

# WOMEN'S LAW PROJECT

Safeguarding Rights, Creating Opportunities

September 13, 2011

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The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

I write to you on behalf of the Women's Law Project ("WLP"), an organization long dedicated to helping create a more just and equitable society by advancing the rights and status of all women, including by challenging gender discrimination in laws and institutions. Moreover, for over two decades, the WLP has worked to improve system responses to violence against women. We are currently working closely with The White House Advisor on Violence Against Women, the Department of Justice Office of Violence Against Women, the Department of Justice Civil Rights Division, and the Federal Bureau of Investigation.

The WLP is deeply concerned about the current USAID interpretation of the Helms Amendment, which goes far beyond the actual letter of the law and prohibits U.S. humanitarian aid funding to any organization or government that even mentions the word "abortion" or provides abortion counseling or services to women who are victims of rape in areas of armed conflict. This USAID policy only serves to perpetuate the suffering of some of the most vulnerable victims of war and further the aims of those who employ rape as a military strategy to destroy the families, communities and culture of the enemy – something the world has witnessed again and again in such places as the former Yugoslavia, Rwanda, Sierra Leone, the Sudan, Burma, Colombia, etc.

Rape in the context of war has been classified by international tribunals and other courts as a war crime, an act of genocide, a crime against humanity, and a form of torture. USAID itself acknowledges war rape as a form of torture and administers aid to rape victims in the Democratic Republic of Congo from its Victims of Torture Fund; the U.S. government also makes contributions to the UN's Voluntary Fund

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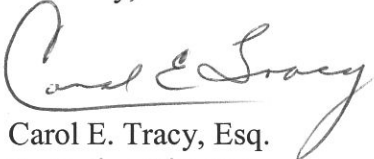
for Victims of Torture, which treats survivors of war rape. On June 24, 2011, you yourself, Mr. President, issued a statement in honor of the Convention Against Torture, asserting that “the U.S. will remain a leader in the effort to end torture around the world and to address the needs of torture victims ... and to provide funding for domestic and international programs that provide assistance and counseling for torture victims.”

The Geneva Conventions, to which the U.S. has been a party for over sixty years, require that civilian victims of war who are “wounded or sick” receive “comprehensive and non-discriminatory” medical care. Women and girls who are raped in armed conflict are entitled to the full panoply of appropriate medical care – including the provision of counseling about all options, and safe abortion, where desired. Victims of war rape clearly “need” the option of safe abortion. In the absence of safe abortion, many women and girls have been driven to suicide or unsafe, often deadly, clandestine abortions. Women and girls who survive the brutality of rape inflicted in war are often subject to social shunning by their communities and rejection by their husbands and families; they, in turn, often abandon, reject, or even kill their children born of rape.

In addition, the U.S. has committed to help achieve the Millennium Development Goals, including the fifth UN Millennium Development Goal—a 75% reduction of maternal mortality worldwide by 2015— and this will be impossible without successfully addressing unsafe abortions, a leading cause of maternal mortality worldwide and particularly in Africa. You yourself, Mr. President, in making remarks at the Millennium Development Goals Summit in New York on Sept. 22, 2010, referred to the problem of maternal mortality and said that progress “has not come nearly fast enough” and also pledged to invest in the “health, education and rights of women” in developing countries. Safe abortion for victims of rape is a “right” under the Protocol on the Rights of Women in Africa, as well as many international and national laws, and it most certainly addresses a matter of health, both psychological and physical, for such girls and women attacked in armed conflict.

We strongly urge you to stand behind your words of support for torture victims and for women in need of appropriate health care in developing countries. Most importantly, you *must* act *now* to put the U.S. in compliance with the Geneva Conventions, both to save the lives of women and girls raped in armed conflict and to ensure that U.S. foreign aid in war zones is indeed “humanitarian”.

Sincerely,

A handwritten signature in cursive script, reading "Carol E. Tracy". The signature is written in dark ink and is positioned above the printed name.

Carol E. Tracy, Esq.  
Executive Director