

BISTANDSAKTUELT



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Women and girls raped in war need Norway's support

Women and girls raped in war already face countless risks: social ostracism, pregnancy complications, even death. Yet Norway's silence on their rights to medical care, unique amongst liberal Western democracies, adds to that list. It is time Norway joins countries like the UK and France to assert the rights of women and girl war rape victims to abortions on equal level with other war-related surgeries.

Rape is a favored tactic of warfare in over one third of today's armed conflicts. Civilians, mainly women and children, account for nearly 90 percent of all casualties. Over half of those impregnated by war rape are children under 18.

The modalities of war rape, including gang rape, forced pregnancy, targeting children, and mutilating the victim, are distinct from rape and sexual violence outside of conflict. Women and girls surviving war rape suffer from long term or permanent alteration of their physical and mental functioning, often due to destruction of their sexual and reproductive organs.

Despite the life threatening nature of forced pregnancy and the strong protections given *all war victims to the medical care they need* under the laws of war or international humanitarian law

(IHL), survivors of war rape are routinely denied abortions in humanitarian settings. This is discrimination with potentially deadly consequences.

We applaud the progress that is being made to stop this discrimination. The UK, Netherlands, France, the EU, the UN Security Council, and the UN Secretary General have all spoken up and acknowledged that abortion is part of nondiscriminatory necessary medical care for war victims mandated by IHL and that denying war rape victims abortions can be torture and inhuman treatment. Even Norad's own report on sexual violence in conflict supports this interpretation of IHL.

Norway does not share this view.

Norway's current policy on abortion under IHL is one of obfuscation and confusion: despite broadcasting a concern for women's rights to abortion, statements made by the Norwegian government on several occasions suggest an approach to abortion under IHL that might instead endanger women's lives. Norway's interpretation of abortion under IHL was exemplified at the Human Rights Council in 2015. There, Norway stated its interpretation that abortion is to be delegated to national laws (most of today's war-torn countries restrict abortion).

This national law position contradicts established legal doctrine concerning the universality and supremacy of international humanitarian law, singling out abortion from all other medical care for war victims. A position that removes abortion from the medical care women are entitled to under the Geneva conventions also means war rape victims don't have access to full and necessary medical care like other victims. That is a clear violation of the non-discrimination mandates of IHL.

Detractors argue that there is no "right to abortion," under IHL. That is not the point. There is no "right" to antibiotics either. The right at issue is the right of all war victims to the life and health saving medical care they need for their condition -- a right unquestioned in international law. That medical care includes abortions. Women raped in war need abortions as much as men shot by a bullet in war need surgery. For children under 15, an abortion is up to 15 times less risky than continued pregnancy and childbearing. Denying abortions to war rape victims can be considered torture and inhuman treatment.

This is the time for leadership and clarity. Norway's government should join the majority of its international allies and acknowledge that abortion is part of nondiscriminatory necessary medical care for war victims. Let's ensure that all women —service women and civilians alike - have their rights respected and advanced.

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