Imagine that. I have five children who witnessed abuse. That is a huge responsibility I have as a mother and that our society has for raising them. Just think of that: 1000 percent more likely to be our next victims, our next abusers. These children are 6 times more likely to commit suicide, 24 times more likely to commit a sexual assault, 50 percent more likely to abuse drugs and alcohol, 74 percent more likely to commit crimes against others. Of boys incarcerated for murder between the ages of 15 and 21, 60 percent are incarcerated for having killed their mother's abuser.

Domestic violence is our problem. Just think of the staggering cost to our educational system, our legal system, our health system, our criminal justice system, our neighborhoods and the workplace. Beyond the immediate and long-term consequences for the woman and her children the costs exacted are financial, emotional and spiritual. Violence behind closed doors costs all of us dearly for generations to come.

The first interventions focused on the victims' need to become more compliant, more submissive, to stop provoking him. One of our clients is in his 70s, and he was a very abusive man for more than 50 years. He was a welder. They never had any children because they knew that something was so wrong in their marriage that they didn't trust themselves.

Harold said that he always thought that his wife caused the episodes of violence and abuse. He would blame her for making him do it. One day she said to him, "Harold, I want you to go put your hand on that hot stove right now."

He said, "I'm not doing that."

"Harold," and she said it again, "I want you to go put your hand on that hot stove right now."

He thought, "What the heck, you cannot make me." When he said that, it dawned on him that she couldn't make him do that, so how on earth could she be making him hit her. For him, that had significance beyond anything else that he ever learned because he stopped abusing his wife.

In all the literature we read from Europe or from Russia, it talks about domestic violence being a private matter and about her provoking it. The assumption in the United States—my assumptions began there—was that if she would stop doing what she was doing, then he would stop doing what he was doing. Women were prescribed medications for depression and anxiety, symptoms commonly found among victims of violence and abuse. This approach assumed if she would just do something different, he would change. He wouldn't hurt her. She was identified as the problem.

Of major importance, women who tried becoming more submissive often found that it had the opposite effect. Interpersonal violence escalated. Confused, they began to speak out about their abuse. Counseling became the natural next step as women attempted to break the silence.

In counseling, she started to break the silence and tell about abuse. Then the counselor would suggest, "Well, why don't you bring him in." You know what happened when they

started doing couples counseling to address domestic violence? She would perhaps share everything, because they are in counseling, they are getting help. She would be so happy—“We’re getting help”—and start sharing everything. Sadly, many men present their public face for the counselor and save their private face for home. The woman would share everything that had happened, only to have it used against her. Encouraged to talk, she had a price to pay on the way home. That price was more violence in the home.

Couples counseling has turned out to be really costly for many, unless the therapist is very knowledgeable and skilled on this issue. There’s an assumption in couples counseling that there’s a problem in the relationship, that it is conflict, that there’s something in that dynamic. Often counselors would start with communication, better communication skills, better conflict resolution, those types of educational tools. Again, have we heard that approach has helped the cause of ending family violence? No, we haven’t. It has not helped.

The very name, marital therapy or couples counseling, suggests to some that this is a shared problem, that somehow others are responsible for the actions of the perpetrator. This starts the therapy out on shaky grounds and can result in continued subjugation of the victim and perhaps further injury or death.

Additionally, marital or family therapy is based on an assumption of equal power between members of the couple or of the family. This is simply not the case when one party has the power to economically control others, forcing them into compliance; or when one reserves the right to threaten or assault others after therapy when they say the wrong thing. Many of us who are counselors, unfortunately, have had the horrible experience of a couple coming in only to find out that he’s packed a gun to say, “Go ahead; you say anything out of line or you tell about it and you’re going to pay when you get home.” She is not in a position of safety to reveal anything.

If she does reveal anything, he’s exposed and feels threatened which often puts her at more risk. Domestic violence may be a problem in the family, but the use of violence and abuse are strictly an individual problem. It is a problem in the abuser and it must be addressed there if the violence is to end.

The next intervention, and a more current one, is anger management. The simple assumption is that if someone can just manage this angry emotion, then he won’t lose control and hurt others. Recognizing this, anger management has become a step forward in that the individual with the problem is sent for help alone without his partner. When you refer someone to anger management, you do not insist that the wife and the kids attend as well. It is for the person who has the problem.

However, think of this. Not all batterers use anger to control others. Not all batterers use control or use anger to control their victims. Conversely, not all men who have trouble with anger are batterers. So it has become evident to those of us who work in the field of domestic violence treatment that anger is one component that an abuser needs to address. It is not the only one. Jacobson and Gottman are from the University of Washington and they did a tremendous study. Their book is called *When Men Batter Women*. They found that there are at least two kinds of batterers who they call the “pit bulls” and the “cobras.” The pit bulls are the men whose emotions quickly boil over. They use physical force to abuse. A cobra is much more calculating. They are cool and methodical when they are inflicting pain and humiliation on their partners. They are not yelling and mad and, as we would say, out of control. Notably, their heart rates even went down as they were battering, according to their studies. Their desire is to control and have domination. When they are actually achieving that, everything’s fine. They were not expressing any angry emotions at all.

The abusers would never get court ordered to anger management. Additionally, Donald

Dutton from the University of British Columbia has researched the cyclical use of abuse. He reports that men who are abusers have serious mental health issues in addition to their problems with power and control that underlie their use of violence. Obviously, for many other men battering is a learned behavior. They have witnessed abuse, learned this behavior and learned it well. Their trauma remains. Anger management programs are not designed to meet the myriads of problems these men need to have addressed.

So, another stage in this whole development of addressing domestic violence has been the introduction of mandatory arrest laws. This has been probably the most effective move in the United States. Mandatory arrest laws have been introduced for men and women who physically assault an intimate partner or make threats, and Washington state and other states have added stalking.

While the abuser goes to jail, the victim is provided with a packet of information and resources for shelters and for services designed specifically for her and her children. With the law taking this problem seriously, many abusers' beliefs of entitlement begin to be challenged.

One of our star football players just pounded the window. He was driving home after the game when he smashed the windshield of his car while his wife and kids were in the car. When the police pulled them over and arrested him for domestic violence, he said, "What, a man cannot even smash his own property?" The police said, "Excuse me, sir, but you are scaring and threatening your family," and he was court ordered to domestic violence intervention.

His wife came in to see us, pleading to have help in getting the charges dropped. She was quite upset, "Oh, man, that is nothing. You should hear all the other things he's done. This is nothing."

That gave us a good opportunity to educate and provide her with resources for safety. Many people believe that an arrest and incarceration for domestic violence is the most successful technique for getting violent men to stop the abuse.

It gets their attention, and those who care about their image become quite willing to get help. It is important to note, others have found that arrests increase physical violence for those who do not have the need for social conformity. We call them sociopaths, or people who are above the law. So, as you develop strategies in your own communities, you need to know what would work best, and then do what comes next. There has to be a coordinated response. Police officers not only need to be trained and equipped, they need vocabulary and meaningful language, and they certainly need to be able to put gas in their vehicles if they are going to go out and make an arrest.

So in North America, a new counseling model has developed to stop violence in the home. In concert with the criminal justice systems, judges can order a batterer, over his objections, to attend approved counseling sessions. Approved means they cannot just be left to go to counseling, or their pastor, they have to go to a center that has extensive training, and there are requirements for counselors who understand this issue of family violence.

Men entering these programs are required to attend weekly, single-gender groups. They are not mixed, men and women. They are single gender for a minimum of a year or they go back to jail for their crime. In Washington state, they offer a Stipulated Order of Continuance, an SOC, so if someone is arrested for their first time and they complete a program satisfactorily, then the charge does not go on their record. That is incentive for people to get into the program. Otherwise, it goes on their record permanently and they go to jail.

Completing treatment has been a difficult thing. How do you measure that someone has completed it? At our agency, we are really tough. We do not say you've completed treat-

ment by attending and by paying your fees. They are all required to pay a fee. The way we terminate someone from our program or say that they've finished is we contact the people they live with and say "We know they bring their good guy to group, the good guy comes to group and we have really come to like him. He's told us this, that and the other thing. Nevertheless, what are you experiencing at home? If they are not safe at home and if they are still scared, we find ways to keep him in our program. The ones that stay and, listen to this, 3 or 4 years, are the ones who really change their behavior. They become safer men.

We work together as a community. You've heard about the gaps for victims, and we're trying to close them. Every month we meet together. The judges sit with us, the police officers, the treatment providers, the advocacy shelter workers, the educators. We sit together for training and to strategize to effect changes: For whom? For our women. For those who need to be safe. Coming together in order to address this issue with a unified voice are the legal system, advocacy groups, treatment providers, health care providers, religious communities, local governments and educational institutes. Coming together is no small feat. But it is crucial. As we come to an agreement on the definitions of violence and strategize our responses, we keep victim safety as our top priority. When we speak with a collective voice, our message will be neither fragmented nor contradictory, but a clear global call to stop domestic violence.

What makes the difference? The coordinated community response. As we go to Croatia and to other countries, we're having to start with a vocabulary—what is domestic violence? What is an arrestable offense? Is it calling someone a name? Is it sexually assaulting them? At least for starters, we say a slap or a hit. It is a starting place.

There is no excuse for domestic violence. In addition to being a psychological issue, a legal issue, a social or religious issue, domestic violence is a human rights issue. If there is no excuse for domestic violence, if safety in the home is to be our basic human right, then we must come together to close the gaps that exist to permit such a crime. We must provide places of safety for women and children where they feel supported and honored. Places where they can regain their dignity and worth, self-worth. They need places where they can heal from the degradation of their experience.

We must insist that the problem is resident within the one who does the abusing. The one who exercises power and control over another in intimate relationships. We must call abusers to account for their actions and persist in the work of facing them with the consequences of their behavior.

We must get involved, not only with our children but other people's children so that they never receive messages that would permit them to carry on the legacy of domestic violence. We must find ways to work together, to bring hope and healing to our sisters and our brothers around the world. We must walk in her shoes. Thank you.

Mr. SMITH. Thank you. I would like open the floor to any questions.

QUESTIONER. My name is Zamira Edwards. I'm with the Voice of America, Albanian Service. I will limit myself to two questions. I have one question. You mentioned Albania a little bit, so I would like you to elaborate on that country since we broadcast to Albania and Albanians in the region, and then I will follow up with a question for you to include also Kosovo if you have any statistics. How has the religion institution, whether it is a church or a mosque in Albania, especially, since Albania has been an atheist country for so many years, how has the religious institution played any role in this issue in that society. Again, please, a little bit more about Albania if you have. Thank you.

Ms. PHILLIPS. We published a report on domestic violence in Albania in 1996 and the

full text of the report is available on our website, which is www.mnadvocates.org. I do not want to monopolize the time by going into a long discussion, but I would like to say that our research in Albania showed a couple of things: first, the research showed the complete lack of support from the legal system for battered women in Albania, but it also showed that women tried to utilize the system. No matter how weak the system was, when women feel threatened, they try to utilize the legal system, they try to access justice.

I think that is something that is true in Albania and true in all these other countries where we work. Women know violence is wrong and women rely on the state to protect them and the state then has a huge responsibility to do so. Of all the countries where I have worked, I think in Albania there is the most hope. There are amazing groups there doing really good work, who are putting their own lives on the line to protect human rights for all people, including women. I think the response of groups in Tirana to the refugee crisis from Kosovo is really a strong example of their good work. The women in Albania are some of the most amazing women I have ever met, so while there are serious problems with a lack of infrastructure and a lack of legal support, I think we can do that lot to support people there.

That is all I will say, and I will just refer you to the report.

MS. BARTEL. Out of the ashes of pain and war, we're finding hope. With the recent conflict that has been in Albania, I want you to know that there is a tremendous new surge to address the whole issue. Because of the recent issue of war in Kosovo and Albania and what they are dealing with, the whole evangelical alliance was formed in Albania during this conflict 2 $\frac{1}{2}$ years ago. I sat with the leaders in Albania, members who came there from Kosovo. During this conflict, it was the churches—mainline churches, all the churches that gathered—that began addressing this whole immense need. Out of this pain and poverty has come an alliance and a working together that we have never seen before in those nations.

Yes, it has its problems but they are addressing it. There's hope there because of this recent crisis and the churches are now working cooperatively together. We have a very active alliance of faith-based organizations in Albania that are in a small but yet very strategic way because of what the war caused, the pain and suffering, they gathered their forces of the various faiths and they are working cooperatively. So, yes, there's great hope.

QUESTIONER. Thank you.

MR. SMITH. Yes, ma'am.

QUESTIONER. My name is Brooke Donald at the Associated Press. I was just wondering if you could speak more to what Congress or the administration can do. I do not know if I'm totally off guard here, but will the faith-based laws being discussed this term affect any of this?

MR. SMITH. To some extent, we have tried to be a little ahead of the curve. Partly because the issues have gotten this kind of exposure, and we have had such tenacious advocates as you've heard today who are willing to come forward and give us the best possible insights. The Violence Against Women Act which was originally enacted in the early 1990s was reauthorized, as I said, last year. We learned a great deal in those ensuing years. The chronicling of the problem—the collection of information from what was formerly a very passive collection process to a more active one—has helped us see the scope and the seriousness of the problem.

I would invite you to look at the provisions of that legislation because it does try to cover every aspect of this problem. We have found just as in the area of substance abuse, some of

the greatest achievements have been made where there is a religious response, that is to say one that is God focused, because the hurt is so deep. This is true for both the victim and the offender. In terms of trying to cure, if you will, or at least abate the offender, yes, psychological means can help but very often there is a missing component there as well.

Alcoholics Anonymous even recognizes the missing component in their steps, in terms of appealing to the other dimension, that would be the spiritual dimension.

In that legislation, we tried to cover every aspect, but we're open to further insights because there's always something that we could have missed. There's always something we haven't done. What we're trying to do with respect to the OSCE is to show this isn't just an American problem. It is not just a European problem. Violence against women is a universal problem that has been largely overlooked by design or perhaps by lack of knowledge. But, once OSCE participating States and other governments are aware of the problem, shame on us if we do not act as policymakers and lawmakers. I think Ms. Phillips pointed out that, the U.N. has tried to bring scrutiny and attention to this. Whether it be the abuse of trafficking or, as I said, battering in its many forms, more will be done. There's no doubt about it. What comes out of these surveys which are conducted is the unmet need. As was pointed out by Ms. Murphy, not only is domestic violence a learned behavior, but the propensity to commit abuse goes up a thousand percent among the children. I hadn't heard that statistic until just now. How do you break that cycle and put a tourniquet on the behavior passing from generation to generation? That needs to be looked at much more aggressively.

This idea that there are different triggers: mental illness versus learned behavior. I'm sure the mental illness component is far less frequent. That is a question I would have for our panelists as well, what are the triggers? If you know the triggers, you're more apt to be able to mitigate the abuse before it happens.

So, we will follow up with more legislation. We need to implement fully this legislation which is an authorizing bill, both domestically and internationally.

We now must, in appropriations bill after appropriations bill, make sure that every category is met adequately. I will give an example, the Commerce, Justice and State bill, which obviously does law enforcement but also provides appropriations for the State Department. Chairman Frank Wolf took our legislation, and in every category, fully funded the provisions. When the foreign aid bill was considered just before our district work period or recess, I offered an amendment to provide \$30 million to fully fund the foreign assistance provisions. Through U.S.A.I.D., money will be provided in Fiscal Year 2002 to help women in various countries have shelters.

We need to be tenacious in every aspect, making sure every bill fully funds the provision of the Victims of Trafficking and Violence Protection Act—the battered women component and, of course, the trafficking part. We are trying to implement the law fully. I could give you many more specifics if you'd like. We have a good law, and it needs to be faithfully implemented. I have met with John Ashcroft three times. He was a strong supporter of the bill when he was a senator, and he is committed to implementing it. Colin Powell has to be committed. Tommy Thompson and his bureaucracy at HHS have to be committed to implementing this and other laws which created a synergy in our laws. We must help these battered women, and we must prosecute and hopefully avert the abuse from happening in the first place.

The reason for this briefing is to see what further we as legislators can do and to continually enlighten all of us as to the scope of the problem. I hope that I answered that

question.

Ms. MURPHY. I would like to, if I could, just jump in here. A piece that I missed is that, while Northwest Family Life does not say we're a Christian agency, everyone on our staff, we have 18, that are Masters level or Ph.D. on staff who work with the abuse program, all have a faith. Of the 600 men, most say that they have a faith. We are trying to work with suspicion with the government. You know, if we weren't a "faith-based organization" those people wouldn't come to us, because they're our pastors, they're our lawmakers and our educators. How do you bridge that gap between faith and government? This is one way that we're trying to address it. I'm scared. I have got to admit, I'm scared for the religious organizations to address this issue, because of the reconciliation model with no provision for divorce that is held so high and yet what happens when our families are destructive. It is a big issue that I would like to hear conversation about.

Ms. BARTEL. This is one of the things—I sit on a hot bed because as a World Evangelical Fellowship representative, the spectrum of theological persuasion is from the right to the left in the evangelical world as well. But we were bold to say in here [in the study on domestic violence], very unashamedly, that the bottom line is we cannot always hold the family together and divorce is acceptable. It is an alternative that we know is there. We cannot, and of course, my sisters and brothers on the extreme right just say, no, not divorce. So we have a lot of work to do in the church to educate people. But we said, you know, the family is the sacred unit. However, we did say in here the fact that we support those whom we cannot possibly heal and that sometimes there is no other alternative but a separation.

QUESTIONER. Thank you for allowing me to present a question. This may be our place or maybe this is a domestic issue. My name is Lavonna Minor. I'm from a Vietnamese St. Louis community, and we see many problems in domestic violence. Especially it has been in the culture, especially in the background we came from, and we do not know how to address it. For example, often men who came from our country, they've been through suffering, torture and concentration camps so they came here for a new beginning, yet they haven't had a therapy program to help them to heal the wounds they suffer. So they take it to their wives and their children, and they do not have the psychology to fix them. Or, if they go to an American doctor, then the therapy has to go through the translator—the information is lost. So we couldn't help them.

Also, they consider this to be a family issue. We should not butt in. So if you separate the family, or if you speak up or you go to the police, if you are a worker, they will nail it on you: that you destroyed the family. Then they investigate the family, and then they put the father in jail. Then the family does not have the money. So he's a bum, in and out of jail, and the wife becomes a problem. So there is no way to fix it, and then the children will be separate from the family. So by trying to fix the problem, we tear the family apart. I do not know how we should fix it. There's no solution for it. We're just going through the revolving door with no fixing.

This is my question. On top of that, many domestic problems link to the child molestation problem, and they never address it. The children are the ones who are victims of this because they say I'm causing it and then when they marry someone, the neighbors say do not marry that girl, she's bad. So how do we fix that problem? I am glad to have an opportunity to come here. Please address my problem and see what I can bring back to my community so I can help them in time to get them out of their problem. Thank you so much.

Ms. PHILLIPS. Thank you for your question. I think there are some really important issues to consider in answering. First, the research that we have done in OSCE countries,

in Nepal, Mexico and Uganda, shows dramatic similarities in domestic violence cases. You can just substitute the names and the places. There is something fundamentally similar about the way that people relate to each other in different countries. It's extremely important, for developing effective solutions, not to explain things away by a particular culture. Domestic violence happens everywhere, in every culture, in every socioeconomic background, in every part of the world. We need to think about that, and we need to be concerned about that.

That being said, appropriate solutions may be different in different cultural settings. In the United States, it is important to know that there is domestic violence in communities of people who were born in the United States, and there is domestic violence in our immigrant communities. We need to be concerned about all people equally and not adopt stereotypes to allow us to believe it is greater in any particular community. From a human rights perspective, first and foremost, every community in this country needs to understand that domestic violence will not be tolerated. That is a fundamental principle in our society: domestic violence is unacceptable. It violates the human rights of women, and in every state in this country, it is a crime.

It should be prosecuted. How to deal with healing is a separate issue. We are responsible for making sure that people living in our society are comfortable and that they respect each other's human rights. So again, I'm not sure that I can address specifically what should be done in the Vietnamese community, but I believe that all of our communities must work together. The specific needs resulting from trauma and torture should be addressed separately from crimes being committed in the family.

Ms. BARTEL. Well said, Robin. Very well said. I just want to respond to you on this issue, too. We look at it from a—that is why we formed the Biblical thesis—a whole Biblical basis because we have patriarchal cultures that we deal with, and yours is one. Africa, Asia, these are patriarchal societies yet, most of these countries have matrifocal homes. The woman is responsible to fund and raise the money and feed the family so she has an immense responsibility, but she has no rights.

Okay. That is why the religious community needs to partner with the government and make the difference. When churches and religious communities begin to say this is wrong and they come in support of this, then the two, which Robin was sharing, domestic violence is wrong whether it is in Asia, Africa. It is wrong anywhere, it is wrong. It is not right. We're not going to tolerate it. But when faith-based communities begin to address it and teach it from a religious perspective and address it within a religious context or working partnering with the government, it becomes a stronger initiative and a proper teaching, it is a teaching that violence is wrong in any society. It is an evil and it is wrong. So, it needs both the government supporting with the faith based.

Mr. SMITH. I just wanted to make one brief comment. Cultures and ethnic norms should never be used as a pretext to excuse any kind of abusive behavior. It is done routinely by governments. They suggest that, as a matter of sovereign affairs and sovereign integrity, we should not speak out against human rights abuses because we do not understand the cultural context. A similar argument is often used for domestic violence, but we do not accept that it is a family matter.

I will never forget one night early in my career when I spent all night with the police force in Trenton just to get an idea of what they do at nighttime because—who is ever up at 3 o'clock in the morning, or 4 o'clock in the morning? We went to an emergency room where there was a battered woman who was as black and blue and bruised as I have ever seen anyone. I was absolutely stunned, angered and sick looking at that woman that some-

one could have hurt her so much. It seems to me that kind of sensitivity is needed for everyone. Look at the consequences and then take corrective action.

At the OSCE Parliamentary Assembly, three times now I have raised trafficking as an action item, at St. Petersburg 3 years ago, Bucharest last year and then this year at the OSCE Parliamentary Assembly meeting in Paris. These are parliamentarians from all of the OSCE countries who write the laws in their respective countries. We gave them copies of our new law and said this wasn't written in stone, this wasn't written on Mt. Sinai, but hopefully it is a good product. We want to know what you're doing and we can learn from you. Just like we need to have a coordinated effort at trafficking, we need to rid ourselves of domestic violence and rape and all the other egregious abuses committed against women but you need laws to accomplish this.

Law is a great teacher. It provides a firewall against abuse, a predictable consequence for those who abuse and, hopefully, a source of refuge for the victim. In answer to your other question we have taken that law and disseminated it throughout the country and world. My wife and I, and our staff, had meetings with members of the parliament from Italy and learned what they are doing about these issues and said here's what we're doing, let's learn from each other. We sharpen each other, and it all comes down to priority. You can have an interest, but nothing happens. If you make it a priority among lawmakers, more will happen. Then you get motivated NGOs and private voluntary organizations, and the faith-based organizations. You end up with a lessened situation when it comes to abuse and battering. I would reiterate that I believe the faith-based approach is part of that process.

I did have a question for our panelists. Ms. Phillips, you talked about those women who themselves have to prosecute their abusers because the government won't assist. You might want to elaborate on that because in the United States, if a crime has been committed, the prosecutor takes it and the victim becomes part of the evidence but the burden isn't on the victim.

Ms. Murphy, you mentioned that famous football star in your area that pounded the glass. Recently there was another football star who allegedly had his wife or girlfriend killed because she was pregnant.

Last night, my wife and I watched "48 Hours" Unsolved Mysteries about a similar situation where the woman was pregnant. The father wanted her to get rid of the child, but she didn't want that to happen, and suddenly she disappeared. All fingers point to him, but there's no body. They cannot find the woman who apparently was murdered because his family couldn't live with the fact that she was of a different ethnic background. So apparently he killed her. How often does pregnancy become a factor in the abuse, like alcohol or some other factor that leads to abuse?

Ms. PHILLIPS. In the countries where we work—Central and Eastern Europe and the former Soviet Union—they are often called countries in transition or transitioning countries. They are experiencing massive changes on every level—social, economic, cultural, and political. This change also involves the legal system. Before the countries began this transition into democracy, the focus of the criminal justice system was not individual protection, individual human rights, or individual liberties. The role of the state was not to provide redress for human rights abuses against individuals. The criminal codes in each country were written so that crimes were prosecuted by the state, and other, generally lower-level, crimes were left to individuals to bring private actions.

There is a new focus on the role of the criminal justice system. Our research, by showing the problems that people face when they are left alone either because the crimi-

nal procedure code will not allow the prosecutors to get involved or because the prosecutor does not want to get involved, identifies the obstacles to justice for many women.

We also know from research the incredible trauma women going through domestic violence experience. When the burden of getting the witnesses together, the burden of paying for the prosecution, the burden of worrying about all the legal details mount up, it becomes so much more difficult for women to access the legal system. When we help and support groups in other countries, we need to look at the system and how it works to understand what the women experience. This understanding is important for legal reform and to help people work within the current systems. I do not know if that answers your questions.

Ms. MURPHY. Thank you. You used the word “alone” quite a bit in your statement. That is one tactic of abuse. I think it is a reason, too, why people can’t get help. It is because they’re alone. They don’t have resources. They don’t have people who believe in them. They don’t have places to go. They’re very much alone. When you ask about triggers, often, breaking the isolation is one of them. An abuser keeps her isolated, keeps her away from other communities, keeps her away from resources. Even if they’re available, she doesn’t have access to them. If she does, there is trouble. One trigger in pregnancy is that she’s not alone anymore. She’s going to have somebody else to share her life with. Somebody to be focused on other than him. So pregnancy is very much a trigger. Violence increases as I mentioned before, when a woman is pregnant, yet is more underreported because, again, there’s a lot of shame involved.

Alcohol is not really a trigger. I think Ms. Phillips said before how studies show that when people have stopped abusing alcohol, they can continue in their battering ways. I say that batterers give alcoholics a bad name, because not every alcoholic is an abuser. But what does happen is the level of abuse can increase in severity. So, especially when drugs like cocaine are added, abusers may use weapons or knives when they wouldn’t otherwise. People stay isolated often because they know they’re not going to be hurt as much. When they get involved, when they start attending church or women’s groups or go to counseling; then the fear that she’s going to tell or that she’s going to share her life, threatens him. Triggers are personal.

Knowing that violence in the home is a learned behavior, that they’ve witnessed it. Often what triggered their dad to abuse is different for them. For some, it’s the way she dresses. Wearing high heels or makeup could be a trigger and for others, it’s the way she doesn’t dress. So it’s quite personal.

Ms. BARTEL. It’s also economic. Right now, we find increased domestic violence when economic conditions are severe and getting worse. You’ll find an increase in domestic violence exactly because the pressure of managing finances and making ends meet, you’ll see a surge of it. There is a very definite correlation.

Ms. MURPHY. Maureen and I spoke about this briefly, too. The most dangerous time for a woman is when she decides to leave. That’s the most dangerous time for her to be killed. That’s another trigger. It’s a loss of his personal property rights. Something that’s exciting, really exciting for those of us that are part of the faith-based movement is that we’re really challenging theology and doctrine that has at times been used as permission to abuse women. Really challenging what does it mean when the scriptures very clearly say, wives submit to your husbands. This book, *No Place for Abuse*, is a primer, written by a theologian and a sociologist/researcher. It’s what every pastor should read and be tested on but we’re going into seminaries and theological settings helping them to put the scriptures in context. So, when they read the Bible and they live by the Bible, if that’s what their text is, they are

actually able to interpret the text in a way that does not advance the subjugation of women and everything that follows.

One trigger is a belief system. If you believe that a woman should do what she's told and she doesn't, somehow there's permission, at any cost, to put her in her place. Then he thinks, if she would have done something different, this wouldn't have happened. So we really need to work on belief systems.

QUESTIONER. I was wondering if you've seen a difference in the willingness of police departments to take on programs. I know, I'm from NCSJ and we had a State Department grant to do a domestic violence program that involved the Jewish community. It is in Tulun and Voronezh in Russia, and we're interested in getting more police involvement. I know there are other Jewish groups at least and there are other Christian groups who trying to get involved with police training.

First, maybe you could give me an overview of willingness in various countries to participate in such programs and whether you've seen an evolution in people's attitudes toward participating in these programs.

Ms. PHILLIPS. Excuse me. I want to make sure I understand your question. You're talking about willingness to participate in police training? Our experience, and I can only speak from our experience, has been that there is an increase in willingness for people to participate. We are talking about part of the world where there is an extremely high literacy rate, where people are highly educated. The people are also extremely dedicated. I have been amazed that police officers who have not been paid for 6 months still get up every morning, put on their uniforms, and go to work. These are people who take their jobs very seriously and want to do a good job. Although some people, some police officers, buy into myths about domestic violence and aren't doing the proper thing, I think we need to start looking at the infrastructure and the willingness of people to be trained. There is an improvement, I have seen.

I think that is a huge responsibility in the United States: if we're going to participate in foreign aid, we must respect the hard work of people there. When we conduct police training, we need to know what the police do. You cannot train about an effective response if you do not talk to the police and learn what they do when they respond. When people are respected and given useful information to help them do their job better, they are more willing to fully participate in training. This type of training in central and eastern Europe and the former Soviet Union is really new, from the last 10 years. We need to take our responsibility seriously when we conduct training so that we can effectively implement the programs that we set up.

Ms. BARTEL. We are beginning to look into this, through our task force, in our next second and third phases. We finished our research and published our report in May, and now we're going to begin our first international test case in Croatia, where we're going to work with the theological seminary there. However, I have found, in my dealings across the United States, that the number one call you will get at a police station is a domestic violence call. The second interesting statistic is that more police officers are killed answering the domestic violence call than any other line of duty.

So, I have purposely made good friends with the police chief in my city, and we work very closely. He meets with pastors and the leaders together to coordinate efforts to make this happen. He sees this as the only way for a community finally to combat it. So, he said there are statistics in other cities that are trying the same. Yes, it is beginning to happen at least here in the United States but we will be focusing it on other countries as well.

Ms. MURPHY. Thanks. We have made progress only, as you said, in honoring what

judges and police have done. Bringing them to the table to discuss this together rather than saying, "Here's what you're doing wrong," "Here's what you need to know," "This is what we'd like you to know," we say, "Can we have a luncheon to thank you for all your hard work?" "Can we tell you how much we appreciate that you did make a good call in this one case?" Over time, they've been able to come back and say, "So what is it that you'd like?" Or, "How would you like us to respond?" The trainings have blossomed into huge annual conferences.

The hard part for us is when our police officers are violent toward their wives, and they get court-ordered to counselling. That is when the rubber really meets the road. In the State of Washington, they have to go to group counseling. They have to show up with everybody. They do not get to do private counseling. We let them do whatever they need to do to come in and save face and yet do treatment. It is quite a process. One day a police officer, a chief of police from a town about 40 miles away drove all the way to our center so that he wouldn't be seen. Yet one of our judge's wives comes in for victim reasons but they are sitting there together in the lobby. It can be difficult to keep clients' identity confidential.

We call ourselves Northwest Family Life Learning and Counseling Center. If we called ourselves a domestic violence project, then it tags everybody. Because of biases, we might look at every person who comes in the door and think we know why they are here, and judge them or label them, victim, perpetrator, batterer, etc. So we gave ourselves a neutral name that does not disclose the nature of our work, and we publish in our literature a wide variety of services to help keep private the nature of each client's visit.

The police officer could be there to make an arrest, the judge's wife to volunteer in our childcare—no one knows.

Congressman Smith, I can imagine your sitting in our waiting room. I would not want you to be labelled as "one of those" if we were just planning on meeting for lunch or you were waiting for me.

We use labels so that is just a little thing to keep in mind if you're going to start working extensively in this field. Be very honoring and creative.

Ms. PHILLIPS. I just wanted to add that in the countries where we work, strong alliances are being formed between the advocacy community and the police. It is a traditional advocacy technique to convince people to do what you want by figuring out how to help them make their job easier. For police, when they see women who are in crisis and there is nowhere to turn in a community, it is very frustrating for them. When they make alliances with groups who are starting to provide services, they have places to direct the women in crisis. In some of our research, police have been more responsive to hotline workers than to individual women who call them directly. In approaching the police, if you think about how you can make their job easier so they can actually help women victims of violence more effectively, they are a lot more open to working with you.

QUESTIONER. I wanted to make a short comment. Continuing what you said, I'm from the Romanian Embassy in Washington so I'm from Romania, a country that is passing through a transition, putting more attention into domestic violence.

Last year, the penal code was modified in 12 of its articles through a specific law that criminalizes domestic violence against both women and children. It provides also for imprisonment or fines, and the court can forbid the abuser to return home if the women of his family request this. We have then started to address human trafficking as well, and we are drafting now an anti-trafficking law following the model Representative Smith introduced in the Congress.

So I think there is hope in Romania and as well in the region. We were very honored to have this year a statement by Congressman Smith that helped to increase the awareness of the other countries in the region to this issue. I wanted to congratulate you for all your work including in Romania and to say that through your work, you can help women become more aware, more to realize this problem for themselves. Thank you.

QUESTIONER. I work with the Family Violence Prevention Fund here in D.C., and I sit on an international subcommittee that deals with violence against women issues. One thing that I didn't hear anything about today that I thought would be very important to bring up is the passage of CEDAW here in the United States, the Convention to End Discrimination Against Women. That U.N. convention has been ratified by 168 countries but still not the United States. We're the only Western developed country that has not ratified this. This is another way, besides the Violence Against Women Act, which is fabulous that we have here in the United States, for us to combat violence against women, to combat sex trafficking and economic disparities and discrimination. I wanted to see if any of you have worked on CEDAW, if your organization supports CEDAW and maybe how we could get more support on the policy side and congressionally for CEDAW and kind of push this as a very important issue in passage of that convention. Thank you.

Ms. PHILLIPS. Well, thank you for that question because I have been trying to figure out how to work that in because Minnesota Advocates for Human Rights strongly supports passage of CEDAW. Besides the help it would give in the United States, I think CEDAW is a very strong statement of a consensus of the international community on what is important for eliminating discrimination against women. The United States' failure to ratify this convention minimizes its impact as a consensus view of women's human rights. This omission makes our work more difficult in the international community. My organization and I strongly support passage and work very hard to try to achieve that. We in Minnesota are in a situation where both of our senators also strongly support ratification so we cannot do too much in our own little neighborhood but we like to work with other groups in the United States to try to persuade people to support it.

Ms. BARTEL. I would like Congressman Chris Smith to answer that. What do you think is the problem?

Mr. SMITH. I hate to inject a discordant note but I have looked at the Convention very carefully. The concern is that the Convention ventures into areas where there is a profound disagreement in this country, and that is particularly in the area of the right to life of unborn children. We know the CEDAW Committee panel of experts has gone into various countries, I have read the reports personally, and they have chastised certain countries for having pro-life laws. I happen to believe that human rights are all about inclusion, especially the most disenfranchised individuals on earth and that would be unborn children at this stage in our progress of human history.

It seems to me that other laudable goals contained within CEDAW are compromised or tarnished by this effort to try to legalize abortion in those countries where the unborn child happens to be protected. Interestingly enough, there are about 100 countries around the world where babies are protected before birth. I believe that birth is an event that happens to every human life. It is not the beginning of life. It is contrary to science to think otherwise. I believe the actual methods of abortion, like other forms of violence, constitute violence against children. I happen to believe that is a human rights issue.

I get profound disagreement from certain people, and they are certainly entitled to their opinion, but if you look at the methods of abortion, chemical poisoning, dismemberment of an unborn child's body, his or her body, what is it if it is not violence? Dismemberment by

suction machine, by a D & X, a D & E, or, as we have seen the fight recently in this country, partial birth abortion where a baby is half delivered and then a draining of the brain, it is not even a poison shot, in order to depress the cranial cavity so you can collapse the skull, is an act of violence.

I say this with deep regret: CEDAW is being used to say to other developing countries in particular, who are likely to be more persuaded by U.N. mandates and international law than a more developed democracy like the United States, that if they want to conform, they need to change their law that protects their unborn children. There are several countries where the CEDAW experts have come in, done reports and admonished country X, Y and Z, including Colombia, that they need to change their laws. That is not what human rights are all about in my view.

Human rights are about inclusion and protection. I gave the speech in 1989 at the United Nations on behalf of former President Bush's administration in favor of the Convention on the Rights of the Child, emphasizing the preamble of the Convention which says that the child, by reason of his or her developmental immaturity, is entitled to protection before, as well as after birth.

Regrettably, even with that convention, there were delegates who opposed the language of inclusion. When I made that statement, there were almost boos in the committee at the United Nations. Why aren't we including the baby before birth? We now have ultrasound and prenatal care, the advances that they have made in fetology, and the diagnostic ultrasounds where you can see with incredible detail the life of an unborn child, hopefully for benign corrective reasons, not to say, oh, that baby has Down's Syndrome, therefore we need to kill him or her, the boy or the girl. Rather, the technology allows us to correct a problem with the heart or some other malady.

One last thing, I saw a video not so long ago of a child undergoing prenatal surgery. In this case, the child was literally lifted out of the womb. The surgery was performed, and then the child was gently placed back into the womb. At the end, you could see this incredibly small wrist that had a cuff on it, to measure vital signs, and it was almost waving as the cuff was taken off and the hand was reinserted in the mother's uterus. The baby needs to be seen as a patient. One of the leading pro-abortion doctors who founded NARAL, Dr. Nathanson said that if wombs had windows, it would be the end of abortion. He went from being an ardent pro-abortion advocate to an ardent pro-lifer, and he came to it as an atheist, not even as a person of faith. He said it is a matter of human rights.

CEDAW, and again I say this with regret, is being used to admonish countries so they would jettison their protective statutes. The OAS in its Convention on Human Rights—we're a part of it although we have not acceded to it fully because we allow abortion on demand—recognizes life beginning at the moment of conception and has enshrined this as an internationally recognized human right. In my view, without that problematic provision, CEDAW is likely to fly but right now, that is the sticking point at least from my point of view.

Ms. PHILLIPS. I would just like to add that the actual language of CEDAW does not address abortion. There are mechanisms through the ratification process for the United States to reserve on those issues. So, I hope that in debating whether or not it is being effectively used for various issues, that the United States would see some of the positive aspects. If there are real disagreements, they can reserve on those issues. Although I do not want to be encouraging reservations, I want to point out that there are mechanisms to explain provisions that the Senate may believe are misused or misunderstood without completely rejecting the document.

Mr. SMITH. I know it is late but I do have one final question that I think is relevant. The lady from Vietnam, who unfortunately has left, mentioned immigrants who have been abused. As a country of immigrants and with at least 7–9 percent of our immigrant flow being refugees, many of whom have left very dire situations, I work very hard on torture victim relief and actually have sponsored some laws that create torture victim centers. Researchers estimate that there are 400,000 people who have been tortured abroad who are walking on our streets today. Obviously in other countries, particularly in a country with a despotic government, it is even higher.

We learned from the Vietnam War about the effects of post-traumatic stress. We learned from many of our wartime veterans that Post Traumatic Stress Syndrome is another major trigger that can lead to alcohol abuse but, as Ms. Murphy pointed out, it is not the alcohol per se, it is what's underlying that contributes to their being alcoholics. What role does post-traumatic stress play in abuse? Would those kids who have 1000 percent greater chance of being abusive that you talk about be the victims of post-traumatic stress?

Ms. MURPHY. You do not want to get me talking about my favorite subject but Judith Herman's written a book called *Trauma and Recovery*, and it draws a strong parallel between the Vietnam vets and battered women with Post Traumatic Stress Syndrome. Then Lenora Walker's just recently published a new work on PTSD and children who witness domestic violence. Then the *DSM IV* [*Diagnostic and Statistical Manual of Mental Disorders*, 4th edition, published by American Psychiatric Association], which is a mental health diagnostic manual, has added a category under PTSD for children who have witnessed abuse. So absolutely, victims of post traumatic stress seem pre-disposed to becoming abusive.

We found trauma where our Russian immigrants do not send their children to school. They have so much distrust of the government and so they see it as a government school, they won't send their children to school. Then they have belief systems in some of the Orthodox Churches which give permission to abuse. So they end up with these double issues of getting charged with child abuse for not sending their kids to school and then wife abuse for hitting their wives, it is confusing.

Mail-order brides come here. We have had two lose their lives in our community in the last couple of months. It is very tragic, but when they get away from their abusers, they cannot go back home, they've lost their status.

There are many traumas. Witnessing abuse is very definitely traumatic. That is why we have so many reactive behaviors and that is why I want to make the point that it is not a problem in the victim and that anger management is part of the solution. Nevertheless, it is not the solution. We have to look at the whole picture and develop programs and capabilities in relationships that can help us look at the whole problem. Thank you.

Mr. SMITH. I want to thank our three distinguished witnesses for their great testimony and for the questions and insights from the audience. It is been very enlightening and we will get this information distributed to the others. Thank you, and let's keep this dialogue going so we can hopefully find a solution.

(Whereupon, the briefing was concluded at 12:42 p.m.)

APPENDICES

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Ladies and Gentleman, thank you for joining us today for a briefing on “domestic violence in the OSCE region.” The topic of today’s briefing is one of first impression for the Helsinki Commission and is intended to shine a light on what is perhaps the most pervasive human rights abuse in the world.

In 1991 and again in 1999, the 55 States that participate in the Organization for Security and Cooperation in Europe (OSCE) committed to address violence against women. Despite the long-standing commitments, to date the issue has not had a high profile in the work of the OSCE or, more importantly, in many of the OSCE countries themselves. In June of this year, the OSCE convened for the first time a one-day meeting in Vienna, Austria to raise among the national delegations awareness of the scope and severity of the problem of violence against women, including domestic violence, in the OSCE countries.

Domestic violence has been found to be a serious problem in every country where it has been studied, including many OSCE participating States. Research shows that women of all ages and of all socioeconomic and educational backgrounds are subject to domestic violence.

Statistics regarding the prevalence of domestic violence are staggering. According to the Department of Justice’s National Violence Against Women Survey, published in July 2000:

- Of the women who reported being raped and/or physically assaulted since the age of 18, three-quarters were victimized by a current or former husband, cohabiting partner, date or boyfriend.
- Approximately 1.5 million women and nearly 835,000 men are raped and/or physically assaulted by an intimate partner annually in the United States.

Data from other researchers indicates that

- Around the world, at least 1 in 3 women has been beaten, coerced into sex or otherwise abused during her lifetime.
- In this country, on average, more than three women are murdered by their husbands or boyfriends every day.
- In a national survey of more than 2,000 American families, 50 percent of the men who frequently assaulted their wives also frequently abused their children.

In other OSCE countries the problem is just as bad or worse. In Russia, for example, the government’s statistics reveal that 14,000 women died in one year (1997) due to domestic violence. In Hungary, non-governmental organizations estimate that 150 women die each year at the hands of their husbands or boyfriends—and hundreds more women take their own lives in order to escape abusive relationships. As appalling as these statistics are, research in the United States and worldwide indicates that many, perhaps most,

instances of domestic violence are never reported to legal authorities—so the statistics may not even tell just how pervasive this problem is.

Domestic violence infringes upon an individual's rights to life, to security of person, and to freedom from torture or cruel, inhuman or degrading treatment. Despite the shocking statistics, and the obligation of governments to respond when an individual's human rights are under attack, individuals in many countries minimize the problem of domestic violence or even consider it a matter of private concern outside the purview of the legal system. Police routinely discourage women from making complaints against abusers, and abusers are rarely removed from their homes or jailed. The overwhelming response to domestic violence by the police, prosecutors and the courts is to urge women to reconcile with their abusers regardless of the potential danger this poses for the battered woman. In many countries, legal and social services for victims of domestic violence are lacking.

Last year I worked for the passage of the Victims of Trafficking and Violence Protection Act which addressed the barbaric practice of trafficking women and children into forced prostitution and slavery-like labor and which also re-authorized the Violence Against Women Act. Upon enactment last October, this law authorized the spending of more than \$3.3 billion over five years to protect women from rape, assault, abuse and battery. The re-authorization of the Violence Against Women Act will provide assistance for victims of assault and abuse, and it emphasizes and expands the federal government's commitment to helping victims rebuild their lives without fear of retribution and retaliation.

Unfortunately, in spite of these efforts domestic violence continues to be a persistent problem in the United States as it is in every single OSCE participating State. We are fortunate to have with us today three individuals with extensive experience and insight into this problem. Our panelists approach the issue from different perspectives and have focused on different countries, but each is working diligently to raise awareness about the problem of domestic violence and to awaken the consciences of government officials and private citizens alike to address this very real problem.

**PREPARED STATEMENT OF ROBIN PHILLIPS,
DIRECTOR, WOMEN'S HUMAN RIGHTS PROGRAM,
MINNESOTA ADVOCATES FOR HUMAN RIGHTS**

My name is Robin Phillips. I am the Deputy Director of Minnesota Advocates for Human Rights and the Director of the Women's Human Rights Program. I am here to speak about domestic violence in Central and Eastern Europe and the former Soviet Union. I have participated in research in Albania, Armenia, Bulgaria, Macedonia, Moldova, Poland, Romania, Ukraine and Uzbekistan. Minnesota Advocates for Human Rights documents domestic violence as a human rights abuse. This documentation includes extensive review of the governmental and legal system responses to the problem. We analyze the effectiveness of the responses and compare them to the commitments a country has made in the international treaties it has ratified.

Domestic violence is a serious problem in each of the countries in which we have worked. It is important to point out that the problem is universal and that no country should be singled out for greater violations than any other country. That being said, no country's human rights violations should be ignored just because other countries also commit the same violations. Women are being seriously injured and killed by their husbands and intimate partners in countries around the world, including countries in the OSCE region. Women's human rights are being systematically violated and the governments of these countries are not responding appropriately to the problem. These governments are not complying with their obligations under international human rights law to protect the human rights of everyone in their countries.

The United Nations has clearly outlined the responsibility of governments to protect against human rights violations and to provide adequate remedies when fundamental human rights are violated. Governments are also required to meet the health and social needs of victims in compliance with their treaty obligations, however, I will focus today on the civil and political rights violations associated with domestic violence and the lack of appropriate legal system response.

Although each country in the OSCE region is unique, there are many similarities in their approaches to the problem of domestic violence. Often, the first and only opportunity for the state to intervene in a domestic violence dispute is when a woman calls the police to seek assistance. The police response in each of these countries is lacking and covers a range of issues. The police do not take the problem seriously. They do not respond to calls for assistance or when they do respond, they do not remove the perpetrators from the home. For example, in Macedonia, a woman I interviewed had made several complaints to the police about beatings by her husband. She went to the police station with a broken jaw and blood all over her face to seek help after a severe attack. The police ignored her pleas and only arrested the abuser when he attacked the woman's male cousin who was trying to help her.

Also, in Macedonia, several women in prison were also victims of domestic violence. They were either forced to commit crimes such as prostitution or theft by abusive partners, or they killed their abusers to protect themselves. Several women reported that police had raped and/ or beaten them while they were in custody. These women told me that they were much more comfortable in prison. They did not have to worry about being beaten by their husbands and partners and they did not worry about being harassed by the police. When asked to respond to these allegations, the Chief of Police in Skopje and the Deputy Minister of Internal Affairs simply denied that they ever happened.

In many countries where we documented domestic violence, people who provide services to women victims identified police and military officers as perpetrators of the problem. Many pointed out that when perpetrators have a connection to the police, the police are even less likely to respond to a call for intervention.

In many countries, the police face a serious lack of resources. For example, in both Moldova and Ukraine, many police officers have not been paid for several months and they do not have money to put gasoline in their police vehicles. Several police officers described riding the bus to answer a police call. When asked what he did when a serious crime was in progress, one police officer in Ukraine said, "I run."

With limited exceptions, police training does not include instruction on proper intervention in cases of domestic violence. Police are not trained about the unique issues domestic violence victims face or the human rights implications of failing to respond to a call.

Women also run into obstacles when they attempt to pursue prosecution of domestic assaults. The greatest obstacle for many is the forensic medical system. Generally, the only evidence of injury a court will accept in an assault case is an official certificate from a forensic medical doctor. The purpose of these certificates is to document the extent of an injury a woman has sustained. In some countries, the offices of the forensic doctors are in inconvenient or inaccessible places, the office hours are extremely limited or the doctors charge fees that can be as high as an average month's salary for a woman.

In other countries, forensic medical doctors will consider the circumstances of an assault and modify the description of the injuries based on their opinion about whether the woman provoked the assault. For example, in Romania, we reviewed court files of domestic assault cases. In one case, a forensic doctor graded an injury as minor and described it as taking 14 days to heal. The injuries the woman sustained included a broken leg. When asked about the file, the judge said that the forensic doctor determined the woman provoked the assault and therefore, downgraded the level of injury. The consequence of grading the injury at a lower level in this case was that the woman was left to prosecute her case on her own without the assistance of the state.

The legal systems in each of these countries allow a crime victim to pursue a private criminal prosecution if the state does not prosecute. In the case of domestic violence, a woman may face added burdens because of her fear of the abuser and the expense of prosecuting someone upon whom she may be economically dependent.

In Poland, several forensic doctors expressed extreme skepticism of women victims of violence. They said that they viewed their first responsibility as determining whether the injuries could have been caused in the manner the victim described. They expressed the opinion that a woman would lie to achieve an advantage in a court case. Although none of the doctors interviewed in Poland identified cases in which women lied, they universally expressed mistrust of women.

The laws also present serious obstacles. For example, in Bulgaria, the Criminal Code divides assault into three levels: grave, medium and light. Pursuant to the Criminal Procedure Code, the state does not prosecute light injuries and only prosecutes medium injuries if the victim and the perpetrator are not related. The result is that if a woman is stabbed by a stranger on the street and does not die or become permanently disabled as a result of the attack, the state will prosecute the crime. If the woman walks into her home and is stabbed by her husband, sustaining the same injuries, the state will not prosecute. Although the injuries make this assault a crime, the woman victim is left to prosecute on

her own.

In addition to the failure of the state to assist in prosecution, the courts often fail to assess proper penalties. Dozens of judges, in countries around the region, expressed reluctance to “harm” family relations by sentencing a batterer to serve jail time. One judge in Bulgaria said that there is little public interest served by sentencing men who beat their wives to serve time in jail because, “these men do not pose a danger to society in general.” Often, men receive only a suspended sentence or a fine. In the case of a fine, women are legally responsible for ensuring that the fine is paid because of their relationships to the perpetrators. In Armenia, women expressed reluctance to pursue prosecution of domestic assault cases because they do not want to jeopardize their limited family resources.

In many countries, the legal system response is focused on reconciliation. In Albania, women experience a complete lack of support at all levels of the legal system. Prosecutors, judges, police, all view their role as convincing a woman to “pardon” her partner for beating her. The result is that in a 5-month period, 150 to 300 women reported cases of domestic assault to the prosecutors’ office in Tirana and only ten cases were actually filed in court. The women in all ten of these cases dropped the charges on the first day at the encouragement of the judges.

Many government officials expressed opinions about domestic violence based on myths that are common in the United States and in countries all over the world. The most common is that alcoholism causes domestic violence. Although alcohol may exacerbate a particular beating, data shows that many perpetrators continue the abuse after they have stopped drinking. In Poland, the entire government intervention is based on the myth that alcohol causes domestic violence. The intervention programs focus on alcohol treatment for the man and not on holding the man accountable for committing a crime and violating his wife’s human rights. In fact, the domestic violence intervention program is operated out of Poland’s Agency for Solving Alcohol Related Problems.

Although the situation is grave, there are reasons to be hopeful. I was privileged to attend a police training workshop in Moldova. A high level official with the Ministry of Internal Affairs stood before a room of police officers and told them that domestic violence violated the fundamental human rights of women. He told them this meant that when a woman calls the police and they do not respond to her call, they are violating international human rights law. This statement is powerful and such directives from top officials are critical to improving the state response to domestic violence.

The United Nations has taken the lead in recognizing domestic violence as a human rights abuse. Many countries in the OSCE region are very concerned with improving their respect for human rights. As a result, many states are at the beginning stages of recognizing the problem of domestic violence. Although this recognition has not necessarily translated into improved state response, it is a necessary first step.

Minnesota Advocates for Human Rights’ reports on domestic violence are posted on our website: <<www.mnadvocates.org>>.

**PREPARED STATEMENT OF WINNIE BARTEL,
EXECUTIVE CHAIR, COMMISSION ON WOMEN'S CONCERNS,
WORLD EVANGELICAL FELLOWSHIP**

DOMESTIC VIOLENCE IN THE OSCE REGION

The problems of abuse against women have been around for centuries. What is truly becoming a universal phenomena is that it is becoming evident things are worsening. In our modern world today, women are increasingly filling significant roles in business and society, as well as in the church and in the home. However, along with these greater responsibilities has come a proverbial onslaught of all forms of abuse.

As a world leader in the evangelical church, I sadly share with you that—battered and bruised, hundreds of thousands of women quietly fill houses of worship around the world, keeping silent about the secret that rules their lives: They are victims of domestic violence and abuse.

As Executive Chair of the Task Force on Abuse Against Women—sponsored by the Commission on Women's Concerns for World Evangelical Fellowship (WEF)—I must report to you that no society is exempt from domestic violence. As I have traveled around the world, I have witnessed first hand the immense injustices against women which challenged me to appoint this international Task Force on Abuse and Injustice Against Women.

The Task Force, is made up of WEF leaders from every region of the world: Africa, Asia, Caribbean, Europe, Latin America, Middle East, North America, and South Pacific. It also includes women of expertise such as medical doctors, sociologists, psychologists, as well as theologians. We began our study by developing a Biblical affirmation of human dignity and value and a Biblical response to preventing abuse against women. *This was the foundation for our work.* We took Scripture seriously when it said, in Jeremiah 22:3 and Ephesians 5:11, "...expose and rebuke the evils of the world...your light shining on it will show how evil it really is..." The 3-year study concluded its research this spring by publishing our report titled "No Place For Abuse." Our survey was conducted in each region of the world—through the WEF framework of regional and national alliances, which covered approximately 114 nations. In the OSCE region, we have two representatives—one from Croatia and one from Bulgaria.

I must confess that we have found—as a whole, the church has not wanted to 'believe' that this perpetration exists in the Christian home. Pastors have not spoken about this issue in the pulpit, and leaders have not been willing to discuss this element within their sphere of influence.

As I have been speaking with women around the world, it has become very evident that abuse and injustice against women is one of the cruelest and greatest challenges women face in the 21st century. As recent as 2 weeks ago, a report was sent to me by one of our European contacts—the women in Afghanistan have lost all hope of anyone ever coming to their aid. In Europe, a report received August 20 showed clearly that in Eastern European States, more and more women are being trafficked into sex slavery. This is a growing phenomenon. Criminal gangs lure tens of thousands of young women from poverty in the former Soviet bloc sending them into nightmarish underground sex slavery in Europe.

The good news is, we are beginning to see a light at the end of the tunnel. Hope is on the horizon. At the 11th General Assembly of World Evangelical Fellowship, in Kuala Lumpur, Malaysia, which was held in May of this year, the hundreds of world leaders

gathered, unanimously approved the resolution to stop abuse against women. The resolution clearly denounces abuse and injustice as an evil—calling it a sin; it clearly states they will offer healing for those wounded in body, mind and soul, and protect and provide help for those in need of safety; it also clearly states they would admonish offenders in cooperation with civil authorities.

The church has failed in this matter, says Reverend Gregory Kivanguli of the Nairobi Pentecostal Church in Kenya. We need to talk about this matter and condemn it from the pulpit. More church leaders and members are acknowledging that there is a problem. But there is still a lot of work to do. The church must make a stand about abuse and domestic violence against women. We must begin to speak out so that the voice of the religious community is loud and clear that violence cannot be tolerated and that there is no religious, Biblical, theological justification for domestic violence or any other abuse. In the faith community, *there is nothing in religious teachings of any faith tradition that justifies abuse.*

As a marriage and family counselor myself, I have found that religion is often the missing component in secular counseling programs for battered women. Many of my peers feel as I do. Many counselors and social workers in domestic violence programs are beginning to recognize that it is a critical component of recovery and we are now seeing a few communities of faith who are working and collaborating to respond to abused women.

It is important for counselors to understand *the role that religion plays in the lives of many abused women.* Spiritual issues are a crucial dimension of most women's experience in personal violence. The vast majority of women in the world today have some affiliation with a faith tradition. It cannot be overlooked when we address violence against women.

A woman's religious beliefs will be a factor in how she responds to violence in her life, says Reverend Thelma Watson, an ordained Presbyterian minister, who heads up a center for the prevention of sexual and domestic violence. They will either get in the way of her finding ways to protect herself and her children or they will be a resource to her.

Women are more likely to disclose their violation and abuse within the community of faith. A woman may be afraid to utilize community services and worry that a shelter will not respect her beliefs. She may go to her spiritual leader and be told to go home and be a better wife, putting her in danger of further and more serious abuse. *Women are silenced if their disclosure does not receive practical and emotional support.*

Churches, synagogues, and mosques have been silent on the issue largely because of their emphasis on family and denial that people of religious conviction would abuse their loved ones, say some clergy. The church sees itself as an institution that is supposed to preserve marriage and families, so that is what they think they are suppose to do. We have heard it said by Christian leaders that they didn't have the problem of domestic violence in their congregations or denominations because they teach that families are people who treat each other well. So then they are extremely shocked to find that statistics prove otherwise. Let me share a few:

- Domestic violence is a leading cause of injury and death to women worldwide
- World Health Organization says that 1 in 5 women around the globe is physically or sexually abused in her lifetime. American Medical Association study claims 1 in 3; our study showed approximately 1 in 4.
- 1.8 million women are assaulted by their husband each year (AMA)
- Gender violence causes more death and disability among women (15-44) than cancer, malaria, traffic accidents, or war

- Between 50,000 and 70,000 women are smuggled into the USA as sex slaves. A report (Univ. of Texas) as recent as August 18 of this year reveal that there is an increasing number of women from Russia who are being smuggled into the US and forced to work as topless dancers and sex agents.

The Head of the Women and War Project for the International Red Cross said that women and girls are the subject of innumerable acts of violence during situations of armed conflict.

In Croatia, our regional leader found only one safe house and it was located near the Capitol City of Zagreb. She also found only one feminist group that was addressing the issues of abuse and injustices—a small initiative called the Center for Women’s Studies in Osijek. She states there are basically no laws or mechanisms in place protecting women and when police receive calls from women for help—the response is the same, ‘...that is a family issue and they don’t intervene...’ There is no legal support.

However, again let me state, more and more church leaders and members are beginning to acknowledge that there is a problem. And I am pleased to share with you that religious leaders and faith communities in some parts of the world have begun to seek solutions to violence against women. Here is a sampling:

I shared previously about the recent World Evangelical Fellowships international response—making a resolution to do everything within its powers to stop abuse against women. World Evangelical Fellowship represents 114 national fellowships and 105 associate member bodies—which are made up of 1.6 million local churches with a membership of over 165 million evangelicals.

I am also happy to report to you that our WEF Task Force is currently focusing on our newest initiative—a pilot project in Osijek, Croatia. We are partnering together with the Evangelical Theological Seminary to begin teaching and training courses beginning November of this year. These courses will focus on Biblical and practical resources to counteract abuse.

I am most proud to share with you that September 19-21, 2001, there will be held in the Houston, Texas Astrodome, an historic event never before attempted. Thirteen international women’s organizations and over 120 national organizations are gathering together to unite their efforts in raising awareness of the immense suffering and injustice to women around the world and the need for the churches and faith based organizations to begin to respond. What is of significance is that each of the 13 world organization are bringing together all of their world leaders to work together on this global state of emergency. A large contingency from the OSCE region will be attending.

In Bulgaria, our WEF Task Force member reported this week that there is beginning to be a small yet concerted effort by faith based organizations in joining together to address abuse due to the fact more and more public attention is being drawn to the severity of the problem.

Various publications of the Seventh-day Adventist Church are telling us, “At our women’s retreats and congresses, we are talking about it. We’re doing education on what it is and what is acceptable and what is not,” says Ardis Stenbakken, director of women’s ministries for their church worldwide.

The Presbyterian Church USA task force on Healing Domestic Violence has completed a policy statement which recommends that pastors, volunteers, and church officers be trained to recognize and respond to family violence; and that pastors address this issue from the pulpit; and that each church maintain a listing for referrals to local agencies that

can help.

In India, churches are banning together to back legislation dealing with domestic violence. The mainline churches have extended their support and feel that domestic violence is something the church should protest.

The Methodist Church is working to develop educational materials and training curriculum for clergy of various ethnic groups.

Several interesting and very critical points must be made in closing regarding the serious issue of abuse. *From my own personal and painful journey of recovery from sexual and psychological abuse as a child, I have come to the full knowledge of the immense importance of clergy involvement.* Clergy hold tremendous power in their 'hands.' The journey to healing is made extensively shorter in people's lives when the faith-based community gets involved.

Therefore, the Task Force on Abuse Against Women, sponsored by the World Evangelical Fellowship Commission on Women's Concerns, current initiatives are as follows:

Educate clergy and make churches safe places to disclose abuse. When abuse is addressed from the pulpit, in the pastoral study, in women's Bible-study classes, in Sunday school, or in premarital workshops, things begin to happen within the church community. *The implicit message rings out: this church, or this pastoral study, is a safe place to share experiences of being hurt. The first step on the road to recovery for women suffering abuse is to disclose the pain and humiliation they have endured to someone who is willing to listen in an environment that is safe and supportive.*

Ensure coordinated appropriate response to abuse victims. Once a woman's safety is assured, a plethora of practical needs surface: the provision of emergency financial assistance, permanent lodging, child care, legal counsel, transportation, help for ongoing emotional needs, medical attention, spiritual counseling.

Paving the pathway from the 'steeple to the shelter.' Victims of violence experience a multitude of practical and spiritual questions and dilemmas. They need multifaceted support—religious and secular, emotional and practical. Yet workers trained in very different disciplines and ways of thinking often find it hard to cooperate to achieve a single goal. Secular workers, like social workers, do not often refer religious clients to clergy because they fear that the counsel offered in a pastoral study will thwart their clients healing journey. Clergy on the other hand are reluctant to refer their parishioners to secular sources of help because they fear the counsel offered in a community health setting will break up the family and thwart a woman's spiritual development.

Violence is a multifaceted community problem with social, psychological, spiritual, legal and economic aspects. It cannot be eradicated by any one segment of society, however well intentioned, working in isolation from the broader community. Churches and clergy have a unique role to play in responding to the needs of abuse victims and their families. Faith communities can raise awareness of abuse and support violence-free family living by offering educational programs for men, women, and children during their weekly routine of church life. Holding abusers accountable while offering hope for those desiring to change their violent behavior is another avenue of intervention by congregations. The Task Force suggests restorative measures in its report, however realizing that it is exceedingly difficult for abusers to alter their patterns of behavior. Our report suggests that the church take firm action in dealing with abusers with group intervention programs, which force the abuser to take responsibility for his abuse.

Spiritual leaders have a valuable, distinct role in the fight to end violence in the

family, but their practical and emotional assistance is far more effective when offered alongside the resources of other professionals and agencies. Working together, combining expertise and mission, augments the healing journey of victims and has the potential to transform the neighborhoods that churches serve—ultimately affect an entire city and the nations of the world.

Thank you for inviting me and giving me the privilege to share with all of you today. May God bless all your efforts on behalf of the suffering women of the world.

**PREPARED STATEMENT OF NANCY MURPHY,
EXECUTIVE DIRECTOR, NORTHWEST FAMILY LIFE
LEARNING AND COUNSELING CENTER**

INTRODUCTION

Imagine you are “walking in her shoes.” The shoes of a woman brutalized in unspeakable ways by the man that pledged to ‘love, honor and cherish her, ‘til death do us part.’ You are hit in the face, punched in the stomach, cursed, raped with a blunt object, called names that sear your mind in front of your small children.

Imagine you are her. You are the woman who has mustered up the courage to reach out for help ... What would you hope for? Would you hope for safety, for comfort, for guidance? Perhaps revenge. Would you know where to turn? I wonder.

If you stayed, would it mean you were weak or liked it? Or could it mean that you were too hurt, wounded, exhausted and afraid to leave? What messages would you give your children if you stayed? If you left, how would you survive? What would the kids do without their father? What would your family think? Would you ask, ‘Where is God?’

THE PROBLEM

“Domestic violence is a leading cause of injury and death to women worldwide. One in three women around the globe is physically or sexually abused in her lifetime. Gender violence causes more death and disability among women aged 15 to 44 than cancer, malaria, traffic accidents or war.¹

Primarily, but not always, domestic violence is a crime committed by men against women. Research informs us that it is a global problem. In research conducted in several OSCE countries, the following percentages of women report having been physically assaulted by an intimate partner:

- In the United States of America, 22.1 percent ²
- In Canada, 29 percent ³
- In Norway 18 percent⁴
- In Switzerland 12.6 percent⁵
- In Turkey 57.9 percent⁶
- In the United Kingdom 30 percent⁷.

These percentages report physical assault, yet physical violence is only one aspect of domestic violence. Emotional and sexual violence has not been factored into any of these statistics. The numbers would increase exponentially if they were.

1. Kroeger, C. Clark & Nason-Clark, N., 2001

2. U.S. Department of Justice, 1998

3. Rodgers, 1994; Statistics Canada 1993

4. Schei, 1989

5. Gillioz et al. 1996

6. Ilkkaracan et al., 1998

7. Mooney 1993

A CALL TO RESPOND

Now imagine that she, “this battered woman” calls you. She heard you cared about the rights of women and children. You are the one she turned to for help.

Would you know what to say? Would you know what to do? Would you know how to keep her safe? Would you know how to help her husband if he wanted to change his abusive and terrorizing ways? Would you know how to give her children hope for a better tomorrow?

What if you did know just how to respond? You knew how to tell her that no one deserves to be beaten by the one they love, that the home should be a place of safety and that it grieved you that this was not the case for her. What if you knew of a shelter that had a bed for her and her children and were able to assist them in finding safety?

What if you knew all the right things to say and do and you had all the time and money needed to help her, but ...

- ... her husband kept calling her full of remorse and promises.
- ... the pastor of their church convinced her that it was her God-given duty to stay faithful to her husband, to submit to his desires, to continue to ‘take the abuse’ and to forgive and forget.
- ... a family member betrayed a confidence and told the children’s father where you had carefully hidden his family before his treatment was completed. Or
- ... the judge ruled for joint custody of the children even though the father had demonstrated, over and over, cruelty or neglect of his very own kids. Now the mother was required to stay in contact with her abuser.

Would you begin to fear for your life as well for getting involved?

DOMESTIC VIOLENCE IS WHAT HAPPENS BEHIND CLOSED DOORS

“A Family Matter: “Domestic violence, in most times and places, has historically been ‘a family matter.’ The notion implied in that phrase was that what happens behind closed doors is nobody else’s business. It is a private affair to be handled within the family.

Quite to the contrary, what happens behind closed doors very much impacts our world. It affects each of us either directly or indirectly. To insist otherwise is ludicrous. The March of Dimes research tells us that domestic violence is the number one cause of birth defects in newborn children.⁸ Children who have witnessed violence, not been abused, but witnessed the violence at home are 1000 percent more likely to become our next abusers.⁹ Children who watch the victimization of their mothers are five times more likely to exhibit serious behavioral problems than other children.¹⁰ These children are 6 times more likely to commit suicide, 24 times more likely to commit sexual assault, 50 percent more likely to abuse drugs and alcohol, 74 percent more likely to commit crimes against others and 60 percent of boys incarcerated for murder between the ages of 15 and 21 are incarcerated for having killed their mother’s abuser.¹¹

8. March of Dimes publication

9. Jaffe et al. 1986: cf. Statistics Canada 1993

10. Moore, 1999

11. Massachusetts Department of Youth Services

Imagine the impact on our educational institutes, our health systems, our criminal justice system, our neighborhoods, and the workplace. Beyond the immediate and long-term consequences for the woman and her children the costs exacted are financial, emotional and spiritual. Violence behind closed doors costs all of us dearly for generations to come.

WHAT IS BEING DONE ABOUT IT?

“There has been an interesting evolution in the history of responses to the issue of domestic violence. Probably the first interventions attempted were focused on trying to get the ‘victim’ to be more compliant. If she would just be ‘more submissive’, ‘compliant’ or stop ‘provoking’ him, this would never happen. Women were prescribed medications for depression and anxiety, symptoms commonly found among victims of violence and abuse. This approach assumed if she would just do something different, he would change. He wouldn’t hurt her. She was identified as the ‘problem.’

Of major importance, women who tried becoming more submissive often found that it had the opposite effect. Interpersonal violence escalated. Confused, they began to speak out about their abuse. Counseling became the natural next step as women attempted to break the silence.

Family or Marital Counseling: “The next popular intervention was family or marital therapy for issues such as co-dependency, communication and conflict resolution. The assumptions were if she would stop enabling his behavior, or if they could learn to talk things over, then the ‘conflicts’ would be resolved. The result would be fewer violent episodes. If the ‘problems’ were ‘solved’, there would be less to fight about.

This intervention assumes that domestic violence is a ‘problem’ in the relationship. It has turned out to be a faulty assumption.

The reality for victims of violence in couples counseling is dangerous and unsettling. If she really tells about what goes on at home, she faces dire consequences for speaking up, for ‘humiliating him’ in front of someone else. It became apparent the price to pay for many women who confide to a counselor or a pastor was violence at home. A woman may feel encouraged by the opportunity to ‘get help’ then she shares everything, only to have it used against her at a later time, further escalating the abuse. Sadly, many men present their ‘public face’ for the counselor and save their ‘private face’ for home.

Marital or family therapy is based on an assumption of equal power between members of the couple or in the family. This is simply not the case when one party has the power to economically control others forcing them into compliance, or when one reserves the right to threaten or assault the others after therapy if they say the wrong thing.

Another problem with marital or family therapy is that the very name suggests to some that this is a shared problem, that somehow the others are responsible for the actions of the perpetrator. This starts the therapy out on shaky grounds. Unless the clinician is very skilled in this issue, it results in continued subjugation of the victim and perhaps even injury or death.

Domestic violence may well be a problem in a family, but the use of violence or abuse is strictly an individual problem. It is a problem in the abuser, and must be addressed as such if the violence is to end.

Anger Management: “The next intervention, and a more current one, is anger management. The simple assumption is if someone can just manage this emotion, they won’t lose control and hurt others. Recognizing this, anger management became the next step

forward in that the individual with the problem was sent for help, alone- without his partner. While a move in the right direction, it became apparent quickly that not all batterers use anger to control their victims. Conversely, not all men who have trouble with anger are batterers. So it became evident that anger was one of many domestic violence issues to address, not the only one.

Jacobson and Gottman (1998) found that there are at least two kinds of batterers, who they call 'pit bulls' and 'cobras.' Pit bulls are men whose emotions quickly boil over, whereas cobras are men who are cool and methodical as they inflict pain and humiliation on their partners. Interestingly, their heart rates actually went down as they were battering. They were not expressing any angry emotions at all. Additionally, Donald Dutton's research suggests that many batterers have serious mental illnesses in addition to their problems with power and control that underlie their use of violence. Obviously, for many other men battering is a learned behavior. They have witnessed abuse, learned this behavior and learned it well. Their trauma remains. Anger management programs are not designed to meet the myriads of problems these men need to have addressed.

ARREST LAWS

"Mandatory arrest laws have been introduced in many states for physically assaulting an intimate partner, for making threats and for stalking. While the abuser is taken to jail, the victim is provided with referrals to shelters and services designed to provide advocacy for her and for her children. With the law taking this problem seriously, many abusers beliefs of entitlement begin to be challenged. They begin to rethink their roles, rights and responsibilities within the relationship. Consequently, many working in the field believe that an arrest and incarceration for domestic violence is the most successful technique for getting violent men to stop abuse. (Heise, 1994; Sherman & Berk, 1984) It gets their attention. Those who care about their image become quite willing to get help. Important to note, others have found that arrest can increase physical violence in some cases, particularly when the men do not have good community ties or a need for social conformity. (Dunford, Huizinga, & Elliot, 1990) The mental health professionals refer to these individuals as sociopaths.

DOMESTIC VIOLENCE TREATMENT PROGRAMS

In North America, a new counseling model to stop violence in the home has developed. In concert with the criminal justice system, judges can order a batterer over his objections to attend approved counseling sessions. In Washington State, WAC 388-60 details the requirements for a Domestic Violence Treatment Program. Men entering these programs are required to attend weekly single gender groups for a minimum of a year, or they go back to jail for their crime. Those being arrested and charged with a misdemeanor as a first offense are eligible for a Stipulated Order of Continuance (SOC). If they complete treatment satisfactorily, the charge will not remain on their record.

COORDINATED COMMUNITY RESPONSE

What has become the most effective strategy in intervening in the cycles of violence is what is known as A Coordinated Community Response. Coming together around this issue in order to address it with a unified voice are the legal system, advocacy groups, treatment providers, health care providers, religious communities, local governments, and educational institutes. Coming together is no small feat. But it is crucial. As we come to

an agreement on the definitions of violence and strategize our responses, we keep victim safety as our top priority. When we speak with a collective voice, our message will be neither fragmented nor contradictory, but a clear community call to stop domestic violence.

NO EXCUSE FOR DOMESTIC VIOLENCE

In addition to being a psychological issue, a legal issue, a social issue, a religious issue, domestic violence is a human rights issue.

If there is no excuse for domestic violence, if safety in the home is to be our basic human right, then we must come together to close the gap that exists to permit such a crime. We must provide places of safety for women and children where they feel supported and honored; places where they can regain their dignity and find self worth; places where they can heal from the degradation of their experience.

We must insist that the problem is resident within the one who does the abusing, the one who exercises power and control over another in intimate relationships. We must call the abusers to account for their actions and persist in the work of facing them with the consequences of their behavior.

We must get involved with our children so that they never receive messages that would permit them to carry on the legacy of domestic violence.

We must find ways to work together to bring hope and healing to our sisters and brothers around the world. We must walk in her shoes.

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WRITTEN SUBMISSION OF NCSJ—ADVOCATES ON BEHALF OF JEWS IN RUSSIA, UKRAINE, THE BALTIC STATES AND EURASIA

ADDRESSING DOMESTIC VIOLENCE THROUGH ETHNIC AND RELIGIOUS COMMUNITIES IN RUSSIA

For 2½ weeks in January 2001, eight women representing the Russian Jewish communities of Tula and Voronezh participated in a leadership-training project on domestic violence. This program was the second phase of a U.S. State Department grant received by NCSJ in partnership with Jewish Women International, Russian Jewish Congress, and Project Keshet. The project is a unique partnership between American Jewish organizations and Russian based organizations.

The training sessions, which were held in Washington, DC, Baltimore, Maryland, Richmond, Virginia, and Columbus, Ohio, were designed to provide the women with the knowledge and skills they need to become community organizers on this issue in Russia.

Training was provided by the House of Ruth and CHANA (Counseling Helpline & Aid Network for Abused Women in Baltimore, The Jewish Project of the Center for the Prevention of Sexual and Domestic Violence, Safe Harbor Shelter in Richmond, and the Shalom Bayit Program of Jewish Family Services of Columbus. The trainers included community activists, rabbis, police, attorneys, and public policy experts.

In Washington, DC, the group met with Members of Congress and the U.S. Commission on Security and Cooperation in Europe, and gave a briefing at Radio Free Europe. They were hosted at numerous receptions by the Jewish communities and had an opportunity to visit Jewish Community Centers and Synagogues in each of the cities. They also received a guided Russian language tour of the U.S. Holocaust Memorial Museum.

The women's visit also gave them an opportunity to connect with their Jewish heritage. Rabbi Dvora Setel, representing the Center for the Prevention of Sexual and Domestic Violence, helped them to learn the blessings for before and after the Torah reading, in preparation for a group aliyah (call to the Torah) on Shabbat at Tikvat Israel Congregation in Rockville, Maryland. This was a first time experience for many of the women.

There are few services and little attention devoted to the issue of domestic violence in Russia. Weak legislation and police and government disinterest provide little support to victims of domestic violence. Housing shortages and the lack of economic opportunity make leaving abusive partners almost impossible. According to the American Bar Association, the number of Russian women who die from domestic violence each year (12-16,000) is comparable to the total number of casualties sustained by the Soviet Union during its war with Afghanistan. Domestic violence is not a particular problem in the Jewish community, but does exist and is a reflection of the general society.

This initiative focuses on engaging the religious communities, particularly the Jewish community, in the fight against domestic violence. The women will return to their communities to educate and organize local women after having been exposed to the many social justice and model programs that exist in the United States. Their work will include building coalitions with other interest groups, tapping into resources that currently exist in other parts of the country, and creatively seeking solutions that will work in their own communities. Jewish Women International's Resource Guide for Rabbis and their Resource Guide for Community Workers: Domestic Violence in the Jewish Culture will be used as models.

In addition to participating in domestic violence training, the women had an opportunity to speak with Jewish community leaders here about the needs of their communities in Russia. In particular, the Jewish community of Richmond expressed an interest in expanding its relationship with Voronezh. By taking the lead in organizing against domestic violence in their communities, these women will also apply these skills to further develop their Jewish communities in Russia.

The next phase of the project will be implemented in Tula and Voronezh. The women will create a public awareness campaign and begin to identify ways to provide services to victims of domestic violence and identify solutions that are specific to the unique circumstances of Russia.

**WRITTEN SUBMISSION BY ELIZABETH ANDERSEN,
EXECUTIVE DIRECTOR, EUROPE AND CENTRAL ASIA DIVISION,
HUMAN RIGHTS WATCH**

I'd like to begin by thanking the Commission for taking up this extremely important human rights issue. Human Rights Watch applauds the efforts of the CSCE to bring domestic violence in the OSCE region out of the shadows and into the spotlight. The failure of states to respond appropriately to domestic violence destroys the lives of so many women in the region, condemning them to an existence filled with physical, psychological, and sexual violence. And in some cases, the state's indifference to these abuses ends tragically in the death of domestic violence victims.

The Russian government admitted in the mid-1990s that domestic violence costs the lives of approximately 12,000 women who are killed each year by intimate partners and family members.¹ Other governments in the region simply do not keep statistics, obscuring the human cost of domestic violence.

Human Rights Watch has done extensive research on domestic violence in Uzbekistan and the Russian Federation. We have published two in-depth reports, *Sacrificing Women to Save the Family? State Response to Domestic Violence in Uzbekistan* and *Too Little, Too Late: State Response to Violence against Women in the Russian Federation*. Both reports indict government authorities for failing to take domestic violence seriously, failing to protect women from that violence, and failing to prosecute perpetrators of domestic violence. Sadly, those who commit acts domestic violence in Uzbekistan and the Russian Federation today enjoy almost complete impunity for their crimes. Women's non-governmental organizations and crisis centers working throughout the newly independent states report that conditions for victims of domestic violence are similar across the region.

Human Rights Watch investigators researched domestic violence in Uzbekistan in May and June 2000, conducting interviews with victims of domestic violence, women's rights activists, along with dozens of lawyers, judges, police, doctors, and government officials at the national, province, district, village, and mahalla (local community government) levels. Researchers focused on rural areas, where more than 60 percent of the population lives.

Researchers found that Uzbek women battered by their husbands have little hope of protection from the government. Rather than protect them from violence, Uzbek authorities routinely force women to remain in violent marriages, blocking their access to divorce and strong-arming them to return to their husbands.

The Uzbek government routinely fails to investigate and prosecute domestic violence against women. State policies intended to "save the family" and maintain low divorce rates have left women unable to depend on police or other officials for protection from violence and exacerbated their vulnerability to continued beatings in the home. Uzbek officials rarely criminally prosecute husbands who beat their wives. Instead, local authorities, under orders from central government officials, attempt to reconcile married couples, often sacrificing the women's safety and rights to sustain low divorce statistics.

Batterers enjoy near impunity for their violence, often facing criminal penalties only if their victims commit suicide. In one of the cases documented in the report, a 20-year-old battered woman committed suicide by drinking vinegar concentrate. Only after she had died did police consider bringing charges against her husband and father-in-law.

Consider the case of “S.B.,” a 38-year-old woman living in a rural community, who faced violence in her home for 17 years. Suffering from tuberculosis and abandoned by her husband who had taken a second wife, she told Human Rights Watch:

“...He beat me so hard that I lost my teeth. The beatings happened at least one time each month. He used his fists to beat me. He beat me most severely when I was pregnant ... The first time he beat me, and I lost the baby. I was in the hospital. The second time was only a few days before a baby was born, and my face was covered with bruises. He beat me and I went to my parents. My father refused to take me to a doctor. He said, “What will I say, ‘her husband beats her?’ ...”

“M.T.,” a mother of three, who fled to her parents’ home in a rural region in Uzbekistan told Human Rights Watch:

“I have a bad memory because my ... husband beat me on the head. I have no memory anymore. He gave me head trauma. I did not tell anyone that he beat me. I did not go to the mahalla committee. I told my parents, and they went to him and said that he should stop. They asked him to stop. For a year we were happy...then he began to beat me again.

“[After one particularly serious beating], my head was spinning, and I saw spots before me. I lost consciousness, and I cannot remember what happened to me ... My brother took me to the doctor. They gave me three shots, and then I felt a little better. But I got worse again, and they took me back to the hospital. I told them that my husband beat me. They said that they would call the police. The policemen did not come to the hospital even though the doctor told them what had happened. I was in the hospital for 7 days.

“Finally, [someone] came ... and said that someone from the precinct would come and take a longer statement from me. But no one ever came. No one asked me anything.”

Police in Uzbekistan admitted that they rarely press charges except in cases of the death of the victim. And often the only criminal sanction against the perpetrators of domestic violence comes when their victims have taken their own lives. Article 103 of the Criminal Code provides for penalties of up to 8 years of imprisonment for driving a person to suicide.

In December 1997, Human Rights Watch published a report on violence against women in the Russian Federation. The report, *Too Little, Too Late: State Response to Violence against Women*, documented the utter failure of the Russian government to respond to domestic violence. Many women who tried to report the violence to the police found their reports refused outright by officers who minimized the violence and encouraged women to return to violent spouses. In Nizhni Tagil, one woman reported her husband’s battering to the police and was told by the officer, “What is so bad about it? He broke some dishes. Go home and you will be fine.”²

¹Sophie Lambroschini, “Domestic Violence Persists,” RFE/RL, March 7, 2001. Earlier figures indicated that 14,000 women were killed annually. Boris Dolotin, citing statistics from the Prosecutor General’s Office, quoted in Interfax, May 1995.

²Interview, Natalia Tashinova, counselor, Nizhni Tagil Center, “Lana,” Nizhni Tagil, May 7, 1996.

In the rare cases when police responded to domestic violence complaints, their response was inadequate. Police generally blamed the victim or dismissed the violence as an internal “family affair.” In one case, “T.A.,” a dentist, told Human Rights Watch:

“In [April 1995], when I told [my husband] I was going to divorce him, he broke both my thumbs. He held me down on the bed and tried to rape me. He was holding me down by the thumbs and they broke when I was trying to get away.³

When “T.A.” went to the police to report the attack, the officer told her that it was a family fight and that since she had no witnesses, she should pursue a divorce.

Police maintained that it would be pointless to take reports, since women routinely withdrew their complaints. Women victims of violence told Human Rights Watch that they had withdraw their complaints in some instances out of fear of retaliation from their violent spouses. In one case, related to researchers by the victim’s mother, a woman in Murmansk was severely beaten and raped by her husband. The medical exam indicated that she suffered severe bruising and injury to her kidneys. After she filed a police report, her husband told her that he would kill her. When she informed the investigator of the threat, he told her that he could not protect her. She, fearing for her life, withdrew the complaint.⁴

Marina Pisklakova, president of the Russian Association of Crisis Centers for Women, told Human Rights Watch that women married to police officers who battered them experienced even more difficulty in pursuing legal remedies. In one case, the wife of a police officer contacted ANNA, a Moscow crisis center, after police refused to protect her and released her husband from custody.

In general, domestic violence cases only rarely made it to court, and penalties levied for these crimes were minimal. And police bias prevented women from pursuing some claims—particularly marital rape—at all. In September 1999, Human Rights Watch researchers returned to Russia to update the findings of the report. One non-governmental organization leader told researchers of a case in Nizhni Tagil. A woman tried to go to the police to report that her husband had raped her. A representative from the center in Nizhni Tagil accompanied her to the station. For several hours the victim sat in the station, waiting for officers to process a complaint. During her long wait she faced harassment and humiliation by police officers who ridiculed the very notion that a man could rape his wife. She did not succeed in pursuing her complaint.

So, what is to be done? These accounts of police bias, official indifference, and state failure deserve our attention. Fortunately, the U.S. government has taken some steps to tackle violence against women in the Russian Federation with a \$1.5 million earmark for support for crisis centers and police training in the Russian Federation. This program has made some small dents into these human rights abuses. But, in Russia, more must be done. The Russian Association of Crisis Centers for Women, an alliance of over 30 crisis centers scattered throughout that country, desperately needs financial support. And individual centers face dire financial constraints that hamper their efforts to assist victims and train police in combating violence against women.

³ Interview, T.A., St. Petersburg, April 29, 1996.

⁴ Interview, Murmansk, May 1996.

In Uzbekistan, the international community should provide financial support for the creation of legal aid centers, particularly in rural areas, to assist women in escaping situations of domestic violence. In addition, the U.S. government and other OSCE member states should raise the issue of domestic violence in high-level meetings with Uzbek authorities. Finally, the U.S. government should fund public education campaigns condemning violence against women.

We look forward to working with you to advance this agenda. Thank you for taking up this very serious problem of human rights abuses against women in the OSCE region.

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