EQUALITY NOW

1996–1997 REPORT
EQUALITY NOW was founded in 1992 to work for the protection and promotion of the human rights of women around the world. Working with national human rights groups and individual activists, Equality Now documents human rights violations against women and adds an international action component to support their efforts to advance women’s rights and to defend individual women who are suffering abuse. By distributing information through its Women’s Action Network to concerned groups and individuals around the world, along with recommended actions for publicizing and protesting human rights violations, Equality Now is building an international force, capable of a rapid and concerted response to crisis situations and committed to voicing a worldwide call for justice and equality for women. Equality Now’s action techniques have proven effective in addressing issues which have historically been considered outside the scope of the traditional international human rights movement, such as rape, domestic violence, reproductive rights, trafficking of women, female genital mutilation, and equal access to economic opportunity and political participation.
THE WOMEN’S ACTION NETWORK is the core of Equality Now’s work. As of year-end 1997, the Network consists of almost three thousand groups and individuals in more than one hundred countries around the world who take action in response to appeals on behalf of individual women, participate in campaigns on broader women’s issues, and channel information and strategy on their own concerns back through the Network. All Women’s Actions are issued in English, Spanish, French and Arabic to promote equal access to information and to facilitate grassroots participation. Equality Now has undertaken the following thirteen Women’s Actions to date:

- Reproductive Rights in Poland
- Gender-Based Political Asylum in Canada: The Case of Nada
- Rape and Genocide in Bosnia-Herzegovina
- Trafficking of Women to Japan: The Death of Maricris Sioson
- UNICEF Funding for Efforts to Stop Female Genital Mutilation
- Rape in South Africa: The Durban Train Station
- Domestic Violence and Judicial Bias in the United States
- The Medicalization of Female Genital Mutilation in Egypt
- Gender-Based Political Asylum in the United States: The Case of Fauziya Kassindja
- Abortion Imprisonment in Nepal: The Case of Lok Maya Adhikari
- Consideration of Women in the Election of the United Nations Secretary-General
- Sex Tourism from the United States: Big Apple Oriental Tours
- Censorship of the Campaign Against Female Genital Mutilation in The Gambia.

Jana Chrzova, a member of the Czech Helsinki Committee who interned in the office of Equality Now during the summer of 1996.
Equality Now intern Stephanie Morgan mobilized Starbucks Astor Place in New York, her employer, to celebrate International Women's Day by donating 5% of sales on March 8, 1997 to Equality Now and by making Equality Now information available to its coffee drinkers throughout the day.

IN THE WORDS OF OUR MEMBERS...

United States: I’m a seventh grader. I don’t think it’s fair if a girl got raped that she has to go to jail for it and I think something needs to be done about it.

Brazil: Let us sensitize the entire world to see if we can end the suffering of millions of women that have experienced FGM.

Sweden: We are just two ordinary people, but my wife and I really hope that through an organisation like yours, we may have at least some influence so that no longer the lives of thousands, maybe millions of women will be destroyed.

Sri Lanka: The SAARC Federation of University Women is entirely in agreement with the views of Equality Now on the human rights issue and is happy to team up with you to further the cause of human rights, justice and equality.

United States: As a member of Equality Now and a grandmother of twelve, with five granddaughters, and as a member of outraged womanhood, I beg you to do everything in your power to bring an end to this unconscionable denial of justice and freedom to the courageous Fauziya Kassindja.

Australia: We have been raped enough! How can you rape and torture the one who has given you life? It is the ultimate sacrilege and disrespect. . . . I know that things cannot all of a sudden be changed, not in my lifetime, but I feel the first and most important step is acknowledgement, to the women, to the family and to the world.

Surita Sandosham and Waris Dirie reading the thousands of letters received from concerned readers following publication of an interview in Marie Claire magazine with Waris on female genital mutilation.

we had another fight, i was wrong, he was right
he said he hit me ‘cause he cared, i wanted to leave but didn’t dare.

i went to a place to be alone.
only hearing the echo of my painful moans.
as the reality of it hit me.
a change in him would never be.

why is life so unfair.
why must my lip tear
from every slap of his hand.
i realize he is not a man.

all i want is peace, but
his power will never cease.
this violence has to stop,
the increasing numbers have to drop.

if you feel his slap every day.
remember it doesn’t have to be this way.
stop the violence in our lands.
put the power in your hands.

one last thing,
to end the pain.
protect those victims of violence,
put a stop to the silence.

Erin Winter, Age 16,
San Diego, California
IN APRIL 1996, Equality Now issued a Women’s Action protesting the detention of Fauziya Kassindja by the United States Government and its denial of her claim for political asylum based on fear of a forced polygamous marriage and the infliction of female genital mutilation (FGM), also known as female circumcision.

Fauziya Kassindja was seventeen years old when she fled her home country of Togo. Fauziya’s father had protected her from these practices but upon his death, her mother was banished by his relatives who assumed control over Fauziya, prohibited her from continuing her education and made arrangements for her involuntary marriage and circumcision. On her wedding day Fauziya managed to escape and found her way to the United States where she requested political asylum upon arrival at Newark International Airport on 17 December 1994. She was immediately detained.

On 25 August 1995, Judge Donald V. Ferlise denied Fauziya Kassindja’s claim for political asylum stating that even if he believed her story, which he did not, the record did “not reveal any past or future or present persecution.” Despite the harsh conditions of her detention, a petition for Fauziya’s release pending appeal of this decision was denied. After months of unsuccessful negotiation with and direct outreach to high-level government officials seeking the release of Fauziya Kassindja, Equality Now issued its Women’s Action, which generated a flood of letters from around the world and a media outcry on behalf of Fauziya Kassindja. A few weeks later, Fauziya Kassindja was released on parole, and on 13 June 1996, she was granted political asylum by the Board of Immigration Appeals. This decision established a precedent, binding on all U.S. immigration judges, that FGM constitutes a form of persecution which merits political asylum under United States refugee law.

In light of...the applicant’s young age, and her lack of any known criminal record, it is not apparent how the resolution of such important issues was facilitated by the applicant’s long-term detention.

BIA Appeals Chairman Paul W. Schmidt
Kenya: FIDA is greatly concerned about the circumstances of Fauziya Kassindja, who is detained at New County Prison in Pennsylvania and suffering from severe depression. We note with great consternation that Judge Ferlise denied Ms. Kassindja’s application for political asylum.

JULIE KOINANGE
INTERNATIONAL FEDERATION OF WOMEN LAWYERS

Mali: As Africans we know the dangers FGM is causing to girls physically, emotionally and psychologically. Many are losing their lives because of FGM. We are fully aware that as a citizen of a country which is claiming the leadership of good democracy and respect for human rights, you will not send Fauziya Kassindja to the loss of her life by refusing her asylum in the USA. The 20,000 members of our organisation strongly urge you to reconsider your former position.

FATOUMATA SIRE DIAKITE, ASSOCIATION POUR LE PROGRES ET LA DEFENSE DES DROITS DES FEMMES MALIENNES

France: May we remind you that FGM has been internationally condemned by Several Conventions and Conferences in which your country took a great and positive part?

ANTOINETTE FOUQUE
ALLIANCE DES FEMMES POUR LA DEMOCRATIE

United States: The U.S. government would clearly protect an American girl or woman if threatened against their will with these invasive procedures here in the United States. . . . FGM imposed on girls and women in Africa is no less degrading to them as it would be to you or us.

MYRNA RAEDER AND EVA HERZER
NATIONAL ASSOCIATION OF WOMEN LAWYERS

Peru: On behalf of the Latin American and Caribbean Committee for the Defense of Women's Rights, we thank you for your decision [to grant asylum] in the case of Fauziya Kassindja. The decision taken is one of great importance for the advancement of women.

SUSANA CHIAROTTI, CLADEM

DEAR ATTORNEY GENERAL RENO: We urge you to review...and hope you ensure the release of Ms. Kassindja . . . We hope you take appropriate action to address the policy issues raised by this case so that INS judges are briefed on the devastating practice of FGM and the circumstances that would justify a claim for political asylum.

PATRICIA SCHROEDER
CARRIE MEEK
GARY ACKERMAN
HENRY A. WAXMAN
GEORGE E. BROWN
VICTOR FRAZER
NYDIA VELAZQUEZ
JAMES TRAFICANT
SIDNEY YATES
MAXINE WATERS
JAMES L. OBERSTAR
MARTY MEEHAN
GERALD KLECZKA
SHEILA JACKSON-LEE
GEORGE MILLER
SAM GEJDENSON
NITA LOWEY
MATTHEW MARTINEZ
DONALD M. PAYNE
EARL HILLIARD
HARRY JOHNSTON
ELEANOR HOLMES NORTON
PETER DEFAZIO
JERROLD NADLER
NEIL ABERCROMBIE
NANCY PELOSI

MEMBERS OF CONGRESS

Letters from the Campaign

En avril 1996, Egalité Maintenant a publié une Action Femmes, demandant que le gouvernement des Etats-Unis libère Fauziya Kassindja et lui accorde l’asile politique, en raison de ce qu’elle craint un mariage forcé avec un polygame, et craint également qu’on ne lui fasse subir la mutilation génitale féminine (MGF). Fauziya s’est enfuie du Togo à l’âge de 17 ans, après la mort de son père et l’exclusion de la tribu de sa mère par la famille de son père, qui s’est arrogée l’autorité sur elle. Quand elle est arrivée aux Etats-Unis, on l’a arrêtée et elle a refusé au début l’asile politique. On l’a libérée après seize mois, et en seconde instance, sa demande d’asile politique a été accordée, ce qui a fait jurisprudence, en créant le précédent aux Etats-Unis que la MGF constitue une forme de persécution.

En abril de 1996, Igualdad Ya lanzó una Acción Mujeres en la que pedía al gobierno de Estados Unidos que pusiera en libertad a Fauziya Kassindja y que se le otorgara asilo político en base al miedo que ésta sentía de ser forzada a participar en un matrimonio polígamo y de que se le sometiera a la mutilación genital femenina (MGF). Fauziya huyó de Togo cuando tenía 17 años, después de la muerte de su padre y de que su madre fuera desterrada por los familiares paternos de Fauziya, quienes tenían la patria potestad de la muchacha. Cuando Fauziya llegó a Estados Unidos, fue arrestada y más adelante se le negó asilo político. Dieciséis meses después de su arresto, Fauziya fue puesta en libertad y, al poco tiempo, recibió asilo político, gracias a que la corte ante la que se había apelado su caso fallara en su favor, estableciendo un precedente legal en Estados Unidos de que la MGF constituye un tipo de persecución.
IN JUNE 1996, Equality Now issued a Women’s Action highlighting the case of Lok Maya Adhikari, a farmer from Bhadrapur, Nepal, who was imprisoned for one year on the charge of abortion. Married at the age of 15 and widowed at the age of 32, Lok Maya Adhikari was left with five children, the youngest of whom was six years old at the time of her arrest. According to Lok Maya’s statement in court, she became pregnant by a friend of the family, Bhim Prashad Poudel, who advised her to get an abortion and took her to a traditional birth attendant. The birth attendant gave her an herbal root for insertion, which after some pain induced an abortion. Two days later, on 27 June 1995, Lok Maya Adhikari was arrested. Unable to post bail, she was held in detention, and on 31 March 1996 she was sentenced to one year of imprisonment. In December 1995, Bhim Prashad Poudel, the man alleged to be responsible for the pregnancy, was also arrested. He denied responsibility for both the pregnancy and the abortion and was found not guilty and released.

Researched in consultation with the Forum for Women, Law and Development in Nepal, the Women’s Action also focuses on efforts underway to reform the law on abortion. In Nepal, there are no exceptions to the legal prohibition on abortion, even in cases of rape, or even if the life of the mother is at risk. A draft resolution to amend the law on abortion was introduced in March 1994. The amendment proposed was to legalize abortion in the first trimester of pregnancy, with the husband’s consent or, in the case of an unmarried woman, with parental consent. Where the pregnancy resulted from rape or incest, abortion would be permissible in the first and second trimesters, with no spousal or parental consent required in the first trimester. At any time during the pregnancy, with the recommendation of an authorized medical practitioner, abortion would be permissible if the life of the mother were at risk, if her physical or mental health were at risk, or if the fetus were deformed. Parliamentary consideration of this amendment was impeded by several political crises followed by changes in government. On 31 July 1997, Bill No. 11 was introduced, addressing a number of issues relating to women’s rights, including property inheritance, child marriage, polygamy, rape, and the proposed amendment to the abortion law, excluding the provisions relating to unmarried women. As of year-
end 1997, the bill was still pending. Lok Maya Adhikari was released after serving her one-year sentence in full.

Equality Now continues to call for amendment of the abortion law in Nepal. Officials in Nepal have received letters from Women’s Action Network members all over the world including CLADEM, an organization working for the human rights of Latin American and Caribbean women, Women Living Under Muslim Laws and the Advice Desk for Abused Women in South Africa. In the United States, Columbia University School of Public Health and Center for Population and Family Health officials also have expressed their concern over the consequences to Nepali women of the restrictive law in Nepal.
IN AUGUST 1996, Equality Now issued a Women’s Action requesting the Security Council of the United Nations to elect a qualified woman to the post of Secretary-General. Following up on the specific commitment made at the United Nations Fourth World Conference on Women to develop “mechanisms to nominate women candidates for appointment to senior posts in the United Nations,” Equality Now’s Action highlighted the election of a new Secretary-General, the highest post in the United Nations, as a unique opportunity to honor this commitment. The Platform for Action, adopted at the Fourth World Conference on Women in Beijing in 1995, noted that “the United Nations is continuing to deny itself the benefits of women’s leadership by their underrepresentation at decision-making levels within the Secretariat” and that “without the active participation of women and the incorporation of women’s perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”

Equality Now’s Women’s Action received widespread international media attention, and several United Nations missions represented on the Security Council responded to the letters they received from Women’s Action Network members. Despite the clear language of the Platform for Action, none of these responses acknowledged the responsibility undertaken at the Beijing conference to develop a formal mechanism for the nomination of women to senior-level UN posts. For example, although he noted that “as a signatory of the Global Platform for Action, we support the agreements reached in Beijing,” the Political Counselor of the United Kingdom wrote, “our policy is that appointments to positions within international bodies—such as the UN—should be made on the basis of candidates’ abilities and qualifications, irrespective of gender.”
December 1996, Mr. Kofi Annan, a long-time United Nations staff member, was elected to serve as Secretary-General of the United Nations. Ms. Louise Fréchette was subsequently appointed as the first Deputy Secretary-General of the United Nations.

Equality Now continues to monitor vacancies at decision-making levels in the United Nations and advocates the appointment of qualified women to these posts. Mary Robinson has recently been appointed the United Nations High Commissioner for Human Rights, and Gro Harlem Brundtland has been elected as Director-General of the World Health Organization. They are the first women to serve in these posts.
IN DECEMBER 1996, Equality Now issued a Women’s Action protesting sex tourism and highlighting Big Apple Oriental Tours, a sex tourism agency based in New York and owned by Norman Barabash. Big Apple Oriental Tours recruits sex tourists through publications such as Soldier of Fortune and Asia File, a newsletter claiming to be the “most up-to-date inside information on sex travel.” These sex tourists are met at the airport by a Big Apple Oriental Representative in the Philippines, who accompanies them to numerous bars in Angeles City and helps them negotiate prostitution transactions. Noting that promotion of prostitution is a crime under New York law, Equality Now is calling on the District Attorney of Queens, the county of New York in which Norman Barabash resides, to investigate and prosecute him for this offense. Following the letters and publicity generated by the Women’s Action, the District Attorney commenced an inter-agency investigation.

In its March/April 1997 issue, Ms. Magazine featured the Equality Now campaign against sex tourism and Big Apple Oriental Tours. In May 1997, Norman Barabash wrote to Ms. Magazine demanding a retraction and apologizing for the article, and stating that on or about June 16, 1997, he would be filing suit against Equality Now, which he called his “chief accuser.” Ms. Magazine attorneys responded in June 1997, affirming that “whether one examines the dictionary or the criminal law definition of ‘promoting’ prostitution, your sales literature makes it abundantly clear that one of the purposes of Big Apple Tours is to enable your customers to purchase the services of prostitutes.” No lawsuit was filed.

SEX TOURISM

"REAL SEX WITH REAL GIRLS, ALL FOR REAL CHEAP"
including assistance from the Federal Bureau of Investigations and the United States Customs Service. In September 1997, Equality Now learned that the investigation had been closed. In December 1997, following a meeting between Equality Now representatives and members of the inter-agency investigation team, the investigation was reopened, based on the evidence presented by Equality Now. Equality Now is working with this team and continues to call for the prosecution of Norman Barabash. Meanwhile, as a direct result of the Women’s Action, in late 1997 the Philippines Government barred the operators of Big Apple Oriental Tours from entering the country.

 Trafficking in girls and women is an international multi-billion dollar industry. In both the Philippines and Thailand, primary sex tourism destinations, prostitution is illegal. Some countries from which sex tourism originates, including Australia, Germany, the Netherlands, Sweden and the United States, have passed legislation which criminalizes sex tourism, but such laws apply only to travel for the purpose of engaging in sex with minors. In the United States, the Violent Crime Control and Law Enforcement Act of 1994 makes travel with intent to engage in any sexual act with a juvenile punishable by up to ten years’ imprisonment. To date there have been no prosecutions under this law.
EQUALITY NOW has been in an ongoing dialogue with the staff of the United Nations International Criminal Tribunals in an effort to ensure the inclusion of crimes of sexual violence in the investigation and prosecution of war crimes in the former Yugoslavia and in Rwanda. Before the establishment of these Tribunals, Equality Now assisted the Commission established by the United Nations to investigate war crimes in the former Yugoslavia, by recruiting volunteer women attorneys to take testimony relating to rape and other crimes of sexual violence. Following the establishment of the International Criminal Tribunal for the former Yugoslavia (ICTY), Equality Now wrote to the President and the Chief Prosecutor regarding the rules of evidence relating to rape, and particularly the defense of consent. “Although consent must be a legitimate defense to a charge of rape in an ordinary social context,” Equality Now said, “it cannot be considered a legitimate defense to the war crime of rape. The very nature of rape as a war crime presupposes circumstances of war which make consent a non-issue. . . . In effect, the element of consent is subsumed in the element of war. To separate and extricate the issue of consent serves no legitimate purpose and will only cause additional harm to those victims of rape who testify.”

In February 1997, and again in March 1997, Equality Now wrote to the Chief Prosecutor to express concern with regard to the non-prosecution of rape by the International Criminal Tribunal for Rwanda (ICTR), noting that the widespread incidence of rape during the genocide in Rwanda had been extensively documented by human rights organizations, independent filmmakers, and the media. In June 1997, following spontaneous testimony concerning rape from two witnesses in the Akayesu trial, the indictment in that case was amended to add charges of sexual violence.
**JULY/AUGUST 1996**

**EQUALITY NOW CALLS FOR “PROPORTIONATE GENDER REPRESENTATION” OF ICC JUDGES**

An International Criminal Court has the potential to become a uniquely effective institution for addressing, and deterring, human rights violations. Equality Now strongly supports efforts to establish an International Criminal Court, and in this process hopes the following improvements can be made in the draft statute:

I. Gender representation should be included as a consideration when the States parties nominate and elect judges for the Court.

II. Human trafficking is a form of slavery and should be included as one of the "exceptionally serious crimes of international concerns."

III. The Prosecutor should have the independence to investigate and prosecute, on his or her own initiative, all crimes which fall under the jurisdiction of the Court.

**JANUARY 1997**

**EQUALITY NOW CALLS ON WOMEN’S MOVEMENT TO SUPPORT THE ICC**

Formal discussion leading to the creation of an International Criminal Court (ICC) is well underway at the United Nations and among non-governmental organizations (NGOs) in the human rights community. It is important that this new Court reflect the interests and concerns of the broadest constituency possible, and in particular, the perspective of women, which in the past has been absent too often from the process.

What the ICC will look like and how well it will function could well depend largely on the discussions that are taking place now. Equality Now has been a member of the NGO Coalition for an International Criminal Court since its inception. Consistently, Equality Now has raised issues of concern to women, such as the importance of including international crimes that primarily affect women (e.g., human trafficking) in the jurisdiction of the Court, and the importance of ensuring gender balance in the composition of the Court. The organization has at times been a lone voice on issues of concern to women, while other constituencies are actively represented by numerous organizations in the Coalition.

Equality Now wants to ensure that the voices and concerns of women are incorporated into these important preliminary stages of the United Nations process. An International Criminal Court will provide access to justice for all those who are suffering, regardless of the country in which they live. It is an extraordinary concept which could have a tremendous impact on the protection of human rights around the world. For this reason, we urge women’s rights organizations to join Equality Now in the NGO Coalition for an International Criminal Court.
IN JULY 1997, Equality Now issued a Women’s Action concerning a policy introduced in The Gambia which prohibited the use of state-owned radio and television media to campaign against FGM. The policy, announced by the Director of Broadcasting Services of Gambia Telecommunications (GAMTEL), stated that “the broadcast by Radio Gambia or Gambia Television of any programmes which either seemingly oppose female genital mutilation or tend to portray medical hazard about the practice is forbidden, with immediate effect. So also are news items written from the point of view of combating the practice.” Working with the Gambian Committee Against Harmful Traditional Practices (GAMCOTRAP), Equality Now through its Women’s Action Network campaigned effectively for the reversal of this policy directive, which greatly impeded the efforts of GAMCOTRAP and other organizations working in The Gambia to stop FGM. In December 1997, GAMCOTRAP informed Equality Now that the policy had been reversed and stated their belief that the Women’s Action Network campaign had “contributed immensely” to this outcome.

The Gambia Committee on Traditional Practices wishes to express its appreciation to Equality Now and all its affiliates for their support and active involvement... We hope that this collaboration will continue towards the empowerment of the girl-child.

Mary Small, Programme Coordinator, GAMCOTRAP
Since February 1993, Equality Now has issued three Updates to its Women’s Action on Bosnia-Herzegovina, calling for the arrest and prosecution of Radovan Karadzic. On 25 May 1993, the United Nations Security Council established an International Criminal Tribunal for the prosecution of war crimes in the former Yugoslavia. On 25 July 1995, Radovan Karadzic and Ratko Mladic, leader of the Bosnian Serbs and commander of the Bosnian Serb army, respectively, were indicted by this Tribunal for crimes against humanity committed during the genocidal campaign of “ethnic cleansing” in the former Yugoslavia. In accordance with its rules, the Tribunal confirmed the indictments of Karadzic and Mladic in July 1996, following a hearing in which a number of witnesses testified. In its decision, the Tribunal certified the failure of the Federal Republic of Yugoslavia and the Republika Srpska to cooperate with the Tribunal. Although parties to the Dayton Peace Agreement of 1995 agreed to turn over indicted war criminals to the International Criminal Tribunal, NATO forces in the former Yugoslavia have been reluctant to take any action for fear of retaliation. On 10 July 1997, for the first time NATO forces arrested a suspect indicted by the Tribunal. By the end of 1997, however, both Karadzic and Mladic were still at large.

In December 1993, Equality Now issued a Women’s Action concerning the death of Maricris Sioson, a 22-year-old Filipina dancer who went to work in Japan and several months later died there on 14 September 1991. When her body was returned to the Philippines for burial, signs of beatings and stab wounds indicated that Maricris Sioson had been killed, although Japanese doctors had listed hepatitis as the cause of her death. An autopsy confirmed that Maricris died of traumatic head injuries and documented two stab wounds, one in the thigh indicating that a double-edged blade had been twisted upward, downward and diagonally in the flesh, and one in the genital area indicating that a blade had been inserted vertically. Equality Now continues to call for an investigation into the death of Maricris Sioson and the prosecution of those responsible.
IN MAY 1994, in conjunction with the Durban-based Advice Desk for Abused Women, Equality Now issued a Women’s Action on rape in South Africa, focusing on the plight of the women who live on the pavement of Umgeni Road outside the Durban train station. Although the police station is only a few blocks away, the police were not patrolling the stretch of pavement on which the women live, leaving the women vulnerable to local thugs who robbed, attacked and raped them with impunity. These women would often see their rapists again, raping other women. They wanted police protection, and Equality Now’s Women’s Action added an international voice to their call for help. The Action called on the South African government to provide a regular police patrol on Umgeni Road. The campaign of public pressure, including meetings between the Advice Desk for Abused Women and the Durban police, resulted in more visible policing and a significant reduction in violence against the pavement women. The woman featured in Equality Now’s Action, Regina Nyanda, a woman who had lived on the pavement of Umgeni Road for more than twenty years, received free medical care for her epilepsy as a result of intervention by the Advice Desk for Abused Women, and in August 1995 she traveled home on a free train ticket arranged by Social Welfare Services to rejoin her family in Soweto.

IN DECEMBER 1994, Equality Now issued a Women’s Action on gender-related judicial bias, as illustrated by the Peacock case in the state of Maryland. In this case, Baltimore County Circuit Court Judge Robert E. Cahill imposed an extremely light sentence on the defendant, Kenneth Peacock, who had killed his wife after finding her in bed with another man. In his sentencing decision, the judge commented, “I seriously wonder how many married men . . . would have the strength to walk away . . . without inflicting some corporal punishment, whatever that punishment might be. I shudder to think what I would do.” Equality Now’s Women’s Action Network called on judicial authorities in Maryland to demonstrate Maryland’s commitment to equal protection of the law for women. On the basis of his comments, Judge Cahill was charged with failing to act during the sentencing hearing in a manner that promoted public confidence in the impartiality of the judiciary. In February 1996, the Maryland Commission on Judicial Disabilities held a public hearing on these charges, and in May 1996 the Commission dismissed the complaint against Judge Cahill, finding that the judge’s comments should be read in the context of his entire sentencing statement and that the evidence did not reach the clear and convincing standard required for a sanction. Two women on the Commission dissented from the decision, finding that “Judge Cahill’s statements created an atmosphere where members of the public might reasonably conclude that cases involving spousal violence would not be heard in a fair and impartial manner by Judge Cahill.”
IN MARCH 1995, Equality Now issued a Women’s Action opposing efforts to medicalize FGM in Egypt. Despite a commitment to ban FGM, which he made at the United Nations Conference on Population and Development held in Cairo in September 1994, the Egyptian Minister of Health issued a directive one month later designating certain hospitals to perform FGM for a fee equivalent of US$3. Members of Equality Now’s Women’s Action Network appealed to the Minister from countries around the world. The Minister of Health responded individually to these letters, and in October 1995 he revoked the directive he had issued and instructed hospitals not to perform FGM. The scope of this ban was extended by his successor to private hospitals in July 1996, but the ban was challenged in court by a group of plaintiffs including several doctors and Islamist leaders who advocate the practice of FGM. The court struck down the Minister’s ban on FGM, asserting in its decision the right of doctors to perform FGM. Equality Now issued a Women’s Action Update in July 1997, calling on the Egyptian Medical Syndicate to clarify publicly and to all doctors in Egypt that professional ethics prohibit the performance of FGM. The Egyptian Minister of Health appealed the court decision and in December 1997, the highest court upheld the ban on FGM, noting that FGM is not sanctioned by Islam and that the practice is subject to the provisions of the Penal Code.
IN 1997, Equality Now launched a new publication, AWAKEN, to support organizations and individual activists working to stop female genital mutilation (FGM), a practice known by African communities as female circumcision. AWAKEN is a forum for information and discussion to promote a better understanding and a more effective strategy for the eradication of FGM. In each issue of AWAKEN there is a feature piece highlighting activism, news from around the world relating to FGM and a listing of resources which includes information on organizations, conferences, and publications relating to the issue, as well as funders who might be potential sources of financial support. Each issue also includes a Man Power column, to promote a dialogue among men on the eradication of the practice. AWAKEN is published in English, Arabic and French to promote its accessibility to grassroots groups and individuals in communities where FGM is practiced, and it is distributed free of charge to these groups and individuals. The following are some excerpts from the first three issues of AWAKEN published in 1997:

AWAKEN will not judge the material that appears on its pages by which term is being used by those who contribute to it. The real issue is how all of us, despite the different terminology, are going to strategize for the long awaited eradication of the tradition.

From the Editor (Asma Abdel Halim), Vol. 1, Issue 1, June 1997.

I was intrigued to realize that sexuality is an important source of power among the genders and control and manipulation of it accompanies change in power. It struck me

Asma Abdel Halim, the founding editor of AWAKEN.
that the apparent injustice, deprivation, constraints and lack of power in the lives of many women is likely achieved by controlling and dismembering their sexual integrity by culturally sanctioned female circumcision.

Dr. Mohamed Badawi, Johns Hopkins University, Man Power, Vol. 1, Issue 1, June 1997

On August 17th, 1996, Daphne Pratt of Freetown was going to visit friends when she was lured into an unfinished house at Congo Cross and told that her friends were there. Daphne said, “Upon entering the building I was viciously attacked by some women, grabbed by the throat, swept off my feet and laid on the ground while a group of women were singing loudly and dancing and telling me that I was now in the Bundo Bush and will be initiated today...” Daphne was abandoned in a pool of blood, but she struggled out of the building to the street half naked. When she went to the police she said, “I was told it was not a police affair, I should go to the tribal court. I was abandoned at the counter bleeding profusely. . . . I have been forced to leave my former house and seek refuge elsewhere. I am living a life totally in fear.”

From a personal statement by Daphne Pratt, reprinted in News, Sierra Leone, Vol. 1, Issue 2, September 1997

What is important is not to view FGM in simplistic terms as a battle between the sexes in Africa but rather as a health issue and a developmental problem which affects society as a whole. It is very important in our attempt to tackle this practice to get men to be involved in the campaign.


In the United States there are now thousands of girls who were born or naturalized American citizens and are attending American junior high schools or high schools, but are faced with the crippling reality of their infibulation. Polemic and rhetoric are of no use to these girls. What they urgently need is a network of resources to which they can turn.


An examination of the practice of genital mutilation should not be isolated from other traditional practices, harmful or beneficial, and should be seen as part and parcel of all practices that subjugate and oppress women around the globe.

Salem Makuria, “Female Genital Mutilation in Africa: Some African Views”
SINCE MARCH 1995, Equality Now has been working to bring human rights violations against women to the attention of the United Nations Human Rights Committee. The Human Rights Committee was established by the International Covenant on Civil and Political Rights, a treaty for the protection of human rights which has been signed and ratified by more than 130 countries. Under the Covenant, signatory governments are required to report on a regular basis to the Human Rights Committee on their compliance with the provisions of the Covenant. Many of these provisions encompass the human rights of women, including the fundamental right to equality under the law and equal protection of the law. Working with women’s rights groups in countries up for review by the Committee, during the 1996 and 1997 sessions, Equality Now raised concerns relating to violence against women, legally sanctioned discrimination, and reproductive rights in conjunction with the Committee’s consideration of reports from Guatemala, Zambia, Afghanistan, Peru, Brazil, Lebanon, Colombia, India, Senegal, Lithuania and the Sudan. Equality Now is the only women’s rights group regularly participating in the work of the Human Rights Committee.

From Concluding Observations of the Human Rights Committee

**on Peru:** “The Committee notes with concern that the law still contains a provision exempting a rapist from punishment if he marries his victim and another which classifies rape as a privately prosecutable offense. The Committee is also concerned that abortion gives rise to a criminal penalty even if a woman is pregnant as a result of rape and that clandestine abortions are the main cause of maternal mortality. These provisions not only mean that women are subject to inhumane treatment but are possibly incompatible with articles 3, 6, and 7 of the Covenant . . . Peru must ensure that laws relating to rape, sexual abuse and violence against women provide women with effective protection. The necessary measures must be taken to ensure that women do not risk their life because of the existence of restrictive legal provisions on abortion.” (57th Session, July 1996)

**on Colombia:** “The Committee expresses its concern over the situation of women who, despite some improvements, continue to be the subject of de jure and de facto discrimination, in all spheres of economic, social and public life. It notes in this regard that violence against women remains a major risk to their right to life which needs to be more effectively addressed. It is also concerned over the high mortality rate of women resulting from clandestine abortions.” (59th Session, March 1997)

**on Lebanon:** “The Committee notes that both legal and de facto discrimination continue to be a matter of concern. It refers in this context to articles 487 to 489 of the Criminal Code which impose harsher sentences for conviction of adultery on women than on men,
to nationality laws and the laws which may restrict the right to leave the country for spouses in the absence of the consent of their husband . . . The Committee considers that these provisions, and others referred to in the report, are incompatible with articles 3 and 23 of the Covenant." (59th Session, March 1997)

**on India:** “While acknowledging measures taken to outlaw child marriages (Child Marriages Restraint Act), the practice of dowry and dowry-related violence (Dowry Prohibition Act and the Penal Code) and sati—self-immolation of widows—(Commission of Sati [Prevention] Act), the Committee remains gravely concerned that legislative measures are not sufficient and that measures designed to change the attitudes which allow such practices should be taken. The Committee is also concerned that giving male children preferred treatment persists, and deplores that practices such as foeticide and infanticide of females continue. The Committee further notes that rape in marriage is not an offence and that rape committed by a husband separated from his wife incurs a lesser penalty than for other rapists. The Government must take further measures to overcome these problems and to protect women from all discriminatory practices, including violence.” (60th Session, July 1997)

**on Sudan:** “The Committee expresses concern over official enforcement of strict dress requirements for women in public places, under the guise of public order and morality; and over inhuman punishment imposed for breaches of such requirements . . . The Committee is deeply concerned about the practice of female genital mutilation in the Sudan, particularly because it is practiced on female minors, who may suffer the consequences throughout their lives. This practice violates articles 7 and 24 of the Covenant. The State party should forbid, as a matter of law, this practice making it a discrete criminal offence. Social and educational campaigns should be pursued to eliminate this practice.” (61st Session, November 1997)
THE ACTIVISTS OF EQUALITY NOW

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Mary Ann Burris
Douglas Cahn
Patricia Carbine
J. Speed Carroll
Center for Strategic Initiatives of Women
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Gelia Dugger
Diana Perry Elby
Eve Ensler
Elizabeth Evatt
Nina Feldman
Sally Fisher
Joan Fitzpatrick
Julie Flock

See inside back cover for photo captions
### STATEMENT OF FINANCIAL POSITION

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>1997 As of December 31</th>
<th>1996 As of December 31</th>
</tr>
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<tbody>
<tr>
<td>Cash and cash equivalents</td>
<td>$149,536</td>
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<tr>
<td>Petty cash</td>
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<td>499</td>
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<tr>
<td>Grants receivable</td>
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<td>110,613</td>
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<td>Prepaid expenses</td>
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<tr>
<td>Equipment</td>
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<td>Other assets</td>
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<tr>
<td><strong>Total assets</strong></td>
<td><strong>$245,408</strong></td>
<td><strong>$236,801</strong></td>
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</table>

<table>
<thead>
<tr>
<th>LIABILITIES AND NET ASSETS</th>
<th>1997</th>
<th>1996</th>
</tr>
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<tbody>
<tr>
<td>Liabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable and accrued expenses</td>
<td>$11,878</td>
<td>$6,529</td>
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<tr>
<td>Net Assets</td>
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<tr>
<td>Unrestricted*</td>
<td>191,230</td>
<td>119,659</td>
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<tr>
<td>Temporarily restricted</td>
<td>42,300</td>
<td>110,613</td>
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<tr>
<td><strong>Total net assets</strong></td>
<td>233,530</td>
<td>230,272</td>
</tr>
<tr>
<td><strong>Total liabilities and net assets</strong></td>
<td><strong>$245,408</strong></td>
<td><strong>$236,801</strong></td>
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</tbody>
</table>

*Including $75,000 set aside by the Board of Directors to establish an Africa Regional Office.

### STATEMENT OF ACTIVITIES

<table>
<thead>
<tr>
<th>UNRESTRICTED NET ASSETS</th>
<th>1997</th>
<th>1996</th>
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<tr>
<td>REVENUES AND OTHER SUPPORT</td>
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<tr>
<td>Contributions</td>
<td>$246,804</td>
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<td>Donated services</td>
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<td>Sundry income</td>
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<td><strong>Total</strong></td>
<td><strong>$284,143</strong></td>
<td><strong>$264,472</strong></td>
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<tr>
<td>Net assets released from restrictions</td>
<td>178,980</td>
<td>89,443</td>
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<tr>
<td><strong>Total revenues and other support</strong></td>
<td><strong>463,123</strong></td>
<td><strong>353,915</strong></td>
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<table>
<thead>
<tr>
<th>EXPENSES</th>
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<tbody>
<tr>
<td>Program services</td>
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<tr>
<td>Women’s Action Network</td>
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<td>FGM Project</td>
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<tr>
<td>UN Human Rights Committee</td>
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<td>34,119</td>
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<tr>
<td>Supporting services</td>
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<td></td>
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<tr>
<td>Management and General</td>
<td>51,740</td>
<td>36,064</td>
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<tr>
<td>Fundraising</td>
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<tr>
<td><strong>Total expenses</strong></td>
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<td><strong>328,863</strong></td>
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<tr>
<td>Increase in unrestricted net assets</td>
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<td>25,052</td>
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</table>

<table>
<thead>
<tr>
<th>TEMPORARILY RESTRICTED NET ASSETS</th>
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<tbody>
<tr>
<td>Contributions</td>
<td>110,667</td>
<td>185,056</td>
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<tr>
<td>Net assets released from restrictions</td>
<td>(178,980)</td>
<td>(89,443)</td>
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<tr>
<td>Increase (decrease) in temporarily restricted net assets</td>
<td>(68,313)</td>
<td>95,613</td>
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<tr>
<td>Change in net assets</td>
<td>3,258</td>
<td>120,665</td>
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<td>Net assets: January 1</td>
<td>230,272</td>
<td>109,607</td>
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<tr>
<td>Net assets: December 31</td>
<td><strong>$233,530</strong></td>
<td><strong>$230,272</strong></td>
</tr>
</tbody>
</table>

Copies of the complete, audited reports may be obtained from Equality Now or from the State of New York, Department of Law, Office of Charities Registration, The Capitol, Albany, NY 12223.
FOUNDATION SUPPORT 1996–1997

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- The Bydale Foundation
- The Dreitzer Foundation
- Echoing Green
- The European Human Rights Foundation
- The Ford Foundation
- The Joyce Mertz-Gilmore Foundation
- The John D. & Catherine T. MacArthur Foundation
- The Moriah Fund
- The Ms. Foundation for Education and Communication
- The New York Friends Group
- NOVIB
- The Ruben & Elisabeth Rausing Trust
- The Reebok Human Rights Foundation
- Laurance S. Rockefeller
- The Spingold Foundation
- The Streisand Foundation
- The Ruth Turner Fund
Where, after all, do universal human rights begin? In small places, close to home . . . .

Después de todo, dónde comienzan los derechos humanos universales? En los lugares pequeños, cercanos a nuestra casa . . . .

Et d’ailleurs, où commence le respect des droits universels? Dans des lieux familiers, proches du foyer. . . .

أين تبدأ حقوق الإنسان العالمية؟ إنها تبدأ في تلك الأماكن صغيرة بالقرب من المساكن....

ELEANOR ROOSEVELT