

The August 12th Campaign

The August 12th Campaign, named after the anniversary of the Geneva Conventions, seeks to end the discriminatory denial of abortions for girls and women raped in armed conflict in violation of their rights as war victims to comprehensive medical care under the Geneva Conventions.

April 2010 – GJC successfully built support from governments, civil society and within the UN System for the organization’s April 2010 shadow report to the UN Human Rights Council for the first Universal Periodic Review of the US. This submission identified how the anti-abortion restrictions that the US places on humanitarian aid violate the Geneva Conventions and International Humanitarian Law. As a result of advocacy at the Office of the High Commissioner for Human Rights, the GJC shadow report was included in the stakeholder summary compiled by the Office of the High Commissioner for Human Rights for the Human Rights Council.

November 2010 – Citing the GJC, Norway became the first country to formally recommend that the US “remove blanket abortion restrictions on humanitarian aid covering medical care given women and girls who are raped and impregnated in situations of armed conflict.” This gave GJC a unique access point to advocate that the U.S. (1) accept Norway’s recommendation and (2) give effect to the recommendation by way of an executive order.

January 2011 - GJC drafted an executive order explicitly referring to the need to remove these restrictions in order to comply with US obligations under the Geneva Conventions, including common Article 3.

March 2011 –The New York Bar Association, representing over 22,000 lawyers, wrote the first advocacy letter to President Obama asking him to lift the US abortion restrictions and followed GJC’s legal arguments point by point. This letter was followed by leading human rights organizations and legal experts around the world, including Amnesty International, the World Organization against Torture, FIDH, the Paris Bar Association and the Norwegian Bar Association and many others.

August 2011 - In August 2011, the GJC was granted ECOSOC Consultative Status with the UN which greatly legitimized the organization, increasing our influence and giving GJC access to many UN processes dealing with economic and social development, gender issues, sustainable development, small arms and human rights.

September 2011 – The New York Times Editorial Board publishes its first of three editorials in support of the August 12th Campaign’s call for President Obama to lift US abortion restrictions on aid to girls and women impregnated through rape in armed conflict.

March 2012 – The Vice-Presidents of the European Parliament, Alexander Alvaro and Edward McMillan-Scott, wrote to President Obama urging the US to comply with its obligations under the Geneva Conventions and lift the abortion restrictions on aid, which denies access to safe abortion services for war rape victims.

March 2012 – The European Parliament adopted a Resolution on equality between men and women that specifically called on member states and the European Commission to ensure girls and women raped in armed conflict receive abortion services.

August 2012 – *The Atlantic* published an article by GJC Senior Counsel Akila Radhakrishnan and GJC pro-bono attorney Kristina Kallas, on the effect of U.S. abortion restrictions on foreign aid to women and girls impregnated through war rape.

August 2012 – The Socialist International Women’s Congress adopted a resolution acknowledging "rape as a weapon or tactic of armed conflict."

January 2013 – During a Parliamentary debate in the House of Lords, the UK announced a historic change in their policy, acknowledging that girls and women raped in armed conflict have absolute legal rights to abortions when medically necessary under the Geneva Conventions. This turnaround came in response to a historic call by Lord Anthony Lester for the UK to take global leadership to end the routine denial of “life and health saving abortions in humanitarian settings” for girls and women raped in war. Lord Lester called the denial of abortions for women raped in war “barbaric,” stating that it leaves victims with “the terrible ‘choice’ of risking an unsafe abortion, suicide, or being forced to bear the child of their rapists.”

March 2013 – Members of the European Parliament sent a letter to President Obama, copying Secretary of State John Kerry and Kristalina Georgieva, European Commissioner for Humanitarian Aid, requesting that the President lift the abortion restrictions placed on US aid to war rape victims.

March 2013 - Report of the UN Secretary-General on Sexual Violence in Conflict

For the first time in history, the UN Secretary-General makes a recommendation in his annual Report on sexual violence in conflict that aid to girls and women raped in armed conflict must include services to terminate an unwanted pregnancy resulting from rape: “Girls and women lack access to services that would allow them to safely terminate a pregnancy and are often forced to either carry out unwanted pregnancies resulting from rape or undergo dangerous abortions. Therefore, access to safe emergency contraception and services for the termination of pregnancies resulting from rape should be an integral component of any multi-sectoral response.”

March 2013 – The New York Times published its second editorial calling for President Obama to lift the US abortion restrictions on its aid to war rape victims.

April 2013 – The Netherlands affirms the right of war rape victims to have access to safe abortion services.

April 2013 – Professor Louise Doswald-Beck, leading expert on international humanitarian law and former head of ICRC legal division, calls on President Obama to end US abortion restrictions on aid to war rape victims in a letter to him in support of the August 12th Campaign. She called the restrictions a violation of the Geneva Conventions for the following reasons: 1) The denial of abortion violates the medical care guarantees of international humanitarian law; 2) The denial of abortion violates the absolute prohibition on gender discrimination under international humanitarian law; 3) The denial of abortion constitutes torture and cruel treatment in violation of international humanitarian law.

June 2013 - European Parliament adopts a second resolution urging humanitarian aid to be independent from US restrictions and ensure sexual violence survivors’ access to safe abortion. The EP Resolution on the UN Millennium Development Goals refers to the US “no-abortion” prohibition on humanitarian aid.

June 2013 - The UN Security Council unanimously passes Resolution 2106, which for the first time explicitly calls for UN bodies and donor countries to provide “non-discriminatory and comprehensive health services, including sexual and reproductive health.”

August 2013 – Baroness Kinnock, a major August 12th Campaign supporter, wrote an article in the Guardian urging the UK and EU countries to ensure that its humanitarian aid goes to providing access to safe abortions for war rape victims, despite the US abortion restrictions. She particularly highlighted the effects of the restrictions in the Central African Republic.

August 2013 – In a joint statement to the United Nations, the Nordic Countries - Sweden, Denmark, Norway and Iceland - delivered a strong statement in support of safe abortion access for girls and women who are victims of rape in armed conflict under international law, and urged the international community to end impunity for sexual crimes in war.

September 2013 – In his annual report on women, peace and security, the UN Secretary-General for the first time links the provision of abortion services to rights under international humanitarian law: “Ensure that humanitarian aid and funding includes provision for the full range of medical, legal, psychosocial and livelihood services to victims of rape, including access to services for safe termination of pregnancies resulting from rape, without discrimination and in accordance with international humanitarian law.”

October 2013 – In an historic first, the United Nations Security Council unanimously passed **Resolution 2122**, a ground-breaking resolution supporting abortion services for girls and women raped in armed conflict. Although the Security Council did not use the term “abortion” in the resolution, its language makes clear that Member States and the UN must ensure that all options are given women impregnated by war rape: “Recognizing the importance of Member States and United Nations entities seeking to ensure humanitarian aid and funding includes provision for the full range of medical, legal, psychosocial and livelihood services to women affected by armed conflict and post-conflict situations, and noting the need for access to the full range of sexual and reproductive health services, including regarding pregnancies resulting from rape, without discrimination.”

October 28, 2013 – **CONFIDENTIAL** – Lieutenant General Claudia Kennedy (ret.), the first female American three-star general, and Professor Larry Tribe at Harvard University (and President Obama's mentor), sent a letter to Valerie Jarrett, a senior advisor to the President and the Chair of the White House Council on Women and Girls, asking for the President to issue an Executive Order citing how the Helms amendment violates the Geneva Conventions including undermining the rights of American servicewomen should they be raped in war. The letter was also sent to Tina Tchen, First Lady Michelle Obama's Chief of Staff and the Executive Director of the White House Council on Women and Girls; Samantha Power, the U.S. Permanent Representative to the United Nations; and Denis McDonough, the President's Chief of Staff.

December 5, 2013 – **CONFIDENTIAL** – GJC met with Tina Tchen, First Lady Michelle Obama's Chief of Staff and the Executive Director of the White House Council on Women and Girls; Avra Siegel, the Deputy Director of the White House Counsel on Women and Girls; Jamille Bigio, the Director for Human Rights and Gender for the National Security Staff; and a legal advisor from the State Department and National Security Staff, to discuss how the abortion restrictions violate the Geneva Conventions and the legal argument for the President taking executive action. The meeting was attended by Janet and Akila, and at GJC's invitation, Ellie Smeal, President of the Feminist Majority Foundation.

January 2014 – For a third time, The New York Times Editorial Board called on President Obama to lift the U.S. abortion restrictions placed on humanitarian aid to women and girls impregnated through rape in armed conflict.

February 2014 – GJC assembled an international consortium of partners representing over 3,500 groups to either sign onto a joint letter or to write individual letters to President Obama in support of an executive order.

April 25, 2014 – During the UN Security Council open debate on conflict-related sexual violence, Gérard Araud, the Ambassador of France to the United Nations, took a strong stand for the rights of women and girls raped in war to have access to safe abortion services, stating: “Before concluding, I would like to add one point that remains important for France. In peacetime, but even more so during war, access to sexual and reproductive health services is indispensable. We know that women and girls exposed to sexual violence run the risk of premature and unwanted pregnancies. The risk of maternal mortality in such circumstances rises tenfold. The refusal to provide abortion services represents a violation of one of the principles of international humanitarian law, which covers non-discrimination with respect to the provision of medical services to victims. Such discrimination, which adds a terrible injustice to women who have been the victims of sexual violence, must be brought to an end.”

June 2014 – GJC was invited by the UK government to participate in the Global Summit to End Sexual Violence in Conflict (ESVC) in June 2014 in London. GJC brought twelve women activists from the field to the Summit, and was responsible for the only mention of abortion by an official speaker at the Summit. GJC was also influential in getting language in the Chair’s Summary acknowledging women’s need to access comprehensive services, specifically stating that it “calls for women survivors of war rape to be provided “holistic” medical care including “full sexual and reproductive health rights.” In addition, GJC created twelve new advocacy documents and hosted two fringe events at the Summit: 1) a simulated peace negotiation that highlighted challenges to women’s equal participation in peace processes; and 2) a panel on creative legal strategies used around the world to ensure accountability and justice for women victims of sexual violence in armed conflict.

July 27, 2014 – In response to UN Security Council Resolution 2122 and its obligations under international humanitarian law, the UK updated its DFID Policy Paper, “Safe and unsafe abortion: UK’s policy position on safe and unsafe abortion in developing countries,” with the following new language: “Where abortion is permitted, UK aid can be used for activities to improve the quality, safety and accessibility of abortion services. In situations of armed conflict or occupation where denial of abortion would threaten the woman’s or girl’s life or cause unbearable suffering, international humanitarian law principles may justify offering an abortion rather than perpetuating what amounts to inhuman or degrading treatment. Clearly this will depend on the woman’s choice, her condition and the safety and security of the humanitarian staff, as well as other contextual factors.”

August 12, 2014 – To mark the 65th anniversary of the Geneva Conventions, GJC sent an open letter to President Obama reiterating the legal and moral imperative for executive action to be taken to lift the abortion restrictions on war rape victims. In addition, GJC created a new advocacy piece highlighting the damaging effects of the Helms Amendment on female war rape victims.