

ADDIS ABABA UNIVERSITY
COLLAGE OF LAW AND GOVERNANCE
CENTER FOR HUMAN RIGHTS



**Gender-Based Violence against Female Refugees in Eritrean Refugee Camps:
in Case of Mai Ayni Refugee Camp, Northern Ethiopia.**

By:

Yonas Bayruau

**A Thesis Submitted in Partial Fulfillment of the Requirements for the Master
of Arts in Human Rights**

Advisor: Elshaday Kifle

February, 2013.

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DECLARATION

I, Yonas Bayruau, declare that this thesis is the result of my own work and all sources or materials used for this thesis have been appropriately acknowledged. This thesis is submitted in partial fulfillment of the requirements for the award of degree of Masters of Art in Human Rights to the College of Law and Governance, Addis Ababa University through Center for Human Rights. I confidently declare that this thesis has not been submitted to any other institutions anywhere for the award of any academic degree, diploma, or certificate.

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CERTIFICATION

This is to certify that this thesis entitled “Gender-Based Violence against Female Refugees in Eritrean Refugee Camps: in Case of Mai Ayni Refugee Camp, Northern Ethiopia” Submitted in Partial Fulfillment of the Requirements of the Award of Degree of Master of Arts in Human Rights to the College of Law and Governance, Addis Ababa University, through the Center for Human Rights, done by Mr. Yonas Bayruau Gebreyosus I.D.NO GSR/0612/04 is submitted with my approval as a University advisor.

Advisor

Name: Elshaday Kifle

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Date: February, 2013.

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Yonas Bayruau

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**THIS THESIS IS DEDICATED TO THE MEMORY OF ERITREAN
FEMALE REFUGEES IN ETHIOPIA**

ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
ARRA	Administration for Refugee and Returnee Affairs
CEDAW	Convention for the Elimination of All Forms of Discrimination against Women
CRC	International Convention on the Rights of the Child
CSR	Convention Relating to the Status of Refugees
DEVAW	Declaration on the Elimination of Violence against Women
FAO	Food and Agriculture Organization
FDRE	Federal Democratic Republic of Ethiopia
FGD	Focus Group Discussions
HIV	Human Immunodeficiency Virus
ICCPR	International Convention on Civil and Political Rights
IRC	International Rescue Committee
NGOs	Non-Governmental Organizations
OAU	Organization of African Unity
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
STD	Sexually Transmitted Disease
TRS	Tigray Regional State
UDHR	Universal Declaration of Human Rights
UNHCR	United Nations Higher Commissioner for Refugees
WHO	World Health Organization

ABSTRACT

Gender-based violence prevents female's enjoyment of fundamental human rights and it is also central social, economic and health problem. Similarly, gender-based violence is viewed as a significant problem in refugee camps throughout the world. However, in Ethiopia studies on gender based violence against female refugees are limited. Most researches in this area were conducted in line with other problems of refugees. Yet, in order to assess comprehensively it needs specific study. Thus, the main objective of the study was to examine the prevalence, cause and consequences of gender based violence against female refugees in Mai Ayni refugee camp. In order to achieve these objectives, qualitative methods of data collection have been employed. Hence, data were collected from in-depth interview with eighteen female refugees and five male refugees, focus group discussion with male and female refugees, key informant interviews with concerned bodies as well as document analysis and personal observation were used. The study has found that female refugees in the camp were exposed to sexual violence, physical violence and socio-economic violence including; attempt rape, physical injuries, rape, discrimination and stigmatization, gang rape, and denial of access to services. The study also disclosed that male refugees and intimate partners of female refugees were the prime gender based violence perpetrators of female refugees in Mai Ayni refugee camp. Moreover, the study revealed that forced idleness, economic dependency, physical insecurity, lack of awareness, collapse of social and family structure as well as poor reporting, coordination and legal enforcement mechanisms were identified as causes/risk factors for gender based violence against female refugees in Mai Ayni refugee camp. Moreover, men's feeling of 'loss of power' in the camp, which challenges male's identity as superior to female, led male refugees to anger and makes female refugees vulnerable to different forms of gender based violence. Consequently, because of gender based violence, female refugees in the camp have short and long lasting damaging consequence on their life in terms of health, physical and psycho-social.

Key words: *Gender-Based Violence, Sexual Violence, Physical Violence, Socio-economic Violence, Victims, Perpetrator and Mai Ayni Refugee Camp.*

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CHAPTER ONE

INTRODUCTION

1.1. Introduction

Recently, gender based violence has become a major concern and a serious problem throughout the world.¹ International human rights instruments recognized gender based violence as a violation of human rights. Accordingly, the UN Declaration on the Elimination of Violence against Women defines gender-based violence as, “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.²

On the other hand, people have been forced to escape their home and seek protection since the ancient times. In medieval times, in some parts of the world, history recorded that whole population sometimes was forced to flee and seek protection.³ Today, a number of people are displaced, refugees or seeking asylum. From an estimated 1 million refugees in 1951 when the convention⁴ dealing with refugees was adopted, in 2011 the numbers of refugees reached over 15 million people within the concern of the United Nations Higher Commissioner for Refugees (Hereinafter, referred to as, UNHCR).⁵ Thus, refugees are undoubtedly an issue of global concern.

Consequently, according to the report of UNHCR, Sub-Saharan Africa is hosting one quarter of all refugees and hence, the trend of refugee number had been increasing due to crisis in different

¹ Heise, L. Ellsberg, M, Gottmoller. 2002. *A Global Overview of Gender Based Violence*: International Journal of Gynecology and Obstetrics 78 Suppl. 1, S5–S14, pp.1-10.

² See, Article 1 of UN Declaration on the Elimination of Violence against Women, adopted by the United Nations General Assembly (A/ RES/48/104) New York, 20 December, 1993.

³ Richard Pirre, *et al.* 2006. *Human Rights in the World Community Issues and Action*: Third edition, University of Pennsylvania, p.137.

⁴ See, Convention Relating to the Status of Refugees, 28 July 1951, 189 UNTS 137 (Herein after referred to as, CSR)

⁵ UNHCR. 2012. *Global Trends, a Year of Crisis*: United Nations High Commissioner for Refugees, Geneva, Switzerland, p.2.

parts of the world including in East Africa.⁶ Indeed, Ethiopia is now hosting some 370,000 refugees.⁷ There are 86,660 Eritrean refugees in Ethiopia.⁸ Mai Ayni is one of the refugee camps in Ethiopia with 15,354 Eritrean refugees, of which 5,014 are Female refugees and the ethnic composition also show 92.7% of the entire refugees are from Tigrigna.⁹

From the other dimension, gender based violence which constitutes violation of human rights, is a global concern crossing cultural and socio-economic lines. For instance, in Kenya 43% of 15-49 year old women reported having experienced some form of gender-based violence in their lifetime.¹⁰ Likewise, between 40 and 50 percent of women in European Union countries experience unwanted sexual advancements, physical contact or other forms of sexual harassment at their workplace.¹¹ Moreover, between 15% of women in Japan and 71% of women in Ethiopia reported physical and/or sexual violence by an intimate partner in their lifetime.¹² Hence, these facts display that gender based violence is a worldwide problem with damaging effects and it takes place in all segments of society throughout the world.

Even worst, gender based violence is more problematic in displaced settings. Such settings have the highest victim numbers as women are often targeted for gender based violence and hence, they are the most vulnerable to exploitation, violence, and abuse simply by virtue of their gender and status in society.¹³ For instance, more than 250 cases of rape in several camps were reported in the first 150 days after the January 2010 earthquake in Haiti.¹⁴ Besides, a study shows that

⁶ *Ibid*, p.2.

⁷ UNHCR. 2013. *UNHCR Country Operations Profile: Ethiopia: Accessed from: <http://www.unhcr.org>*, on January, 29, 2013.

⁸ *Ibid*.

⁹ Administration for Refugee and Returnee Affairs. 2012. *Eritrean Refugees, Mai Ayni Camp Population Update: Administration for Refugee and Returnee Affairs*, p.3.

¹⁰ Population Council. 2008. *Sexual and Gender Based Violence in Africa: Literature Review: Population Council, Nairobi, Kenya* p.7.

¹¹ UNIFEM. 2007. *Fact Sheet Violence against Women Worldwide: United Nations Development Fund for Women, New York, USA*, p.2.

¹² WHO. 2012. *Violence against Women: Intimate Partner and Sexual Violence against Women: Accessed from: <http://www.who.int/mediacentre/factsheets/fs239/en/>*, January 12, 2013.

¹³ Katrina Roth. 2005. *Gender-Based Violence Legal Aid: A participatory toolkit ARC International GBV in Conflict-Affected Settings: United States of America*, pp.6-10.

¹⁴ Amnesty International. 2011. *After shocks: Women Speak out against Sexual Violence in Haiti's Camps: Amnesty International: Accessed from: <http://www.amnesty.org>*, January 13, 2013.

females are less likely than males to have access to even the most fundamental rights in refugee settings.¹⁵ Likewise, camp situations expose female refugees to high levels of gender based violence and human rights abuse because of poor security within or around the camps.¹⁶ The capacity to live free from fear is often especially violated for female refugees.¹⁷

Hence, taking in to account the above facts and seriousness of the issue, it is demanding and valuable to examine the prevalence of gender based violence, the causes linked with it and its consequences in Mai Ayni refugee camp.

1.2. Statement of the Problem

Gender based violence is one of the most humiliating and damaging human rights violence outstretched over borders and cultures. It is the most common problem among females in refugee camps and it is a multifarious problem that cannot be ascribed to single cause but to a various set of dynamics.¹⁸

Thus, gender based violence in refugee camps is an acknowledged human rights abuse and is a violation of various international human rights instruments that place responsibility on host governments and other players to protect the human rights of female refugees. However, according to Mary Jennings and Sherry McLean, gender based violence is seen as a complex and sensitive issue to engage with, is covered in silence, and coupled with the almost certain knowledge of impunity, have all led to inaction.¹⁹

Besides, Ganeshpanchan argued that gender based violence in refugee camps deserves attention and research regardless of the context for the reason that when a refugee uproots her family to flee persecution, her entire frame of reference is changed and the social structure that she knew

¹⁵ Bart de Bruijn. 2009. *Living Conditions and Well-being of Refugee*: United Nations Development Programme Human Development Research paper, p.14.

¹⁶ *Ibid*, p.11.

¹⁷ *Ibid*, p.11.

¹⁸ Rashida Manjoo, Calleigh McRaith. 2010. *Gender-Based Violence and Justice in Conflict and Post-Conflict Area*: Cornell Law School and the Cornell International Law Journal, pp.14-18.

¹⁹ Mary Jennings, Sherry McLean. 2005. *Gender Based Violence Study*: Consortium of Irish Human Rights, Humanitarian and Development Agencies & Development Cooperation Ireland, pp.6-9.

turns out to be only a thing of the past.²⁰ Changes in access to services, community support, resources, and security also diminish the capacity of female refugees to feel empowered.²¹ These makes female refugee more susceptible to gender based violence.

Researches also display that female refugees are susceptible to gender based violence and they are more frequently at risk to be exposed to different types of gender based violence than other females. For instance, a research carried out by UNHCR indicates that a global analysis of 2004 camp data shows that only from 62 camps, 37900 cases of gender based violence has been reported to UNHCR.²² Moreover, according to UN, gender based violence is worst in refugee camps since female refugees are usually raped and abused by military and immigration personnel, bandit groups, male refugees and rival ethnic groups and they are also forced into prostitution.²³ Thus, gender based violence against female refugee is one of the main problems in refugee camps.

Likewise, in Ethiopia different reports show the vulnerability of female refugees to different forms of gender based violence. A report by Columbia University's Program on Forced Migration and International Rescue Committee (Hereinafter referred to as, IRC) in two Somali refugee camps in Ethiopia indicated that only in 18 months 40% of female refugees had experienced one act of physical violence and 20% of female refugees had been raped.²⁴

Moreover, a report by International Medical Crop ascertained that female refugees in Ethiopia are victims of different forms of gender based violence. According to this report, female Somali refugees were victims of sexual, physical and intimate partner violence.²⁵ Besides, the report

²⁰ Ganeshpanchan, Zinithya. 2005. *Domestic and Gender Based Violence among Refugees and Internally Displaced Women*: Human Dignity and Humiliation Studies, p.4.

²¹ *Ibid*, p.4.

²² See, Executive Committee of the High Commissioner's Program. 2005. *Report on the High Commissioner's Five Commitments to Refugee Women*. EC/55/SC/CRP.17, p.5

²³ See, United Nations Department of Public Information United: *Women and Violence: Violence against Refugee and Displaced Women*: Accessed from: <http://www.un.org/rights/dpi1772e.htm>, January, 2013.

²⁴ Angela Parcesepe, *et al.* 2008. *Using the Neighborhood Method to Measure Violence and Rape in Ethiopia*: Columbia University's Program on Forced Migration and Health, Columbia University, Mialman School of Public Health, p.3.

²⁵ International Medical Corps. 2011. *Gender-Based Violence Assessment in Somali Refugee Camps-Dolo Ado, Ethiopia*, International Medical Corps, pp.2-4.

also proved that rape cases are commonly addressed by traditional clan leaders who negotiate compensation between the perpetrator's and survivor's family without consideration for the survivor's wishes.²⁶

Apart from the above reports of NGOs and other reports, the existing literatures in Ethiopia mainly describes the prevalence and characteristics of violence against Ethiopian women; primarily gender based violence against female students, domestic workers, child and domestic violence with limited emphasis given to females in refugee camps.²⁷ On the other hand, some existing study by various concerned bodies show that refugees in Ethiopia face different problems including lack of adequate clean water, food, shelter, and freedom of movement.²⁸ Yet, these researches mainly focused on general problems of refugees not specifically on gender based violence against female refugees.

Moreover, an academic research attempt was observed mainly touching the issue of women's situation in refugee settings.²⁹ Nonetheless, the emphasis is still not particularly on gender based violence against female refugees, but rather on the general conditions of women under refugee settings in general with no particular reference to camps. In line with this, the research approaches focused largely on assessing the problem of female refugees and hence, it lacks an approach of examining gender based violence in line with international human rights instruments.

Hence, though female refugees are among the most vulnerable groups to be exposed to diverse forms of gender based violence, the nature and dynamics of gender based violence against

²⁶ *Ibid*, p.2.

²⁷ 1. Melak Mengistab. 2012. *Gender Based Violence against Female Students in Higher Institutions of Ethiopia*: MA Thesis, Addis Ababa University, Addis Ababa. 2. Selamawit Tesfaye. 2007. *Denial of rights, Human Rights Abuses and Violence against Domestic Workers in Some Selected Areas of Addis Ababa*: MA Thesis, Addis Ababa University. 3. Elizabeth Amade. 2008. *Sexual Abuse of Visually Impaired Female Students in Sebeta School for the Blind, Oromia Region*: MA Thesis, Addis Ababa University, Addis Ababa. 4 Yilma Hirpa. 2007. *Sexual Abuse among Female Street Children, the Case of Lideta Sub City*, Addis Ababa: MA Thesis, Addis Ababa, Addis Ababa University.

²⁸ Women's Refugee Commission. 2012. *In Search of Safety and Solutions: Somali Refugee Adolescent Girls at Sheder and Aw Barre Camps, Ethiopia*: Women's Refugee Commission, pp.1-9.

²⁹ Seble Daniel. 2008. *Being a Refugee, Case Studies of Somali Refugee Women in Addis Ababa*: MA Thesis, Addis Ababa University, Addis Ababa.

female refugees in Ethiopia appeared to be least understood. Similarly, at present, there is no clear information about gender based violence in the study area.

Thus, in order to fill the research gaps discussed above, the study examined the prevalence of gender based violence, causes associated with it and the consequences of gender based violence against female refugees in Mai Ayni refugee camp.

1.3. Objectives of the Study

1.3.1. General Objective

The general objective of this study is to examine gender-based violence against female refugees in Mai Ayni refugee camp.

1.3.2. Specific Objectives

More specifically, the objectives of the research are:

1. To examine the prevalence of gender-based violence against female refugees in Mai Ayni refugee camp.
2. To identify the causes/risk factors for gender based-violence against female refugees in Mai Ayni refugee camp.
3. To scrutinize the consequences of gender-based violence against female refugees in Mai Ayni refugee camp.

1.4. Research Questions

Therefore, based on gaps stated on the statement of the problem, the researcher attempts to address the following questions:

1. What does the prevalence of gender-based violence against female refugees like in Mai Ayni refugee camp?

2. What are the causes/risk factors for gender-based violence against female refugees in Mai Ayni refugee camp?
3. What are the consequences of gender-based violence against female refugees in Mai Ayni refugee camp?

1.5. Significance of the Study

The findings of the study will serve for the following major practical significances:

- The findings acquired from the analysis provide an insight on gender based violence against female refugees, the enforcement of human rights in the camp and the general situation of female refugees in the camp. And, this could be used as an input by different concerned bodies including, but not limited to, Administration for Refugee and Returnee Affairs (Hereinafter referred to as, ARRA) UNHCR, IRC, NGOs and the local government in the area so as to undertake a further comprehensive and in-depth study. Also, it can be used for designing appropriate mechanisms and monitoring systems to address gender based violence and for the protection of human rights of refugees in the camp.
- The study selected female refugees as a main target group to share their experience of gender based violence in the camp, which in turn provides useful information about prevalence and causes/risk factors of gender based violence against female refugees. This fills a gap in research regarding gender based violence against female refugees, which is not satisfactorily assessed unlike gender based violence against Ethiopian women who are out refugee settings. Thus, it will broaden understanding and provide better information about gender based violence against female refugees.
- The study revealed that female refugees in Mai Ayni refugee camp encountered double problems. Firstly, they are refugees who faced different problems and challenges during journey to Ethiopia. Secondly, they are victims of gender based violence within the camp. Accordingly, it will elucidate the seriousness of the problem to all stakeholders particularly ARRA, UNHCR, and IRC in order to take all appropriate measures to alleviate the stated problem.

- Finally, it may stimulate prospective researchers to conduct further research on this area and to address those areas that remain untouched or inadequately treat.

1.6. Scope of the Study

Even though assessing gender based violence against female refugees in all refugee camps found in Ethiopia could have been significant, the scope of this study is geographically limited to Mai Ayni refugee camp so as to make the study manageable. On the other hand, the paper examined only sexual, physical and socio-economic violence though there are two additional forms, namely; Psychological violence and Harmful traditional practices.³⁰

In addition, female refugees may become victim of gender based violence in different stages; prior to flight, during flight, in the country of asylum (camp), during reparation and during reintegration.³¹ However, in order to make the study manageable and consistent with the responsibility of concerned bodies, the study examined gender based violence which only occurred in Mai Ayni refugee camp i.e. in the country of asylum.

1.7. Organization of the Paper

The study contains a total of five chapters. Chapter one present; the introduction part, statement of the problem, objective of the study, research question, significances of the study, scope of the study and operational definition of related terms. Chapter two present review of related literature, which served as a basis for understanding the subject matter. Chapter three presents methodological part that helps to guide the study. Chapter four deals with findings and analysis of the data obtained from the selected respondents and second hand materials. The last chapter provides concise conclusion along with possible recommendation. Finally, list of reference materials used for conducting the study, sample of interview guide, interview guide for FGD and list of informants are annexed at the end of the paper.

³⁰ UNHCR. 2003. *Guidelines for Prevention and Response: Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons*: United Nations High Commissioner for Refugees, p.18.

³¹ *Ibid.* p.19.

1.8. Operational Definitions of Related Terms

- Gender-based violence: is any harm that is perpetrated against females' will; that has a negative impact on the physical, psychological, health, development, and identity of the female; and that is the result of gendered power inequities that exploit distinctions between males and females.³²
- Sexual violence: is any sexual act, attempt to obtain a sexual act, or other act directed against female using coercion, by any person regardless of their relationship to the victim, in any setting. It includes but not limited to: rape, anal rape, attempted rape, inappropriate touching, forced prostitution, gang rape and sexual harassment.³³
- Physical Violence: includes but not limited to: beating, punching, kicking, biting, burning, maiming or killing, with or without weapons; often used in combination with other forms of gender-based violence.³⁴
- Scio-economic Violence: is characterized by discriminatory access to basic health caress and education, inadequate shelter food, economic deprivation, social exclusion, obstructive legal practices, such as denial of the exercise and enjoyment of civil, social, economic, cultural and political rights to female, and acts that involve denial of opportunities or services on the basis of gender.³⁵
- Perpetrator: is a person, group, or institution that directly inflicts, supports and condones violence or other abuse against female refugees.
- Victims: refers to female refugees who have suffered gender-based violence.
- Mai Ayni Refugee Camp: this refugee camp found in the North-West of the Tigray Regional State with more than fifteen thousand Eritrean refugees.

³² Jeanne Ward. 2002. *If Not Now, When? : Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-conflict Settings a Global Overview*: The Reproductive Health for Refugees Consortium, p.8.

³³ UNHCR. *Sexual and Gender-Based Violence against Refugees...*, *supra*, footnote 27, p.16.

³⁴ *Ibid*, p.17.

³⁵ Johnson, Tina. 2006. *Gender Based Violence*: Journal of Common Wealth and Judge Association, Vol.15, No.3, pp. 22-30.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1. Conceptualizing Gender- Based Violence

There is no one commonly agreed universal definition of gender-based violence; understandings differ according to country, community and legal context.³⁶ Violence against women is a term often used synonymously with gender-based violence. Nevertheless, the term does not make it clear whether or not the violence is derived from unequal power relationships between female and male in society.³⁷ Hence, the adjective “gender-based” is repeatedly used to highlight the role that females’ subordinate status in society plays in increasing the risk that they will be impacted by violence. Thus, the intention of the term is in order to stress that violence against female is a phenomenon that is connected to the gender of both victim and perpetrator.³⁸

Moreover, there is a tendency of extending this definition to all kinds of violence that are linked to social expectations and social positions based on gender.³⁹ Accordingly, research in the area provides compelling evidence that violence against women is caused by gender inequities and is both accepted and sometimes even tolerated by laws, institutions and community norms that discriminate the female.⁴⁰ Thus, gender-based violence is a term that gradually encompasses all acts of violence rooted in some form of gender inequalities, and with the purpose of preserving social power.⁴¹

Legally, gender-based violence was defined by the U.N. Convention for the Elimination of All Forms of Discrimination against Women (1992) as:

³⁶ Baker, L. 2007. *Gender-based Violence Case Definitions: Towards Clarity in Incident Classification*: International Research Committee, circulated paper, p.1.

³⁷ Heise, Lori, Mary Ellsberg *et al.* 1999. *Ending Violence against Women*: Population Reports, Volume XXVII, Number 4, Series L, No.11, the Population Information Program, Center for Communication Programs the Johns Hopkins University School of Public Health, Maryland, USA, p.2.

³⁸ Dennis.V, Karolina. *et al.* (ed.). 2007. *Gender Matters: Manual on Gender-Based Violence Affecting Young People*: Council of Europe, Budapest, Hungary, p.43.

³⁹ *Ibid*, p. 43.

⁴⁰ Ellsberg, Mary *et al.* 1999. *Domestic Violence and Emotional Distress among Nicaraguan Women*: Results from a Population-Based Study: American Psychologist, pp.30-36.

⁴¹ Dennis.V, Karolina. V *et al.* *Gender Matters: ... , supra*, footnote 38, p.43.

*a violence that is directed against a woman because she is a woman or violence that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.*⁴²

Moreover, the 1993 United Nations Declaration on the Elimination of Violence against Women (Hereinafter referred to as, DEVAW) defined gender based violence as:

*any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life*⁴³

Furthermore, Article 2 of DEVAW further specifies that violence against women should include different types of violence.⁴⁴ Hence, it was referred as “gender-based” to focus the links between violence against women and women’s subordinate status. Besides, the definition was expanded in 1995 by the Fourth World Conference on Women in its Beijing Platform for Action, which added that such violence includes forced sterilization and forced abortion, coercive or forced contraceptive use, female infanticide and prenatal sex selection and women’s human rights violations in situations of armed conflict particularly murder, systematic rape, sexual slavery and forced pregnancy.⁴⁵ Also, another form of gender-based violence i.e. economic exploitation was

⁴² See, U.N. Convention for the Elimination of All Forms of Discrimination against Women (1992) (General Recommendation No. 19), paragraph 6.

⁴³ See, Art.1 of UN Declaration on the Elimination of Violence against Women.

⁴⁴ See, Art.2 of Declaration on the Elimination of Violence Against Women: Violence against women shall be understood to encompass, but not be limited to, the following: (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

⁴⁵ See, Paragraph 114-116 of Beijing Declaration and Platform for Action, Fourth World Conference on Women Beijing, China 4-15 September 1995.

recognized by the Commission on Human Rights in its Resolution 2003/45 on “Elimination of Violence against Women”.⁴⁶

2.1.1. Forms of Gender-Based Violence

Based on different international human rights instruments, UNHCR developed five forms of gender based violence; Sexual violence, Physical violence, Emotional and Psychological violence, Harmful traditional practices and Socio-economic violence.⁴⁷ In line with this, based on the 1951 United Nations Convention Relating to the Status of Refugees, countries which ratified the convention, including Ethiopia, have the duty to collaborate with UNHCR which is the responsible organ of UN for refugee protection.⁴⁸

Sexual violence is one of the forms of gender based violence with a devastating impact on victims. It is also a human rights and public health issue that exceeds borders and incurs a devastating global human cost.⁴⁹ According to WHO, sexual violence is any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using force by any person regardless of their relationship to the victim, in any setting.⁵⁰

Moreover, the UNHCR guideline on sexual and gender based violence against refugees explored various forms of sexual violence; included are rape, marital rape, child sexual abuse, defilement and incest, sexual abuse (inappropriate touching), sexual exploitation, forced prostitution, sexual harassment and sexual violence as a weapon of war.⁵¹

⁴⁶ See, paragraph 4 of the Commission on Human Rights Resolution 2003/45 on Elimination of Violence against Women, in which it added that ‘Economic Exploitation’ as one form of gender based violence.

⁴⁷ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.17.

⁴⁸ See, Art. 35 (1) of CSR which stated that “Cooperation of the national authorities with the United Nations” reads: “The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.”

⁴⁹ National Sexual Violence Resource Center. 2004. *Global Perspectives on Sexual Violence: Findings from the World Report on Violence and Health*: National Sexual Violence Resource Center, p.15.

⁵⁰ WHO. 2012. *Fact sheets: Violence against Women Intimate Partner and Sexual Violence against Women*: Accessed: from <http://www.who.int/mediacentre/factsheets/fs239/en/>, December, 2012.WHO, Fact sheet N°23.

⁵¹ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.17.

The other form of gender based violence is socio-economic violence which includes firstly, discrimination and/or denial of opportunities, services; secondly, social exclusion/ ostracism based on sexual orientation; and thirdly, obstructive legislative practice.⁵² Accordingly, this type of gender based violence is a fundamental cause for other forms of gender based violence.⁵³

The third form of gender based violence is physical violence which can be manifested through beating, punching, kicking, biting, burning, maiming or killing, with or without weapons; often used in combination with other forms of gender-based violence.⁵⁴ Moreover, there are worst forms of physical violence such as trafficking, slavery.⁵⁵ This form of gender based violence greatly affects females' health and psychology. According to the 2005 WHO Multi-country study on women's health and domestic violence against women in 10 mainly developing countries, in rural Tanzania 47% of ever-partnered women have ever experienced physical violence by an intimate partner, while 31% have ever experienced sexual violence.⁵⁶

To sum up, gender based violence comprises much more than sexual violence. Although it may occur in public contexts, it is also rooted in individual attitudes that condone violence within the family, the community and the state.⁵⁷ Needless to say, the root causes of gender-based violence must be identified before appropriate programmes to prevent and respond to this violence are planned. Thus, the next section explores the causes of gender based violence.

2.2. Causes of Gender- Based Violence

Gender based violence is a global issue, which spans all social classes and age groups. One of the fundamental causes is the power gap between male and female and the way females are

⁵² *Ibid*, p.18.

⁵³ Dennis V. *Gender Matters, a Manual on...*, *supra*, footnote 38, p.57.

⁵⁴ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.17.

⁵⁵ *Ibid*, p.17.

⁵⁶ WHO. 2005. *Multi-country study on Women's Health and Domestic Violence against Women: Executive Summary of Initial Results on Prevalence, Health Outcomes and Women's Responses*: WHO, Geneva, p.14.

⁵⁷ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.19.

underprivileged in main areas.⁵⁸ In this regard, while gender-based violence may be aggravated by particular social structures, value systems and traditions, it is rooted primarily in unequal power relations.⁵⁹

Thus, females' lack of social and economic power, accepted gender roles and the low value put on female's work are the reasons to perpetuate and reinforce their subordinate position.⁶⁰ In this regard, Jewkes argued that gender-based violence has its roots in gender inequality. "Gender-based violence is the violence involving men and women, in which the female is usually the survivor and which arises from the unequal power relationships between male and female."⁶¹

A study conducted in different African countries show that violence, exploitation and abuse prevail when the inequality of power is misused to the disadvantage of those people who cannot negotiate or make decisions.⁶² Thus, the abuses of power and gender inequality are the underlying causes for different types of gender based violence. Consequently, power inequality is primarily manifested by:

*economic inequalities, at all levels (individual, household, community and society); they are evident in levels of utilization of household resources; and in access to and control over productive resources, personal property, employment, wages and credits etc. inequalities in economic sphere not only diminish women's economic independence and condense their capacity to act and take decisions, but also increase their vulnerability to gender-based violence.*⁶³

⁵⁸ Technische Zusammenarbit. 2003. *Ending Violence against Women and Girls Reduction and prevention of gender-based violence as a contribution to the protection of human rights and to development*: GTZ, Germany, p.15.

⁵⁹ Kimberly Gibbons, Tina Johnson. 2003. *Integrated Approaches to Eliminating Gender-based Violence*: Gender Management System Series, Commonwealth Secretariat Marlborough House Pall Mall, London, United Kingdom, p.6.

⁶⁰ *Ibid*, p.6.

⁶¹ Jewkes R. 2002. *Violence against Women III: Intimate Partner Violence, Causes and Prevention*: Gender and Health Group, Medical Research Council, Pretoria, South Africa, p. 359.

⁶² FAO. 2010. *Gender-Based Violence and Livelihood Interventions: Focus on populations of Humanitarian Concern in the Context of HIV and AIDS Guidance note, FAO field studies in Kenya and Uganda*: FAO, Rome, p.13.

⁶³ *Ibid*, p.14.

Moreover, according to Fleishman, a self-perpetuating cycle of poverty makes females in the conditions of economic dependency to enter into risky and exploitative relationships in order to ensure access to basic necessities.⁶⁴ Thus, while absence of economic dependency does not necessarily defend female from violence, access to economic resources can enhance women's capacity to make meaningful choices, including evading from violent situations and having alternative mechanisms to protect from any form of gender based violence.⁶⁵

Furthermore, another cause of gender based violence is discriminatory cultural norms. While some cultural norms and practices do empower and protect females' rights, in contrary to this, some traditions, customs and religious values are often used to justify or even encourage gender-based violence against female. Moreover, traditional gender norms that support male superiority and entitlement, social norms that tolerate or justify violence against women, and weak community sanctions against perpetrators identified as risk factors for gender based violence.⁶⁶

Additionally, patriarchal ideology sometimes intertwined with other systems of subordination and exclusion and its expressions influenced by factors such as economic status, ethnicity, class, age, and religion is the cause of gender based violence.⁶⁷ Hence, gender-based violence is more likely to occur in societies with rigid and traditional gender roles. "In societies where the ideology of male superiority is strong emphasizing dominance, physical strength and male honor gender based violence is more common".⁶⁸

Besides, study conducted in different countries show that lack of access to education, information and services increases the vulnerability of females to various forms of violence.⁶⁹ Thus, illiterate people are less likely to have information about gender based violence, about available social benefits, and their rights, including procedures to access the social, health and

⁶⁴ Fleishman, J. 2003. *Fatal Vulnerabilities: Reducing the Acute Risk of HIV/Aids among Women and Girls*: Centre for Strategic and International Studies, Washington, D.C, USA, p.14.

⁶⁵ UNGA. 2006. *In-depth study on all forms of violence against women*: Report of the Secretary-General, UN doc., A/61/122/Add, p.32.

⁶⁶ Krug EG *et al.* (ed.). 2002. *World report on violence and health*: World Health Organization, Geneva, Switzerland, pp.31-34.

⁶⁷ UNGA. *In-depth Study on All Forms of...*, *supra* footnote 65, p.28.

⁶⁸ Krug EG *et al.* *World Report on Violence and Health...*, *supra*, footnote 66, p.156.

⁶⁹ WHO. *Multi-Country Study...*, *supra*, footnote 56, p.9.

legal services in times of gender based violence incidents.⁷⁰ However, having a good educational status by itself is not always an assurance to evade gender based violence. For instance, a South African and Zimbabwean study illustrated that correlation between higher level of female education and increased vulnerability to sexual violence.⁷¹ This is because female empowerment is accompanied by a resistance to any kind of gender based violence, which in turn aggravates men to violence in an attempt to regain control. Yet, female empowerment converses high risk of gender based violence only up to a certain level, after which it confers safeguard.⁷²

In summary then, some community and societal-level risk factors are associated with higher or more severe rates of gender based violence. The WHO identifies the following as causes and risk factors of gender based violence; traditional gender norms that support male superiority and entitlement, social norms that tolerate or justify violence against women, weak community sanctions against perpetrators, harmful use of alcohol, weak legal sanctions, drug, poverty, and high levels of crime and conflict in society.⁷³

2.3. Consequences of Gender- Based Violence

Gender-based violence has devastating consequences for victims, their families and the broader community. The consequences of different forms of gender based violence include; health consequences, psychological consequences, and socio-economic consequences.

Gender based violence impairs the health of females and its effects are numerous and severe ranging from fatal outcomes such as homicide, suicide and AIDS-related deaths to non-fatal outcomes such as chronic pain syndrome, gastrointestinal disorders and sexually transmitted infections.⁷⁴ Particularly, victims of sexual violence are exposed to infections of Sexually Transmitted Diseases (hereinafter referred as, STD) including HIV/AIDS.⁷⁵ Thus, the experience

⁷⁰ *Ibid*, p.9.

⁷¹ Krug EG (ed.). *World Report on Violence and Health...*, *supra* footnote 66.

⁷² Jewkes, R. *Violence against Women III...*, *supra* footnote 61, pp.1423-1429.

⁷³ Krug EG. *World Report on Violence and Health...*, *supra* footnote 66.

⁷⁴ Heise, Lori, Mary Ellsberg, *et al.* *Ending Violence against Women...*, *supra* footnote 37, pp.13-36.

⁷⁵ Reynolds, M.W., Peipert, J.F., Collins, B. 2000. *Epidemiologic Issues of Sexually Transmitted Diseases in Sexual Assault Victims: Obstetrical & Gynecological Survey*, pp.54-57.

of sexual violence affects the possibility of infection by HIV and other STD when it hinders female's ability to negotiate condom use.⁷⁶

Therefore, gender-based violence has serious effects that put the health of victims under risk. In addition, the physical effects of gender based violence contain malnutrition, gynecological problems and unwanted pregnancies.⁷⁷ Attempts at abortion following an unwanted pregnancy from rape also have severe medical complications.⁷⁸

Apart from the health consequences, gender based violence has serious psychological consequences. The psychological consequences of gender based violence include depression, anxiety, post-traumatic stress disorder, shock, memory loss, and sexual dysfunction.⁷⁹ According to one study one-third of all cases of suicide among women and 60 per cent of all female murder victims are linked to gender based violence.⁸⁰ Different forms of gender based violence also left deep emotional scars on many of surviving females.⁸¹

Moreover, a research conducted by Advocate for Human Rights revealed that hopelessness, loss of control, anger, suicide, behavior disorders, and eating disorders are some consequences of gender based violence especially when different forms of gender based violence go undiagnosed and untreated.⁸² Furthermore, fear of additional gender based violence also keeps women from going about their normal activities such as attending school, engaging in the market, or participating in politics.⁸³

Furthermore, gender based violence have negative consequences not only on the health and psychology of victims but also on the social and economic activities of victims, the community

⁷⁶ Alessandra Guedes. 2004. *Addressing gender Based Violence from the Reproductive Health Sector: A Literature Review and Analysis*: USAID, Washington Dc., USA, p.1.

⁷⁷ United Nations Office for the Coordination of Humanitarian Affairs, Integrated Regional Information Networks. 2005. *Broken Bodies, Broken Dreams: Violence against Women Exposed*: OCHA, IRIN, p.186.

⁷⁸ *Ibid* p.186.

⁷⁹ UNHCR. *Guidelines for Prevention and Response...*, *supra* footnote 30, p.23.

⁸⁰ GTZ. *Ending Violence against Women and Girls...*, *supra* footnote 58, p.15.

⁸¹ Donovan, Paula. 2002. *Rape and HIV/AIDS in Rwanda*: the Lancet Supplement Vol. 360, pp.17-18.

⁸² The Advocates for Human Rights. 2009. *A House with Two Rooms: Final Report of the Liberian Truth & Reconciliation Commission Diaspora Project*: The Advocates for Human Rights, Minneapolis, USA, p.18.

⁸³ Rashida Manjoo. *Gender-Based Violence and Justice in...*, *supra* footnote 18, pp.14-18.

and the state in general. From social impact perspective, in some societies it is difficult for a female who has been subjected to gender based violence to find a partner for marriage.⁸⁴ Most societies tend to blame the victim and hence, this social rejection results in further emotional damage like shame, self-hate and depression.⁸⁵ Additionally, unwanted pregnancies from rape also lead to further stigmatization by the community, as well as economic and emotional effects for mothers.⁸⁶

Thus, gender based violence causes immeasurable social and psychological damage. Similarly, the costs to society are extensive. Gender based violence poses notable costs for the economies of countries including lower worker output and incomes, lower rates of accumulation of human and social capital, and the generation of other forms of violence.⁸⁷ For instance, the cost of intimate partner violence in the United States alone exceeds \$5.8 billion per year; \$4.1 billion is for direct medical and health care services, while productivity losses account for nearly \$1.8 billion.⁸⁸ Besides, studies in individual countries show a high correlation between preventing gender based violence and achieving sustainable poverty reduction:

*Gender-based violence produces direct costs to individuals, families and to society. In particular, it is important to recognize the high cost of providing medical and legal care to victims, as well as the negative impact of violence on labour productivity. In addition, society also has to spend significant resources on prosecuting offenders.*⁸⁹

⁸⁴ *Ibid*, p.17.

⁸⁵ UNHCR. *Guidelines for Prevention and Response...*, *supra* footnote 30, p.24.

⁸⁶ Rashida Manjoo. *Gender-Based Violence and Justice ...*, *supra* footnote 18, p.15.

⁸⁷ Andrew Morrison, Mary Ellsberg, *et al.* 2005. *Addressing Gender-Based Violence in the Latin American and Caribbean Region: A Critical Review of Interventions*: World Bank Policy Research Working Paper 3438, p.11.

⁸⁸ See, United Nations Secretary General Campaign to End Violence against Women. 2009. *Violence against women*: UN Department of Public Information, DPI/2546A, p.2.

⁸⁹ Susan Ramsay (ed.). 2005. *Strengthening Women's Rights: Ending Violence against Women and Girls—Protecting Human Rights*: GTZ, Germany, p.26. According to this study victim of gender-based violence also spend less time working or tend to have been less productive and hence, these women are often unable to support their families economically. For instance, a study in Managua (Nicaragua) concluded that abused women earn over 40% less than women who have no experience of violence. The study also found that 16% of a representative survey on domestic violence in Cambodia reported they had lost income as a result of domestic violence.

Likewise, one study displayed that, in New Zealand, the national spending on measures in connection with different forms gender based violence against women (protective measures, loss of income medical care, criminal justice, courts, prisons, etc.) is high and it is equivalent to the income grossed from the country's single most important export product i.e. wool.⁹⁰ Similarly, in Canada, a nationwide study demonstrated that 30% of abused women give up work completely and 50% are temporarily unfit for work and hence, the costs amount to 1.6 billion dollars a year including medical care and productivity loss.⁹¹

2.4. Gender-Based Violence and Female Refugees

The 1951 Convention Relating to the Status of Refugees and the 1967 Protocol to the convention are the contemporary legal embodiment of the ancient and universal tradition of providing legal protection to those at risk and in danger. Both instruments reflect a fundamental human values on which global consensus exists and are the first instruments at the global level which specifically regulate the treatment of those who are compelled to leave their home.⁹² Subsequently, according to the 1951 Convention relating to the Status of Refugees, a refugee is someone:

*who has a well-founded fear of persecution because of his/her Race, Religion, Nationality, Membership in a particular social group, or Political opinion; is outside his/her country of origin; and is unable or unwilling to avail him/herself of the protection of that country, or to return there, for fear of persecution.*⁹³

Moreover, the Organization of African Unity (Hereinafter referred to as, OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, a regional treaty adopted in 1969, added to the definition of the 1951 Convention to include a more objectively based consideration:

⁹⁰ GTZ. *Ending Violence against Women and Girls...*, supra footnote 58, p.16.

⁹¹ *Ibid*, p.16.

⁹² Erika Feler, Frances Nicholas. 2003. *Refugee Protection in International Law*: University of Cambridge, United Kingdom, p. 3.

⁹³ See, Art.1 of CSR.

*every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.*⁹⁴

Hence, the existence of the class of refugees in international and regional law not only entails legal consequences for state, but also the entitlement and responsibility to exercise protection on behalf of refugees. The office of the United Nations High Commissioner for refugees is the agency presently entrusted with this function as the representative of the international community.⁹⁵

Concerning female refugees, though all refugees are vulnerable who need protection from a host state, female refugees are more vulnerable group and hence, the Beijing Platform for Action identified female refugees as particularly vulnerable to gender based violence:

*Those belonging to minority groups, indigenous women, refugee women, women migrants including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, [and] terrorism including hostage taking.*⁹⁶

⁹⁴ See, Art.1 (1) Convention Governing the Specific Aspects of Refugee Problems in Africa (Adopted on 10 September 1969 by the Assembly of Heads of State and Government. CAB/LEG/24.3. It entered into force on 20 June 1974.). Moreover, Art.1 (2) of the convention stated that the term “refugee” shall also apply to: “any person compelled to leave his/her country owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality”.

⁹⁵ See, Art. 35 (1), of CSR.

⁹⁶ See, Paragraph 116 of Beijing Declaration and Platform for Action, Fourth World Conference on Women, Beijing, China 4-15 September 1995.

Thus, due to different reasons, female refugees are the most vulnerable group in any community. The discriminations and challenges that female refugees encounter start in refugee determination status systems. Refugee status determinations tend to emphasize public and political activities which are traditionally associated with men.⁹⁷ Furthermore, despite the fact that female refugees are the majority, often they have more difficulties than males to obtain their entitlements in camp settings.⁹⁸ Hence, vulnerability increases when female refugees are forced to live in camp settings. According to UNHCR, the vulnerability of women and children in these settings is particularly acute as they comprise 80 percent of refugees and displaced populations worldwide.⁹⁹

On the other hand, States have the legal duty for protecting female refugees. Those states which excessively host refugees depend upon the support of other states. UNHCR and NGOs are also dependent on donors.¹⁰⁰ Accordingly, such uncertainties and limitations may force female refugees to resort to coping strategies that reduce their vulnerability to gender based violence.¹⁰¹ Thus, due to the absence of material and social resources, female refugees are often severely restricted in their opportunities to develop sustainable livelihoods as well as social and individual integrity:

*They sometimes become marginalized when remaining confined to refugee camps, lacking fundamental rights, such as freedom of movement, and the right to work. In many cases, camp situations expose refugees to high levels of violence and human rights abuse because of poor security within or around the camps. The capacity to live free from fear is often especially violated for women refugees.*¹⁰²

⁹⁷ Marie Vlachoud, Lea BIASON (ed.) 2005. *Women in an Insecure World: Violence against Women Fact, Figure and Analysis*: Geneva Centre for the Democratic Control of Armed Forces, Geneva, Switzerland, p.16.

⁹⁸ UNHCR. 2002. *Sexual Violence and Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone*: UNHCR, Note for Implementing and Operational Partners by UNHCR and Save the Children United Kingdom, pp.3-19.

⁹⁹ *Ibid*, pp.18.

¹⁰⁰ Marie Vlachoud, Lea BIASON. *Women in an Insecure World...*, supra footnote 97, pp.4-21.

¹⁰¹ *Ibid*, pp.4-21.

¹⁰² Bart de Bruijn. *Living Conditions and Well-being of Refugee...*, supra footnote 15, p.16.

Moreover, situations of refugee camp lead to the breakdown of community safety mechanisms and this, in turn, increase the risks of violence within the refugee camp. Female refugees are also more vulnerable to violence from outside of the refugee camp when traditional community protection is disrupted.¹⁰³ Feminist scholars caution that emphasizing the view that refugees are weak and dependent has serious consequences because it reinforces the simplistic images of female refugees as passive, vulnerable, and powerless and therefore, overlooks the complex gendered, socio-economic, and political relations that result from their being refugees.¹⁰⁴

Currently Ethiopia is hosting around 370,000 refugees dominantly from Somalia, Eritrea and South Sudan.¹⁰⁵ According to Women Refugee Commission, Ethiopia has resisted policies that promote integration by making reservation on the right to seek formal employment.¹⁰⁶ Majority of refugees are required to remain in designated camps, most of which are located near to the borders of Eritrea, Somalia and South Sudan.¹⁰⁷ However, one of important steps is that Ethiopia offers these refugees different levels of scholarships and other assistances including tertiary and above education opportunities.¹⁰⁸

Concerning gender based violence in refugee camps in Ethiopia; a study conducted in Somali refugee camps indicated the pervasiveness of gender based violence against female refugees:

The data show that across survey areas, approximately 40% of women and girls had experienced at least one act of physical violence within the last 18 months and approximately 20% of women and girls had been raped within the last 18 months. When disaggregated by age, more than 50% of women 18 years of age or older had experienced physical violence and more than one-third of women 18

¹⁰³ Marie Vlachoud, Lea Biason. *Women in an Insecure World...*, supra footnote 97, p.16.

¹⁰⁴ Barbara Harrell-Bond. 2009. *Are Refugee Camps Good for Children? New Issues in Refugee Research: Working Paper No. 29* UNHCR, Geneva, p.15

¹⁰⁵ UNHCR 2013. *UNHCR Country Operations Profile...*, supra footnote 7.

¹⁰⁶ Women's Refugee Commission. 2011. *Examining the Link between Gender-Based Violence and Livelihoods in Displacement Settings: Case Studies: Ethiopia & Kenya*. Women's Refugee Commission of International and Public Affairs, Columbia University, p.38.

¹⁰⁷ Ibid, p.38.

¹⁰⁸ UNHCR. *UNHCR Country Operations Profile...*, supra footnote 7.

*years or older had been raped. Of those under 18, more than 20% had experienced physical violence and less than 10% had been raped.*¹⁰⁹

Similarly, according to Women Refugee Commission, female refugees in the Somali refugee camps in Jigjiga region are victims of sexual violence and exploitation.¹¹⁰ As a result, most girls are isolated, marginalized and highly vulnerable.¹¹¹

In summary then, in different parts of the world including Ethiopia, during emergency and refugee settings, female refugees are susceptible to different forms of gender based violence. This is the case not only in the initial phase of disruption and movement, but also in refugee camps.¹¹²

2.5. Overview of Major International Human Rights Instruments on Gender-Based Violence and Refugees

A number of international agreements prohibit different forms of gender based violence. The Universal Declaration of Human Rights (Hereinafter referred to as, UDHR)¹¹³ and the International Covenant on Civil and Political Rights (Hereinafter referred to as, ICCPR)¹¹⁴ are among the main international human rights instruments which contain provisions prohibiting different types of gender based violence including discrimination based on sex.¹¹⁵ Moreover, based on the articles stated on both conventions, it can be deduced that refugees have equal

¹⁰⁹ Angela Parcesepe, *et al. Using the Neighborhood...*, *supra* footnote 24, p.3.

¹¹⁰ Women's Refugee Commission. *In Search of Safety and Solution...*, *supra* footnote 28, pp.1-13.

¹¹¹ *Ibid*, pp.1-13.

¹¹² IASC. 2005. *Guidelines for Gender-Based Violence Interventions in Humanitarian Settings: Focusing on Prevention and Response to Sexual Violence in Emergencies*: IASC, Geneva, pp.1-10.

¹¹³ See, Universal Declaration of Human Rights, G.A. Res. 217A, at 71, U.N. GAOR, U.N. Doc A/810 (Dec. 12, 1948).

¹¹⁴ See, the International Covenant on Civil and Political Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of December 16, 1966, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976.

¹¹⁵ Although ICCPR and UDHR both do not explicitly refer to gender based violence against women, sexual violence has been interpreted as falling under the prohibition against discrimination or inequality in the ICCPR and UDHR. Each instrument requires States parties to take affirmative action to give effect to the rights enumerated. In this regard, one can mention Art.2, 7, 16 and 25 of UHDR which prohibits different forms of gender based violence indirectly. Similarly, Art. 3, 14, 24, and 26 are among the articles of ICCPR in which in one way or other prevent any kind of discrimination.

rights with citizens of a given State.¹¹⁶ Similarly, International Convention on the Rights of the Child (Hereinafter referred to as, CRC) in its Article 19 incorporates the state duty to struggle against sexual abuse which is one form of gender based violence.¹¹⁷ Remarkably, out of a similar non-discrimination clause, CRC clearly mentioned child refugees and State duty.¹¹⁸

Besides, the enactment of Convention on the Elimination of All Forms of Discrimination against Women (Hereinafter referred to as, CEDAW) in 1979 can be considered as a milestone in the history of women's right. One of the important steps is that CEDAW called on the international community to support changes of social patterns and cultural traditions which hitherto are based on the inferiority or superiority of one gender and to adopt relevant legislation and prohibit discrimination against women in all its forms.¹¹⁹ Furthermore, recommendations issued by the Committee on the Elimination of Discrimination against Women, which supervises States compliance with the treaty, have clearly defined "discrimination" to include violence against women.¹²⁰ Likewise, CEDAW obliges States to take appropriate measures to avoid any form of

¹¹⁶ See, Art. 2(1) of the UDHR, "everyone is entitled to all the rights and freedoms set forth in this Declaration, *without distinction* of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin (...)". Also, Art.7 adds that "*all are equal before the law* and are entitled without any discrimination to equal protection of the law." Similarly, Art.2 (1) of the ICCPR, states that: "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, *without distinction of any kind*, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." In addition, according to Art.3 of the Covenant, States must ensure the *equal right* of men and women to the enjoyment of all civil and political rights set forth in the ICCPR.

¹¹⁷ See, Art.19 of Convention on the Rights of the Child, G.A. Res. 44/25, U.N. Doc. A/RES/44/25 (Nov. 20, 1989), Art.19 of CRC stated that States parties requires to "take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."

¹¹⁸ See, Art.22(1), CRC which states that "States parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee receive appropriate protection in the enjoyment of applicable rights set forth in the Convention and in other international human rights or humanitarian instruments to which the States are parties".

¹¹⁹ See, Art.2 of Convention on the Elimination of All Forms of Discrimination against Women (Hereinafter referred as, CEDAW), G.A. Res. 34/180, U.N. Doc. A/RES/34/180 (Dec. 18, 1979)

¹²⁰ See, CEDAW General Recommendation 19, 1(1992), according to this Recommendation discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence".

discrimination including gender based discrimination.¹²¹ Additionally, the Optional Protocol to CEDAW creates the competence of the Committee on the Elimination of Discrimination against Women to obtain and consider complaints from individuals or groups within its jurisdiction i.e. communications procedure and provides for an additional inquiry procedure.¹²² From female refugee perspective, CEDAW and its Optional Protocol establish standards for States in a number of areas that are important to refugee women, and hence, as discussed by Alice Edwards CEDAW is applicable for women refugees:

*The non-discrimination framework offered by the CEDAW reinforces the human rights of displaced and stateless women and girls. Women's rights elaborated in the CEDAW are not subject to distinctions based on immigration or other legal status, but are instead focused on their equality and advancement. Hence, they apply to all women regardless of their nationality or immigration status.*¹²³

Apart from the above international conventions there are different human right instruments which seek to eliminate gender based violence at regional level. In Africa, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women offers for strong protections against different forms of gender based violence and incorporates its elimination under the scope of women's rights to life, integrity and security of the person and the right to dignity.¹²⁴ Also the African Charter on the Rights and Welfare of the Child includes protection from sexual abuse under the scope of "torture, inhuman or degrading treatment."¹²⁵

¹²¹ See, Art.2 (f) of CEDAW which obligates States "to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices, which constitute discrimination against women".

¹²² See, Art.8-10 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, G.A. Res. 54/4, art. 1, U.N. Doc. A/RES/54/4 (Oct. 15, 1999) it creates an inquiry mechanism and hence, parties may permit the Committee to investigate report on and make recommendations on "grave or systematic violations" of the Convention.

¹²³ Alice Edwards. 2009. *Displacement, Statelessness, and Questions of Gender Equality and the Convention on the Elimination of All Forms of Discrimination against Women*: Background paper prepared for a joint United Nations High Commissioner for Refugees and the UN Committee on the Elimination of Discrimination against Women seminar, United Nations, New York, p.64.

¹²⁴ See, Art.3-4 of Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Banjul).

¹²⁵ See, Art.16 of African Charter on the Rights and Welfare of the Child art. 16, Nov. 29, 1999, OAU Doc. CAB/LEG/24.9/49.

Based on the above stated international and regional conventions it is obvious to state that gender based violence constitutes violation of human rights. At this point, it is worth to mention the link between the conventions revealed above and the duty of Ethiopia. Consequently, Ethiopia ratified all the above stated conventions.¹²⁶ And based on the 1995 FDRE constitution they are an integral part of Ethiopian law.¹²⁷

In addition to the above international and regional treaties, different declarations and resolutions have been enacted by various international and regional stakeholders. Yet, unlike the above international treaties they are not binding. However, their existence shows international consensus and the emerging of customary international law that prohibits different forms of gender based violence.

One of significant steps in this regard is the enactment of the Declaration on the Elimination of Violence against Women (1993). This declaration heavily depends on different international human right instruments.¹²⁸ As it has been noted earlier, it defines gender based violence in line with violence against women. Additionally, though it is not limited, it also stated three elements of violence against women.¹²⁹ Moreover, the declaration calls upon States to adopt measures directed toward the elimination of violence against women.¹³⁰

Besides, in view of the frightening increase in the number of cases of violence against women in different parts of the world, the Commission on Human Rights adopted resolution 1994/45 of 1994 and decided to appoint the Special Rapporteur on Violence against Women. This Special

¹²⁶ Ethiopia ratified: CEDAW in Sep 10, 1981, CRC in May 14, 1991, ICCPR in Jun 11, 1993, and African Charter on the Rights and Welfare of the Child in 2 Oct 2002.

¹²⁷ See, Federal Democratic Republic of Ethiopia, 1995, “Proclamation No.1/1995: A Proclamation to Pronounce the Coming into Effect of the Constitution of the Federal Democratic Republic of Ethiopia,” Federal Negarit Gazette, 1st Year, No.1, Addis Ababa, 21st of August, 1995, article 9(4) stated that international agreements ratified by Ethiopia are an integral part of the law of the land. Article 13(2) elucidates that the fundamental rights and freedoms enshrined in the constitution shall be interpreted in a manner that conforms to the principles of international human rights instruments adopted by Ethiopia.

¹²⁸ See, Paragraph two of the preamble of Declaration on the Elimination of Violence Against Women.

¹²⁹ See, Art.2 of Declaration on the Elimination of Violence against Women.

¹³⁰ See, Art.4 of the Declaration on the Elimination of Violence Against Women which stated that: “States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women...”

Rapporteur provides suitable condition for gathering and investigating evidences on violence against women in all parts of the world.¹³¹

In a nutshell, there are different international and regional declarations concerned mainly with the elimination of gender based violence.¹³² These declarations and resolutions seek to provide momentum to the collaboration to eradicate gender based violence. Therefore, the above international conventions, regional conventions, declarations, and resolutions recognize that gender based violence constitutes serious violation of human rights.

¹³¹ See, the U.N. Econ. & Soc. Council, Comm. On Human Rights, Report on the 50th Session, at 143, U.N. Doc. E/CN.4/1994/13 (Jan. 31-Mar. 11, 1994). The United Nations Special Rapporteur on Violence Against Women was appointed to “Seek and receive information on violence against women, its causes and consequences from governments, treaty bodies, specialized agencies, other special rapporteurs” and to “recommend measures, ways and means, at the national, regional and international levels, to eliminate violence against women and its causes, and to remedy its consequences.”

¹³² See, the Vienna Conference on Human Rights (1993), the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women (1995), the Programme of Action of the International Conference on Population and Development (1994), and the Southern African Development Community’s Declaration on Gender and Development (1997).

CHAPTER THREE

RESEARCH METHODOLOGY

The aim of this chapter is to present the research method that helps the thesis to give answers to the research questions as well as to describe the process of data collection and analysis. The chapter has the following steps; description of the study area and site selection, research strategies, data source, sampling techniques and procedures, methods and tools of data collection, and ethical consideration which are discussed below.

3.1. Description of the Study Area and Site Selection

3.1.1. Description of the Study Area

Mai Ayni refugee camp is located in Northern Ethiopia, in Tigray Regional State (Hereinafter referred to as, TRS). TRS covers some 50,086 km across Northwestern and Northeastern Ethiopia. The camp is located roughly 82 km from *Shere* the district administrative of North-Western Tigray, on the way to Western Tigray and around 1382 km from the capital city of Ethiopia, Addis Ababa. The camp is situated at 1,000 m above sea level in a patchwork of cleared land and low density dry land forest.¹³³

3.1.2. Rationales for Selecting the Study Area

The study was conducted in Mai Ayni refugee camp. The reasons behind the selection of the camp were:

1. Based on the information acquired by the researcher via informal communication and discussion, the researcher became aware that female refugees who are living in Mai Ayni refugee camp are exposed to different forms of gender based violence. Thus, it would provide a valuable context for the generation of data.

¹³³ Cultural Orientation. 2010. *Cultural Orientation*: Cultural Orientation Resource Center, Center for Applied Linguistics Overseas CO Program Highlight, p.1.

2. It was reported that high number of refugee are found in Mai Ayni refugee camp. According to ARRA there are more than Fifteen thousand refugees in the camp.¹³⁴

3.2. Research Strategies

As it has been noted, the main objective of this study is to examine the prevalence, cause, and consequences of gender based violence against female refugees in Mai Ayni refugee camp. Accordingly, the researcher made thoughtful decision as to which ways of data gathering methods would be best to achieve the stated objective. Consequently, qualitative method is imperative in obtaining an in-depth understanding of a topic in a particular context.¹³⁵ In this regard, Natasha Mack, put the significances of qualitative research methodology in the following:

*The strength of qualitative research is its ability to provide complex textual descriptions of how people experience a given research issue. It provides information about the “human” side of an issue that is, the often contradictory behaviors, beliefs, opinions, emotions, and relationships of individuals. Qualitative methods are also effective in identifying intangible factors, such as social norms, socioeconomic status, gender roles, ethnicity, and religion, whose role in the research issue may not be readily apparent.*¹³⁶

Hence, by using the qualitative data to a large extent, believes, opinions, emotions, and relationships of individuals can be examined.¹³⁷ Moreover, in human rights research, the central source of information is first-hand testimonies of the survivors of violation of human rights.¹³⁸ Regularly, these are the very voices that are muted or silenced by the government and society. Therefore, survivors’ voices remain paramount to the process of investigation. Consequently,

¹³⁴ Administration for Refugee Returnee Affairs. *Eritrean Refugee...*, *supra* footnote, 9.

¹³⁵ Robert K. Yin. 2011. *Qualitative from Start to Finish*: a division of Guilford, New York, USA.

¹³⁶ Natasha Mack, *et al*, 2005. *Qualitative Research Methods: A Data Collector’s Field Guide*: Family Health International, USA, pp.1-10.

¹³⁷ Catherine Dawson. 2007. *A Practical Guide to Research Method*: How to content a division of how to Books, Begbroke, Oxford, United Kingdom, pp.33.

¹³⁸ Kim y. Slote, Carrie Cuthbert *et al*. 2005. *Battered Mothers Speak out: Participatory Human Rights Documentation as a Model for Research*: SAGE, p.1376.

qualitative research methodology generates an in-depth descriptions of participants' experiences, in their own words, that provide otherwise unobtainable information about and insight into the issues under study.¹³⁹ Because of these reasons a qualitative research methodology is considered appropriate to be employed. Hence, data were collected through qualitative methodology.

3.3. Data Source

As stated on the above, the study employed qualitative methodology. In line with this, both primary and secondary sources were used. Primary data were collected via In-depth Interviews with female refugees, Focus Group Discussion (Hereinafter referred to as, FGD) with female refugee and male refugees, Key informant interview with key informants, and Personal Observation. With regard to secondary data sources, different studies, documents, reports, publications, discussion papers of government organizations and non-government organizations, books, documents form internet were reviewed.

Thus, primary data collected from; Female and male refugees in Mai Ayni refugee camp, UNHCR officials, ARRA officials (Ethiopian Government), Legal experts, Refugee Representatives, and Health Officer in the camp. In addition, the researcher was also used different secondary information sources; Publications books, journals, research works on gender based violence against female refugees, international human rights instruments, constitution and proclamations.

3.4. Sampling Techniques and Procedures

3.4.1. Sample Size Determination

The main objective of the study is to examine gender based violence against female refugees and hence, female refugees were the key target behind the investigation of human rights violation. Thus, in choosing female refugees as research participant, the research made thoughtful decision by considering the central focus of qualitative research methodology. The central question in qualitative research is whether the sample provides access to abundant data with the right focus so as to achieve the stated objective:

¹³⁹ *Ibid*, p.1376.

*For many qualitative researchers however, the ability to generalize their work to the whole research population is not the goal. Instead, they seek to describe or explain what is happening within a smaller group of people. Thus, they believe, might provide insights into the behavior of the wider research population, but they accept that everyone is different and that if the research were to be conducted with another group of people the results might not be the same.*¹⁴⁰

Hence, in qualitative research, the amount of data collected is small because it does not strive to generalize but rather, provide an in-depth view on the topic. Accordingly, eighteen female refugees for in-depth interview, four female and four male refugees for FGD, and five male refugees for in-depth interview were selected to participate in this research. Moreover, one from UNHCR officials, one from ARRA officials, one from legal experts, one from Refugee Representatives, and one from Health Officers, were deliberately selected due to the fact that they have been working and concerned with refugees. Besides, they have provided useful and imperative data which helped to achieve the stated objectives.

3.4.2. Selection of Research Participant

From sampling procedure perspective, purposive sampling technique was employed.

*In this type of sampling, items for the sample are selected deliberately by the researcher; his choice concerning the items remains supreme. In other words, under purposive sampling the organizers of the inquiry purposively choose the particular units of the universe for constituting a sample.*¹⁴¹

Thus, the researcher purposely set some criteria for selecting research participants. Accordingly, since, female refugees who live in Mai Ayni refugee camp are main target group of the study, decisions with regard to selection of female refugees was made carefully. Consequently, the researcher has put down certain criterion that determines the eligibility of prospective participants.

¹⁴⁰ Catherine Dawson. *A Practical Guide to Research Method...*, supra footnote 137, p.34.

¹⁴¹ C.R. Kothari. 2004. *Research Methodology Methods and Techniques*: New Age International, New Age International, p.59.

The first criterion set by the researcher was age. Accordingly, female refugees whose age is more than eighteen were selected as research participants. The reason for this is more than 74% of refugees in the camp are young and thus, the researcher excludes gender based violence against child refugees which is open for further study.¹⁴² The second criterion chosen was their time of stay in the camp. Only female refugees who stayed at least one year and above in the camps were selected as research participant. The reason to put this as a criterion is the researcher considers that their experience will help them to generate diverse responses and they could understand the issue and express their experiences straightforwardly.

The last criterion employed by the researcher is marital status, since refugee camp is temporary camp there are only few married refugees but more than 90% of refugees in the camp are not married.¹⁴³ Accordingly, only research participants who are not married selected as research participant. Thus, the researcher omits domestic violence in Mia Ayni refugee camp, which is open for further research. Likewise, in order to select male refugees, the researcher employed the same criteria with the exception of marital status. Moreover, on the basis of preliminary assessment/observation, female refugees were purposefully drawn from diverse zones of the refugee camp.

Table1. Number of female refugees interviewed, by place of interview, Mai Ayni Refugee Camp, Northern Ethiopia.

Place of Interview	Number of Female and Male Refugees For In-depth Interview.	
	Female Refugees	Male Refugees
Zone A	4	1
Zone B	3	1
Zone C	4	1
Zone D	4	1
Zone E	3	1

¹⁴² Administration for Refugee Returnee Affairs. *Eritrean Refugee...*, *supra* footnote, 9.

¹⁴³ *Ibid.*

Similarly, for the selection of key-informants, purposive sampling technique was employed. Specific individuals selected by the researcher as key informants of the study were judgmentally decided by the researcher based on their knowledge with regard to the problem under investigation. Consequently, as explained earlier, UNHCR officials, ARRA officials, legal experts, refugee representatives and health officers were intentionally designated.

3.5. Methods and Tools of Data Collection

Both the primary and secondary sources were used to obtain adequate information about gender based violence against female refugees in Mai Ayni refugee camp. Primary Sources were used to collect firsthand information. Secondary Sources were used to strengthen the primary sources. The instruments employed to gather the data were In-depth Interview, FGD, Key Informants Interview, Personal Observation and Document analysis. Employing multiple data collection instruments helps the researcher to combine, strengthen and amend some of the inadequacies and for triangulation of the data.

Accordingly, in-depth interview were used as the main data gathering instruments, whereas FGD, observation and document analysis were employed to enrich the data acquired all the way via in-depth Interview. Thus, each method was consigned and tied to particular participants of the study and to specific research questions.

3.5.1. In-depth Interview

In-depth interview is one of the main data collection instrument used by the researcher to obtain primary data. The reason to select in-depth interview by the researcher is; it is very effective in assessing different dimension of gender based violence. In addition to this, as it has been stated, human rights research depends mainly on victims' voice this can be addressed through in-depth interviews because it helps them to express their experience from various standpoint:

In-depth interviews are useful for learning about the perspectives of individuals. They are also an effective qualitative method for getting people to talk about their personal feelings, opinions, and experiences. In-depth interviews are also

*especially appropriate for addressing sensitive topics that people might be reluctant to discuss in a group setting.*¹⁴⁴

Hence, in order to achieve the objective of the study i.e. examining gender-based violence against female refugees in Mai Ayni refugee camp, in-depth interview was conducted with eighteen female refugees who fulfilled the criteria stated earlier. Besides, in conducting the qualitative interviewing the researcher used some questions related to the participants' background information and general condition of living in Ethiopia as warm-up topics which in turn pave the way to discuss openly the major issues of gender based violence against female refugees. Similarly, by translating questions from English to Tigrigna attempt made to make the questions understandable and clear to each interviewee. Subsequently, the researcher creates effective communication and understanding with the informants.

Initially, the respondents were approached and asked if they will agree to be interviewed on the research that will conduct on gender based violence against female refugee in Mai Ayni Refugee camp. Moreover, necessary procedures such as: explaining the purpose of the research, arrangement of time and place, and promising the confidentiality of the information were carried out before the interview sessions.

Moreover, in the process of data collection through interview, a tape recorder was used after securing the consent of the respondents. However, during the study one of the challenge was the issue of recording interviews; some Interviewees were not feeling comfortable in the use of tape-recorder. Consequently, taking into considerations this fact and given the sensitivity of the issue, while majority of interview were recorded, for some interview the researcher made detail hand written notes for recording each interviews. Interviews with one informant took on the average 60-70 minutes and the researcher made all interviews.

3.5.2. Focus Group Discussion

The researcher selects Focus Group Discussion for identifying group norms and discovering variety within the camp. In addition to this, it also elicits information on a range of norms and

¹⁴⁴ Natasha Mack, *et al. Qualitative Research Methods....., supra* footnote 136, pp.1-10.

opinion in short period of time. Moreover, FGD are especially effective for capturing information about social norms and the variety of opinions or views within a population and hence, the richness of FGD data emerges from the group dynamic and from the diversity of the group.¹⁴⁵

Moreover, it is primarily chosen for the purpose of authenticating and verifying data gathered from other sources and adding depth to the results collected by in-depth interview. During FGD issues such as prevalence, causes and consequences of gender based violence against female refugees and other relevant questions were discussed.

Regarding to the structure of the Focus Group Discussions, it was conducted with four female and four male refugees in the camp. Besides, explaining the purpose of the study and the importance of their participation in the discussion and asking permission to use tape recorder were among the ways that used to create suitable condition for the discussion. Accordingly, during the discussion session, an established guideline that contains norms, procedures and questions was used by the researcher. In addition to taking note, all conversations were recorded with audio tape. The discussion took a total of one hour and forty minutes. The researcher took the role of moderator during the discussion. At this point, it is worth to remark that FGD questions were targeted on identifying general opinion and mentioning examples rather than personal experience.

3.5.3. Key Informants Interview

Gaining gorgeous qualitative data meant that research participants should be pre-selected based on their level of knowledge, experience and articulation in a study of such sensitive nature.¹⁴⁶ Hence, this instrument was employed to gather data from those who have knowledge on the topic because of their organization and position.

¹⁴⁵ Natasha Mack, *et al. Qualitative Research Methods...*, *supra* footnote 136, p.52.

¹⁴⁶ Uwe Flick, Ernst von Kardorff *et al.* 2000. *A Companion to Qualitative Research*: Rowohlt Taschenbuch Verlag GmbH, Reinbek bei SAGE, Hamburg, pp.6-10.

Interview guideline for key informants was specifically focus on the information about the prevalence, cause and consequences of gender based violence in the camp and the general situation of female refugees in the camp. Interviews and discussions lasted on the average forty-five minutes. Consequently, different key informants were included in the study. UNHCR officials, ARRA officials, legal experts, refugee representatives and health officers were deliberately selected and interviewed due to their interaction with refugees.

3.5.4. Document Analysis

Document analysis was used to gather necessary information about gender based violence against female refugees, and to strengthen the data obtained through in-depth interview, FGD, key informants interview. Apart from regional and international conventions, proclamations and other secondary sources, only two secondary documents were collected from the research area. This is due to lack of willingness of the concerned bodies to release secondary documents.

3.5.5. Personal Observation

Making a field visit to the case study i.e. Mai Ayni refugee camp creates an opportunity for direct observations and hence, the researcher observe relevant factors. In qualitative research personal observation is also useful for gaining an understanding of the physical, social, and cultural, contexts in which study participants live.¹⁴⁷ Consequently, location of the camp, lighting, facilities and other relevant factors were observed.

Regarding the structure of personal observation, in order to investigate gender-based violence in Mai Ayni refugee camp non-participant personal observation has been done. The researcher was carried out his observation by using observation lists; this helped the researcher to plan when, how and where will be observed the overall activities. The data of observation were recorded by taking notes continuously.

¹⁴⁷ Natasha Mack, *et al. Qualitative Research Methods...*, *supra* footnote 136, p.14.

3.6. Data Analysis

The data gathered through various sources were analyzed systematically in order to increase the reliability, credibility and validity of the research findings. As a result, data which obtained via In-depth interview, Focus Group Discussions, Key informants interview, and Personal observations were analyzed by making use of descriptions, interpretations more importantly by making summarization of the data. Moreover, the data obtained through the aforementioned methods of data collection were organized and harmonized with the objectives of the research and in line with the ongoing interpretation of the data.

3.7. Ethical Consideration

Realizing the voluntary consent of human subjects is absolutely essential. Thus, ensuring the willingness of all research participants was given priority in the process of data collection. Moreover, the ethical principles of confidentiality and respect are especially relevant in the research field of gender based violence, due to the traumatic and sensitive nature of the subject material.¹⁴⁸ During data collection from research participant, the objective of the study was explained to research participants, and they were told in advance that they have a right to withdraw from the research process at any time.

Hence, assuring participants what they say will be kept in confidence is important for earning their trust and so as for eliciting adequate and accurate data. Besides, the researcher assured the confidentiality of information, and therefore, no harm to them. Generally, the importance of maintaining confidentiality was addressed with high emphasis during collecting of data. Besides, in the process of data collection through in-depth interview and FGD, the researcher was asked the consent of the interviewees to use tape recorder. The researcher generally place due care for ethical considerations in gathering and processing the data.

¹⁴⁸ Ellsberg Mary, Lori Heise. 2005. *Researching Violence against Women: A Practical Guide for Researchers and Advocates*: Center for Health and Gender Equity WHO, Washington, DC.

3.8. Problems Encountered During the Research Process

Some problems were encountered while conducting the research and the following were the major ones:

- The first problem encountered was getting entrance permission to the camp from ARRA. On the initial period they reject any idea and hence, the researcher had to spend much time in convincing government officials but finally succeed.
- The other serious challenge was gathering secondary data of gender based violence in the camp. International Rescue Committee was unwilling to give any data with regard to the extent of gender based violence in the camp. The only data used by the researcher was the data released by ARRA one month report of gender based violence in the camp. As a result, the researcher was forced to depend on primary data.
- On the initial period of the research, the researcher prepared questions for female refugees by depending on prevalence, cause and consequences of gender based violence. However, female refugees considered gender based violence only sexual violence like rape and attempted rape. Thus, the researcher was forced to separate all questions into sexual, physical and socio-economic violence and hence, the number questions were increased. Consequently, because increment of questions some female refugees appeared to be tired and exhausted.
- When the researcher assesses cases of gender based violence in the court, there is no any organized data of gender based violence. Thus, the researcher was forced to check all records of crime in the court.

CHAPTER FOUR

FINDING AND ANALYSIS

This chapter deals with results and discussions collected from the research participants through In-depth Interview, Focus Group Discussion, Document analysis and Personal observation. The data are discussed qualitatively through descriptive statements and summarization of main points. Thus, in line with the objective of the study, this section incorporates three main issues; the prevalence of gender based violence, causes of gender based violence, and consequences of gender based violence against female refugees in Mai Ayni refugee camp.

Besides, as it has been noted in the preceding chapter, the research is mainly concerned with the use of qualitative methods. Hence, the actual number of research participants in the study area has been considered as less significant primarily because the sample selected is not a statistically representative one and therefore, survivors' voices remain paramount to the process of investigation.

However, some variables have been selected from the questions raised during in-depth interviews and FGD concerning the research participants so as to grasp better understanding of their background. Thus, information with regard to research participants' general background such as; age, educational level, religion and ethnicity are attached in the appendix part (See Appendix II).

4.1. Prevalence of Gender-Based Violence

Gender-based violence against female refugees can occur during all phases of refugee cycle: prior to flight, during flight, while in the country of asylum, during repatriation and reintegration.¹⁴⁹ Nevertheless, the study investigated gender-based violence which occurred in the country of asylum or only in Mai Ayni refugee camp.

As stated in the previous chapter, the researcher faced difficulties in getting sufficient documented data concerning the pervasiveness gender based violence from IRC and ARRA

¹⁴⁹ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.19.

which would have been relevant in order to know the actual extent of gender based violence against female refugees in the camp. However, a one month period report of gender based violence against female refugee in Mai Ayni refugee camp which was announced by Ethiopian government representative in the camp reveals the prevalence of gender based violence in the camp. Thus, according to the Administration for Refugees and Returnee Affairs, fourteen gender-based violence cases have been reported to Ethiopia only in November 2012.¹⁵⁰ Similarly, the data collected from informants also elucidated the prevalence of gender based violence in the camp. Besides, the researcher intended to examine three forms of gender based violence and hence, in line with the objectives of the study, in this section attempt has been made to identify the various forms of gender based violence against female refugees from the data gathered during field work.

4.1.1. Physical Violence

Physical violence is one form of gender based violence which includes beating, punching, kicking, biting, burning, maiming or killing, with or without weapons, selling and/or trading in human beings for forced sexual activities, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs.¹⁵¹ Data collected from research participants show that female refugees were victims of physical violence in the camp.

*My boyfriend usually beats me. I told this to his friends and elders in the camp and they advised him. However, as he continues beating me, I, later, informed the police officer, but they advise us to solve our problem peacefully.*¹⁵²

I had been severely and frequently beaten by a refugee who considers himself as the one who loves me and cares about me. He broke my tooth, and he always threatens me. The situation went beyond my patience and I informed refugee representatives of the camp. They advised us to resolve the problem through

¹⁵⁰ Administration for Refugee Returnee Affairs. *Eritrean Refugee...*, supra footnote, 9.

¹⁵¹ UNHCR. *Guidelines for Prevention and Response...*, supra, footnote 30, p.17.

¹⁵² Interview with a female refugee (Informant 25, female, 24), December, 14, 2012.

*mediation. However, he still continues to intimidate me and there is no change at all.*¹⁵³

According to the above informants' experience and data collected from other informants, female refugees in the camp were victims of physical violence by male refugees. The preceding paragraphs also revealed that in some cases beating female refugee is linked to a desire by male refugees for a romantic or sexual relationship with female refugee. Further discussions during FGD held with female refugees over physical violence enabled participants to expand their view to the extent that physical violence is not limited to physical abuse but also verbal abuse which includes intimidation and threat by male refugees over female refugees.

Surprisingly, during FGD some female refugees laughed when asked to discuss about the prevalence of physical violence against female refugees in the camp. This was because all female informants experienced physical violence in the camp. From the other dimension, the data collected via in-depth interview and FGD disclosed that female research participants do not consider physical violence as a serious violation of human rights:

*Oh... you asked me about punching, kicking, and beating etc. I think this is not a big deal I experienced these lot of times.*¹⁵⁴

*I think we are discussing about gender based violence which have more to do with rape, but about kicking or beating and punching, etc. it's better to talk about female refugees who are free from such violence because it is common practice in the camp. So, let's save our time!*¹⁵⁵

The experiences of the above research participants explicated that physical violence like beating and punching is a common phenomenon in the camp which is considered as part of their usual relationship in relation with gender role assumed by both male and female refugees. From the above response of FGD participants one can realize how female refugees conceive violation of human rights as far as gender based violence is concerned. For them gender based violence has

¹⁵³ Interview with a female refugee (Informant 7, female, 18), December, 13, 2012.

¹⁵⁴ Interview with a female refugee (Informant 10, female, 21), December, 14, 2012.

¹⁵⁵ FGD, a female refugee, December, 15, 2012.

to do only with sexual violence like rape; otherwise, violations like punching and beating are not considered as violations of human rights. Consequently, data collected from victims of physical violence and key informants clarified that unless the violence they experience involves serious physical damage like breaking ones legs or injury that results in losing tooth etc., they do not report the issue into the protection or police force.¹⁵⁶

Likewise, government representatives (protection) in the camp also assured the pervasiveness of physical violence against female refugee in the camp. A protection officer stated that “there is use of physical violence by men; one of the causes is the notion of men’s superiority and domination over women”.¹⁵⁷ In addition to this, the researcher witnessed visible scars, bruises and cuts on the faces of some of the interviewed female refugees. Thus, female refugees were prone to physical violence in the camp at the hands of male refugees.

One of the causes of physical violence (which will be explained in detail later) is because men feeling of ‘loss of power’ this is due to majority of refugees are under the support of humanitarian agencies. One male respondent noted that the inability of men to act as superior leaves male refugee unable to exercise his superiority over female refugee and therefore, grievances of men refugees mainly shown via physical violence against female refugees in the camp.¹⁵⁸

To sum up, data collected from the fieldwork demonstrated that among the forms of gender based violence experienced by female refugees in the camp physical violence was one of the major violations which has damaging consequences among the victims. Thus, based on the finding of this study, it can be argued that physical violence is one form of gender based violence experienced by female refugees in Mai Ayni refugee camp. Therefore, physical violence against female refugees is a cause of concern in Mai Ayni refugee camp. It is also clear that female refugees do not report cases of physical violence to the court. When the researcher examines cases of physical violence in the court, there is no case of physical violence in the court (2011/12). In addition to this, the data also displays that male refugees and intimate partners of

¹⁵⁶ Interview with Key Informant, UNHCR Senior protection, December, 25, 2012.

¹⁵⁷ Interview with Key Informant, ARRA protection, December, 14, 2012.

¹⁵⁸ Interview with a female refugee (Informant 8, female, 31) December, 13, 2012.

female refugees were the prime physical violence perpetrators of female refugees in the camp. On the other hand, the finding also revealed that the occurrences are such that one form of gender based violence overlaps over the other. Especially in some situations, physical violence is a prerequisite for sexual violence while sexual violence at the same time includes physical violence.

4.1.2. Socio-Economic Violence

Socio-economic violence is characterized by discriminatory access to basic health care, low level of literacy and educational attainment, inadequate shelter food, economic deprivation, armed conflict, social exclusion, obstructive legal practices, such as denial of the exercise and enjoyment of civil, social, economic, cultural and political rights to women and girl, and acts that involve denial of opportunities or services on the basis of gender.¹⁵⁹

During the study, female refugees were asked to state whether or not they were victim of socio-economic violence. Besides, with the aim of getting better understanding about gender based violence, the victims were asked if they know who victimized them socio-economically. As a result, two actors has been identified by victims of socio- economic violence; firstly, male refugees and secondly, ARRA. Accordingly, the following anecdote forwarded by a female refugee shows how female refugees become victim of socio-economic violence by male refugees:

*Let me tell the story of a beautiful best friend of mine. When refugees frequently asked her for love affair she ignored all love requests. After she rejected and abhorred to have any affair with anyone, they disseminated rumors in the camp that she is HIV positive. As a result, everyone in the camp think that she is HIV positive and my friend becomes victim of stigma and discrimination. Only her close friends, including me, know for sure she is not.*¹⁶⁰

¹⁵⁹ Johnson, Tina. *Gender Based Violence...*, *supra* footnote, 35 pp. 22-30.

¹⁶⁰ Interview with a female refugee (Informant 3, female, 22) December, 12, 2012.

Socio-economic violence as one form of gender based violence constitutes discrimination, stigmatization and social exclusion.¹⁶¹ Besides, the preceding testimony of a female refugee disclosed the prevalence of discrimination and stigmatization against female refugees in the camp, which is very systematic and difficult to endure. At this point, it is worth mentioning the 1992 Recommendation 19 of the Committee on the Elimination of Discrimination against Women which affirms that both the public and private forms of violence (“all forms of discrimination”) against women are human rights violations.¹⁶² The Recommendation establishes the link between violence and discrimination. Accordingly, violence against women is both a consequence of systematic discrimination against women in public and private life, and a means by which constraints on women’s rights are reinforced. Women are vulnerable because of disabilities imposed on them in economic, social, cultural, civil and political life and violence impairs the extent to which they are able to exercise de jure rights.¹⁶³

It is clear from the previous discussions that a number of female refugees have been victim of different forms of gender based violence. Subsequently, the victims asked permission from the concerned body i.e. ARRA so as to go somewhere out of the camp to escape the discrimination in the camp and get rest. However, as far as getting permission to go out of the camp is concerned, they identified clear and present barriers as well as delays which inhibited their ability to access the available services in the camp:

*If we ask permission to visit our Ethiopian relatives it will probably take long time to process it and there is also a possibility of being rejected at the end. Especially when you become victim of gender based violence its psycho-social impact is worst of all. As we are discriminated by the community in the camp, the best decision to avoid this and to recover is to go out of the camp and get some rest. However, because of ARRA’s delayed service in giving permission we struggle to live with our problems.*¹⁶⁴

¹⁶¹ UNHCR. *Guidelines for Prevention and Response...*, supra, footnote 30, p.18.

¹⁶² See, U.N. Convention for the Elimination of All Forms of Discrimination against Women (1992) (General Recommendation No. 19)

¹⁶³ *Ibid.*

¹⁶⁴ Interview with a female refugee (Informant 2, female, 35) December, 12, 2012.

The above response of a female refugee is shared by other female FGD participant “frankly speaking, most female refugees who are victims of gender based violence, including me, always wished to get out of the camp; however, there is delay of services”.¹⁶⁵ Correspondingly, close observation by the researcher revealed that a lot of refugees, particularly female refugees, waited around the office of ARRA to get permission to get out of the camp.

As it can plainly be understood from the forgoing experiences, most of the female refugees were not easily given permission to get rest even after they become victims of gender based violence and they had to continue to live in the camp with all the psycho-social problems. According to UNHCR guidelines, if female refugee unable to get any services in refugee camps regardless of whether there is discrimination or not it constitutes socio-economic violence.¹⁶⁶ Moreover, according to CEDAW General Recommendation 19 on violence against women, gender based violence constitutes a serious obstacle in the enjoyment of human rights and fundamental freedoms by women, and addresses intersections of gender-based violence with the different substantive areas covered by the articles of CEDAW.¹⁶⁷ Consequently, it also defines gender based violence not only as violence directed against a women because she is a women but also violence which affects a women disproportionately.¹⁶⁸ Thus, the finding of the study revealed that delay/denial of services affects female refugees who are victims of gender based violence more than male refugees in the camp. Thus, based on the finding of the study, it can be argued that delay/denial of services is one form of socio-economic violence committed against female refugees in the camp.

Similarly, although a number of informants mentioned a lot of problems in the camp, the following information from two informants need to be seen as one form of socio- economic violence (denial of services) against female refugees in Mai Ayni refugee camp:

¹⁶⁵ Interview with a female refugee (Informant 5, female, 27) December, 13, 2012.

¹⁶⁶ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.18.

¹⁶⁷ See, U.N. Convention for the Elimination of All Forms of Discrimination against Women (1992) (General Recommendation No. 19)

¹⁶⁸ *Ibid.*

*The available services in the camp are good but female victims of gender based violence may need other better services which are not available in the camp's health care. The workers, however, are reluctant to refer the victims to better hospital.*¹⁶⁹

*I think we complained several times that the medical doctor should refer us to other hospitals when we face different health problems but they always reject our requests and complaints. Actually, it is not my profession to talk about medical referrals. Yet, I know female victims of gender based violence who got services from the camp's health care, but with no improvement in their condition.*¹⁷⁰

Consequently, providing protection and security for vulnerable female refugees requires more than just physical protection. Nevertheless, in the context of Mai Ayni refugee camp, there are female victims with prior psychological and health related problems and again re-victimized in the camp. In this regard, one female refugee participant said the following “I know a female refugee with mental disorder who is well known by all refugees in the camp and who doesn't speak with anyone. Currently, she is pregnant. I heard people saying that she was raped by someone”.¹⁷¹ Therefore, one can understand from this evidence a female victim with mental disorder do not get special privilege in some services (which will be explained later).

From the other dimension, one of the exciting findings is the fact that limited economic opportunities and insufficient rations in Mai Ayni refugee camp forced female refugees to dangerous survival strategies. Hence, socio-economic violence is the main cause for other gender based violence especially for sexual violence “we do not have enough food to feed ourselves, so we have no choice but we start relationship with male refugees who have enough income”.¹⁷² In line with this, UNHCR senior protection officer stated that the funding for the camp is inadequate and life is very tough for refugees.¹⁷³

¹⁶⁹ Interview with a female refugee (Informant 14, female, 27) December, 16, 2012.

¹⁷⁰ Interview with a female refugee (Informant 3, female, 22) December, 12, 2012.

¹⁷¹ Interview with a female refugee, (Informant 15, female, 30), December, 16, 2012.

¹⁷² Interview with a female refugee (Informant 16, female, 22), December, 16, 2012.

¹⁷³ Interview with Key Informant, UNHCR Senior Protection, December, 25, 2012.

To sum up, data collected from female refugees via in-depth interview and key informant interview with UNHCR officer shows the prevalence of socio-economic violence in the camp. Thus, it is possible to infer that socio-economic violence is one form of gender based violence experienced by female refugee informants. In addition to this, unlike physical violence, the study identifies ARRA as responsible body for the delay of services. Similar with the previous violence, male refugee in the camp are also responsible for socio-economic violence against female refugees in the camp. On the other hand, the finding also disclosed that while socio-economic problems of female refugees by itself is one form of gender based violence it also makes female refugees vulnerable to other forms of gender based violence. Similarly, as it has been noted in the literature review, socio-economic problem is the main cause of other forms of gender based violence.¹⁷⁴ For instance, according to the Beijing Platform for Action, more than 1 billion people in the world today, the great majority of whom are women, live in unacceptable conditions of poverty which basically leads to other forms of gender based violence.¹⁷⁵

4.1.3. Sexual Violence

The term ‘sexual violence’ can cover numerous types of unwanted advances including rape, attempted rape, inappropriate touching by force, forced prostitution and sexual harassment.¹⁷⁶ Accordingly, despite serious consequences of sexual violence, most incidents of sexual violence against female refugees in different parts of the world go unreported due to the various socio-cultural as well as legal constraints.¹⁷⁷

Data collected from UNHCR and Health officers revealed that sexual violence is the most frequently reported and prevalent type of gender based violence in the camp.¹⁷⁸ Some of the female refugees approached through in-depth interviews exposed that rape is committed upon some female refugees. Ethiopian Criminal Code, article 620 (1) defined rape as “whoever

¹⁷⁴ Dennis V. *Gender Matters, a Manual on...*, *supra*, footnote 38, p.57.

¹⁷⁵ See, Beijing Declaration and Platform for Action, Fourth World Conference on Women, Beijing, China 4-15 September 1995.

¹⁷⁶ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.16.

¹⁷⁷ *Ibid*, p.16.

¹⁷⁸ Interview with Key Informant, Health Officer, December, 24, 2012. Interview with Key Informant, UNHCR, Senior Protection, December, 25, 2012.

compels a woman to submit to sexual intercourse outside wedlock, whether by the use of violence or grave intimidation, or incapable of resistance is punishable with rigorous imprisonment from five years to fifteen years”.¹⁷⁹ Hence, rape occurs when the survivor’s resistance is overwhelmed by force, intimidation or other coercive means. Besides, research participants sadly statements show how sexual violence in general and rape in particular is a major problem facing female refugees:

I encountered different troubles during my journey from Eritrea to Ethiopia as a result of which I suffered a lot from psycho-social difficulties. Due to these difficulties, I became victim of mental disorder. When I arrived in the refugee camp one male refugee approached ARRA officials as if he is my relative and requested to look after me in his home. Afterwards, they accepted his idea and we lived together for some time before he went to Addis Ababa. Immediately after his departure, another male refugee was replaced up on his own request and took the responsibility of protecting me only to leave, again, shortly after some months. Then I became pregnant and gave birth. The problem is I don’t know the father of my child. Later, when I got the resettlement program both of the individuals who lived with me claimed to be the fathers of my child. Then, I realized that they have been making sex with me without my consent.¹⁸⁰

It was during night; one male refugee came to my house and punched me. He dragged me from the house and raped me a few meters from the house until I lose my consciousness. Since the time of this incident, I suffered a lot of problems.¹⁸¹

The above testimony reveals the live experiences of female refugees in the camp. Thus, female refugees have been raped by male refugees in the camp. Likewise, health officer of the camp stated that sexual violence, particularly rape, is rampant in the camp: “there is sexual violence in the camp. Comparing with physical and socio-economic violence, sexual violence is the most frequently reported type of violence. Especially, ‘rape’ is the most repeatedly reported form of

¹⁷⁹ See, Article 260 (1) of the Criminal code of the Federal Democratic Republic of Ethiopia (2005).

¹⁸⁰ Interview with a female refugee (Informant 6, female, 24), December, 13, 2012.

¹⁸¹ Interview with a female refugee (Informant 17, female, 25), December, 18, 2012.

sexual violence to our office”.¹⁸² UNHCR officials also stated that sexual violence is the most frequently reported type of gender based violence.¹⁸³ Similarly, discussion with FGD participants also remarked the pervasiveness of sexual violence, specifically ‘rape’. One male FGD participant stated that: “It was during night when a group of three male refugees made a phone call to a female refugee’s cell phone and told her that her sister is seriously ill and she must come. Immediately she went to the stated place and three of them threatened her and one of them raped her”.¹⁸⁴ Another female refugee research participant also explained the prevalence of rape in the camp.¹⁸⁵ Likewise, refugee representative of the camp affirmed what he and his colleagues commonly encounter during their day to day accomplishments regarding the incidence of rape. Accordingly, they receive different cases of rape especially when the incident happened at night.¹⁸⁶

Thus, the preceding quotations and information from informants elucidated that female refugees were victims of rape by male refugees resident in the camp. Even worse, as far as sexual violence is concerned, female refugees are victimized by their close relatives:

*When my friend arrived in this camp her uncle received her in his home. She has always been with him in her every movement in the camp and no one suspected him of any affair as he is her close relative. Few weeks later, both walked far southwards of the camp and he raped her. After this incidence he considered her as his wife and they shared bed together without her consent. Finally, she became pregnant and when he understood this, he left the camp and fled to Sudan.*¹⁸⁷

¹⁸² Interview with Key Informant, Health Officer, December, 24, 2012.

¹⁸³ Interview with Key Informant, UNHCR, Senior Protection, December, 25, 2012.

¹⁸⁴ FGD, a male refugee, December, 15, 2012.

¹⁸⁵ Interview with a female refugee (Informant 3, female, 22), December, 12, 2012. *She explains the prevalence of sexual violence in the camp in the following way: “Let me tell you the story of my friend, she have been working on Meskerem café (one of the café’s in the camp). One night she invited by her friend to participate on a celebration, after she stay in the celebration till 2:00 pm she went to her home. After few minutes three refugees close to her and they control and threaten her. As a result, from the three refugees one refugee raped her. The police arrested him, but after weeks they released him because they decide to solve the issue via compensation. I think he gave her around seventeen thousand Birr. However, she returns the money to the one who raped her because he always tortured her.”*

¹⁸⁶ Interview with Key Informant, Refugee Representative, December, 13, 2012.

¹⁸⁷ Interview with a female refugee (Informant 13, female, 28), December, 14, 2012.

The above illustrated forms of sexual violence show the prevalence of rape against female refugees. However, there were some instances when these incidents escalated into the worst form of sexual violence, namely gang rape (rape committed by two or more individual). Accordingly, data collected from female refugees elucidated the existence of gang rape in Mai Ayni refugee camp as one form of sexual violence: “I know a female refugee who was raped by four unknown individuals during night. She kept silent from reporting the case to court because she does not know who raped her”.¹⁸⁸ Similarly, FGD participants explained the occurrences of gang rape by citing examples:

*For instance, in 2009 five male refugees raped one female refugee while she was in her home at night and she became pregnant. Fortunately, she aborted it with the support of a health care center. Yet, all of them escaped to Sudan with no legal consequences.*¹⁸⁹

Similar with the above information from FGD participants, key informant interview with the health officer in camp assured the prevalence of rape and gang rape. Accordingly, the health officer of the camp obtained cases of gang rape where more than two male refugees involved.¹⁹⁰ Thus, the foregoing discussion designates that female refugees are victims of gang rape while residing in the camp. Hence, gang rape is identified as one form of sexual violence faced by female refugees.¹⁹¹

Furthermore, attempted rape is one form of sexual violence which can be manifested through attempted forced/coerced intercourse but without penetration.¹⁹² During fieldwork female refugees were asked to explain if they encountered attempted rape in the camp. In addition, with the aim of getting a better understanding about how gender based violence occurred, those who were victim of attempted rape were asked to display the time and place of the incidence. The following tragic stories explicated by two female refugees exhibited the prevalence of attempted rape in the camp:

¹⁸⁸ Interview with a female refugee (Informant 4, female, 24), December, 12, 2012.

¹⁸⁹ FGD, a female refugee, December, 15, 2012.

¹⁹⁰ Interview with Key Informant Health Officer, 24, December 2012.

¹⁹¹ Interview with a female refugee, (Informant 9, female, 19), December, 13, 2012.

¹⁹² UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.16.

*Majority of male refugees in the camp are idle and they always deliberately follow the activities of female refugees. Correspondingly, they followed me for some period of time and one night two male refugees tried to rape me when I was going home at around 9:00 pm. I was very lucky because two other male refugees came to us at the time they tried to rape me and these guys who tried to rape me changed their direction as if nothing was happening.*¹⁹³

*Attempted rape is common in our camp. A given refugee tried to rape me during night in my home. Thanks to God! I endured because when I screamed loudly other refugees saved me. However, many of my friends were raped by unknown refugees in their home.*¹⁹⁴

Hence, the above testimony of victims of sexual violence revealed that attempted rape is one form of sexual violence committed against female refugees in the camp. The finding also revealed that female refugees have been victim of sexual violence while they were in their home. Besides, most of time female refugees become victim of sexual violence at night.

Similarly, some questions were raised to FGD participants with regard to the prevalence of attempted rape in the camp. Most of participant mentioned that female refugees in the camp were victims of attempted rape.¹⁹⁵ Besides, sexual violence is one of the main troubles faced by female refugees and the victims are deeply traumatized. Unfortunately, according to health officer of the camp, sexual violence is not reducing and they still receive complaints of sexual violence.¹⁹⁶

In summary then, as noted in the literature part, the Beijing Platform for Action identified female refugees as particularly vulnerable to different forms of gender based violence.¹⁹⁷ Moreover,

¹⁹³ Interview with a female refugee (Informant 3, female, 22), December, 12, 2012.

¹⁹⁴ Interview with a female refugee (Informant 18, female, 29), December, 18, 2012.

¹⁹⁵ FGD, a male refugee, December, 15, 2012. He explain the prevalence of attempt rape in the camp in the following : *“I think it was before one and half year I found undressed female refugee while running on the street and I asked her what happened to her, she told me that her intimate partner wanted to rape her but fortunately she run away”*.

¹⁹⁶ Interview with Key Informant Health Officer, December, 24, 2012.

¹⁹⁷ See paragraphs 114-116, of Beijing Declaration and Platform for Action.

study also display that female refugees are more affected by sexual violence than any other population of women in the world and female refugees are at risk of rape or other forms of sexual violence.¹⁹⁸ Normatively, international human rights instruments recognized gender based violence as a violation of human rights. Subsequently, data collected from fieldwork demonstrated that, among the forms gender-based violence in Mai Ayni refugee camp, sexual violence was explored as one of the major problems which has damaging consequences for the victims. Thus, based on the finding of this study, it can be argued that sexual violence is one form of gender based violence experienced by female refugees. In addition to this, the data also disclosed that male refugees and intimate partners of female refugees were the prime sexual violence perpetrators of female refugees in the camp. Moreover, most female refugees were victims of sexual violence at night.

4.2. Causes and Risk Factors for Gender-Based Violence against Female Refugees

As it has been noted while discussing about the prevalence of gender based violence against female refugees, it was stated that female refugees in Mai Ayni refugee camp were victims of different forms of gender based violence. Hence, identifying the causes and risk factors for gender based violence against female refugees is an important step in order to prevent gender based violence against female refugees in Mai Ayni refugee camp. Thus, in the following section an attempt has been made to discuss the major causes and risk factors for gender based violence against female refugee in the camp.

4.2.1. Forced Idleness

Idleness among male refugees of Mia Ayni refugee camp coupled with alcohol, drug and pornography movies exposed female refugees to different forms of gender based violence. Accordingly, government representative stated that forced idleness is one of the factors which make refugees hopeless: “As you know refugees receive the minimum services, including access

¹⁹⁸ Vulnerable Women’s Project. 2009. *The Vulnerable Women’s Project, Refugee and Asylum Seeking Women Affected by Rape or Sexual Violence, Literature Review*: Refugee Council, London.

to basic needs; and more, they have no right to work which leads male refugees in this camp to hopelessness.”¹⁹⁹ Similarly, data collected from male refugees revealed that refugees in the camp are forced to be idle:

*I think you are talking about causes of gender based violence. Frankly speaking, 'being a refugee' is the cause of gender based violence in this camp. We are forced to be idle. As a result, we spend our time by drinking alcohol, taking drugs and watching pornography. We spend day and night without any job and as a result, there is no hope of a better tomorrow.*²⁰⁰

In line with above comments of both key informant and male refugee participant, FGD participants also stated that forced idleness is one of the major causes of gender based violence against female refugees.²⁰¹ According to one male refugee, since majority of male refugees are forced to be idle, they spend their time by drinking alcohols, taking illegal drugs and watching pornography so as to alleviate their stress and misery.²⁰² Correspondingly, health officer in the camp also elucidates the effect of this: “Majority of the refugees are young and they spend their time by smoking as they have no job. They are also psychologically affected people.”²⁰³ Literature also identified alcohol and drug abuse as contributing factors of gender based violence against women.²⁰⁴

The research finding also indicates that there are more than thirty video centers in camps in which they show pornography at night. According to one male refugee, the prevalence of such video centers encourages young refugees to perform the act as displayed in the movies.²⁰⁵

¹⁹⁹ Interview with Key Informant, ARRA Protection, December, 14, 2012.

²⁰⁰ Interview with a male refugee (Informant 21, male, 30), December, 15, 2012.

²⁰¹ FGD, a male refugee, December, 15, 2012. He explains the link between gender-based violence and forced idleness in the following: “*Most of times young refugees ask female refugees to make coffee in their house because they have no job. After the coffee ceremony there is always a possibility of having unwanted sex whether you call it rap or anything. Similarly, those refugees who get remittance money they spend their time by drinking alcohol, watching movies and taking illegal drugs*”.

²⁰² Interview with a male refugee (Informant 24 male, 24), December, 17, 2012.

²⁰³ Interview with Key Informant Health Officer, December, 24, 2012.

²⁰⁴ IASC Guidelines. 2006. *IASC Guidelines for Gender Based Violence Interventions in Humanitarian Settings*: IASC, Nairobi, Kenya, p.2.

²⁰⁵ Interview with a male refugee (Informant 22, male, 36), December, 17, 2012.

Similarly, study conducted in different parts of the world also proved the connection between sexual violence and pornography. For instance, in a comparative study of rape rates in the USA, Scandinavia, Britain, Australia and New Zealand, the study found a positive connection between the availability of pornography and the level of rape (Rape increased after liberalization of pornography).²⁰⁶

In contrary to the above practices, the international human right instrument to which Ethiopia is party provides refugees the right to work. Article 6 of the International Convention on Economic, Social, and Cultural Rights states that:

*States parties to the present covenant recognize the right to work which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take all appropriate steps to safeguard this right.*²⁰⁷

From the other perspective, Ethiopia ratified the Convention Relating to the Status of Refugees in November 10, 1969 and enters into force as of February 8, 1970. However, the accession of Ethiopia was made subject to the following reservations: “The provisions of Articles 8, 9, 17(2) and 22(1) of the Convention are recognized only as recommendations and not as legally binding obligations”. Article 19(2) of the convention deals with refugee’s right to wage-earning employment. Thus, by virtue of these reservations made by Ethiopia, refugees in Mia Ayni refugee camp are not allowed to work in Ethiopia.

However, based on International Convention on Economic, Social, and Cultural Rights, refugees are discriminated against with regard to the right to work and forced to remain idle in the camp. Moreover, they are not allowed to go outside the camp unless permitted by the protection officers and as explained in the previous topic, it is not easy to get that permit from ARRA. Due to all these factors, refugees are forced to remain idle in the camp and as a result, they spend their time by drinking alcohol, taking drugs and watching pornography movies in the camp.

²⁰⁶ Marlene Goldsmith.1993. *Without Consent: Confronting Adult Sexual Violence: Sexual Offenders and Pornography: A Causal Connection*: Accessed from: <http://www.mecasa.org/joomla/>.pdf, January, 2013, p.254.

²⁰⁷ See, Article 6 of International Covenant on Economic, Social and Cultural Rights, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of December 16, 1966, entered into force January 3, 1976.

Similarly, a multi-cultural study on violence against women has found that men's unemployment positively correlates with gender based violence incidence.²⁰⁸ Moreover, a study conducted on the link between gender-based violence and livelihoods in displacement settings particularly in Ethiopia and Kenya by Women Refugee Commission shows that unemployment challenges the men identity as the provider, which leads to different forms of gender based violence against female refugees.²⁰⁹

Generally, based on the information collected from different informants, it is possible to say that forced idleness coupled with the prevalence of pornography, alcoholism and drug intoxication exposed female refugees to different forms of gender based violence. From the other dimension, similar with male refugee's female refugees are also forced to be idle in the camp. This is also another cause of gender based violence (which will be explored in detail later in this chapter).

4.2.2. Physical Insecurity

The finding of the study indicates that female refugees are exposed to diverse forms of gender based violence due to the absence of adequate facilities. One of the main problems in the camp is poor lighting, which is a risk factor for gender based violence against female refugees. The foregoing discussions and interviews with informant 3, informant 4, FGD and interview with the health officer revealed that female refugees were victims of gender based violence at night. Pertaining to the causes of gender based violence; one female research participants said the following:

*Life in Mai Ayni refugee camp is challenging. There is no sufficient light in the camp. Some men creep in the huts at night and rape female refugees. Many female refugees were attacked at night because it is so dark to recognize and identify perpetrators. ARRA and UNHCR should do something.*²¹⁰

²⁰⁸ WHO. 2005. *Multi-Country Study on Women's...*, *supra* footnote 56, p.8.

²⁰⁹ Women Refugee Commission. *Examining the Link...*, *supra* footnote 106, p.36.

²¹⁰ Interview with a female refugee (Informant 14, female, 27), December, 16, 2012.

Alike, a refugee representative stated that: “Majority of the attacks of gender based violence occurred at night. With the exception of the main road, the camp is dark at night which obviously, encourages potential attackers”.²¹¹ Also, discussions with UNHCR officials and health officer of the camp revealed that female refugees were victims of gender based violence at night.²¹²

The consequence is that it is difficult for victims of gender based violence in general and victims of sexual violence in particular to identify their perpetrators. As a result, cases are rarely reported to protection center, NGO and UNHCR. Thus, since incidents of sexual violence occur in isolated locations and at night, the doers flee the scene of the crime. This, obviously, makes it difficult to pursue the individuals responsible for the attacks. In this regard, when the researcher examined cases of gender based violence in court in the year 2011/12, out of six cases of rape and attempted rape, only one individual was sentenced. Yet, the rest cases were terminated due to different factors (which will be explored later under this chapter). Therefore, the absence of adequate light makes female refugee vulnerable to different forms of gender based violence.

Ethiopia is a signatory to the 1951 Convention of Relating to the Status of Refugees and its 1967 protocols as well as the OAU Refugee Convention. Therefore, Ethiopia has the duty to respect fundamental principles of refugee protection. Consequently, according to the Addis Ababa Document on Refugees and Forced Population Displacements in Africa, “governments should use their best endeavors to treat refugees according to the standards established under refugee law. In particular, they should ensure the personal safety of refugees, locate them in areas which are accessible, safe and where basic services and amenities can be provided, and enable them to regain a normal way of life.”²¹³ Moreover, according to article 22 of refugee proclamation in

²¹¹ Interview with Key Informants, Refugee Representative, December, 13, 2012.

²¹² Interview with Key Informant, UNHCR, Senior Protection, December, 25, 2012, and Interview with Key Informant Health Officer, December, 24, 2012. The Health Officer of the camp assured that poor lighting makes female refugees vulnerable to gender based violence: “*In some situations male refugees kidnapped female refugees at night.*”

²¹³ See, Recommendation 7 (ii) of Addis Ababa Document on Refugees and Forced Population Displacements in Africa, adopted by the OAU/UNHCR Symposium on Refugees and Forced Population Displacements in Africa, Addis Ababa, September 8-10, 1994.

Ethiopia, refugee women need special protection.²¹⁴ Besides, the proclamation stated that the authority should take all appropriate measures so as to protect female refugees.

On the other hand, the forgoing discussion with victims of gender based violence disclosed that delay/denial of services increases the vulnerability of female refugees for further discrimination and stigmatization. Thus, due to delay of services, victims of gender based violence are facing double violations; they are victims of either sexual violence or physical violence and at the same time they are also victims of socio-economic violence.

4.2.3. Men's 'Loss of Power'

The finding of this study indicated that in some instances men's feeling of 'loss of power' increase female refugees vulnerability to various forms of gender based violence. Thus, what some informants clearly stated implies that gender based violence against female refugees is caused by men's 'loss of power' in the camp:

*If a female refugee rejects to be a girlfriend of male refugee, the male refugee thinks that she rejected his request because of his economic dependence. Then the next step is coercing the girl to be his girlfriend through different mechanisms including sexual and physical violence.*²¹⁵

*Since we are refugees, we all are equally dependent on the assistance from ARRA, UNHCR, and NGOs. As a result, the female refugees underestimate us. However, they have to be reminded that male is male everywhere; no matter how much we dependent on ARRA and UNHCR.*²¹⁶

Needless to say, majority of refugees in Mai Ayni refugee camp are dependent on assistance from ARRA, UNHCR, IRC and NGOs; they provide them with food, shelter, clothes, free school, health care services and other assistances. An interview conducted with informant 23 revealed that male refugees failed to be superior in their relationship with female refugees. They

²¹⁴ See, Art. 22 of Refugee Proclamation No. 409/2004, Federal Negrait Gazeta No 54, July 2004.

²¹⁵ Interview with a female refugee (Informant 15, female, 30), 16, December, 2012.

²¹⁶ Interview with a male refugee (Informant 23, male, 19), December, 17, 2012.

suffered from powerlessness, identity and status crisis as men which contradict with men's former identities. Subsequently, male refugees express their grievances via the use of force which has damaging consequences in the lives of female refugees.

Likewise, interview with key informants and refugees indicates that men's 'loss of power', which contest the male identity as superior, leads to anger making female refugees vulnerable to different forms of gender based violence.²¹⁷ However, in contrary to this, another finding of the study displays that, in some instances, female refugees are dependent on male refugees to solve their economic constraints, which is another cause of gender based violence (this will be explored in detail in the upcoming sub-topic).

4.2.4. Economic Dependency

The study found that female refugees are not economically self-reliant which makes them vulnerable to different forms of gender based violence. Data collected from female refugees via in-depth interview and FGD indicated that some female refugees are dependent on male refugees for their economic problems:

*I started relationship with a male refugee who gets a lot of remittance money from his lineages abroad. I approached him for his economic advantage. Nonetheless, he abused me through different mechanisms including punching, slapping, insulting and he was able to do whatever he wants in my physical body.*²¹⁸

*Majority of female refugees have no reliable and stable income. They are economically dependent. Consequently, some of my friends are in relationship with male refugees who have better economic capacity merely in order to fulfill their basic demands.*²¹⁹

Hence, the above testimonies, indicates that because of the absence of the provision of ample work opportunities for female refugees, some female refugees are reliant on male refugees. This

²¹⁷ Interview with Key Informant, UNHCR, Senior Protection, December, 25, 2012.

²¹⁸ Interview with a female refugee (Informant 11, female, 24), December, 14, 2012.

²¹⁹ Interview with a female refugee (Informant 1, female, 25), December, 12, 2012.

doesn't mean that the male refugees in the camp are provided with better opportunities; but rather some female refugees with low economic status are exposed to different types of abuse by those male refugees who get remittance money from relatives abroad. And they keep silent even in times of abuse for their economic dependence.

Moreover, the demands of the female refugees are not luxuries, but rather basic ones which doesn't require male refugees to spend much. Thus, it creates good opportunity for potential offenders to easily mischief female refugees. "Majority of female refugees have no income and feels loneliness when at home. Then, they are easy going when invited even for a dinner. Afterwards, the male refugees who offered the invitation can easily force them to have unwanted sex."²²⁰

Hence, male refugees who have better sources of income (remittance) take advantage of the poor economic status of female refugees to make unreasonable demands like sex in exchange for a single meal. Likewise, the government representative also stated that economic dependency of female refugees on humanitarian agencies is one of the major causes of gender based violence in the camp.²²¹ Similarly, according to FGD participants, the relationship between female and male refugees in the camp is based on economic status:

*I can say that when some female refugees are to make decisions as to who to approach for a relationship, they basically see economic status. And some male refugees with better remittances are more likely to have many sexual partners compared to others. Prior to their arrival, female refugees do not expect serious economic challenge will encounter them in the camp; and when it is so, they try to find someone who can help them economically.*²²²

The above evidence from the informants illustrated that, in one way or another, one contributing factor for economic dependency of female refugees is the prevalence of extreme poverty in the camp. The implication, therefore, is that the services provided by UNHCR and other

²²⁰ Interview with a female refugee (Informant 2, female, 35), December, 12, 2012.

²²¹ Interview with Key Informant, ARRA Protection, December, 14, 2012.

²²² FGD, male refugee, December, 15, 2012.

stakeholders are insufficient for female refugees to adequately fulfill their basic necessities. Hence, it increases female refugees' vulnerability to gender based violence and such circumstances also present an opportunity for a potential offenders.

With the intention of identifying some results of economic dependency, attempt has been made to investigate the consequences of economic dependency of female refugees on male refugees. A finding from in-depth interview and FGD indicates that two female refugees set their body on fire because their breadwinner boyfriends left them for a new love affair with others. However, the researcher could not contact those victims because they are away out of the camp for medical follow up. Hence, their friends explained it the following way:

*The incident happened this year. She (the victim) always spends her time with her boyfriend. They lived together. However, after some time he loves another one and deserted her. When she learned that he dumped her because he started an affair with another lady, she set her body on fire. She did so, I think, because of her economic dependency on her boyfriend. Now, I don't know in what condition she is, but I heard that she is in Shire Sehul hospital.*²²³

Likewise, another female refugee also set herself on fire for a reason similar with the above victim.²²⁴ The above information indicates that how economic dependency extremely affects female refugees in the camp.

Literature study also show the prevalence of poverty or economic dependency forces females to enter into dangerous and abusive relationships in order to safeguard their basic needs.²²⁵ Subsequently, men use their substantially higher economic status to make irrational demands on women. At this point, it is worth mentioning that both the UNCHR and the Ethiopian government are receiving inadequate financial and other related assistances from donors and the international community while accepting a heavy burden

²²³ Interview with a female refugee (Informant 2, female, 35), December, 12, 2012.

One female refugee FGD participant said the following: *"One female refugee set her hair on fire, this happened after she understood that her boyfriend went to other female refugee. She loves him so much. Above all, financially she has been dependent on him."*²²⁴

²²⁵ Fleishman, J. *Fatal Vulnerabilities...*, supra footnote 60, p.14.

of mass refugee influxes (More than fifteen thousand refugees only in Mai Ayni refugee camp).²²⁶

4.2.5. Collapse of Social and Family Support Structures

The finding of the study reveals that female refugees were exposed to diverse forms of gender based violence due to social and family structure breakdown. Data concerning social category of total population in Mai Ayni refugee camp shows that more than 90% of refugees are living without family structure i.e. they are either dependent or bachelor.²²⁷ In this regard, FGD participants elucidated that the absence of close family and social supervision makes female refugees more vulnerable to different forms of gender based violence:

*Some female refugees came to this camp at their fifteen or sixteen. After three or four years they become young and they start living alone. Later, no one guides the new adolescents about sex, sexual violence and other related sensitive issues i.e. no one close to them to teach the challenges ahead as a female refugee. This makes them vulnerable.*²²⁸

As it has been noted in literature review, the absence of family and social structure in refugee camps can lead to the lack of norms that normally would have banned gender based violence. In its absence, however, young female refugees are especially vulnerable to different forms gender based violence. Then again, the absence of family structure has also its own negative effect even after female refugees become victim of gender based violence:

When female refugees encountered gender based violence some of them immediately attempt to commit suicide. I heard people saying one female refugee attempted to commit suicide because she was victim of sexual violence. Young female refugees lack people who are close to them so as to share what happened

²²⁶ Interview with Key Informant, UNHCR Senior Protection, December, 25, 2012.

²²⁷ Administration for Refugee Returnee Affairs. *Eritrean Refugee...*, *supra* footnote, 9.

²²⁸ FGD, a female refugee, December, 15, 2012.

*to them, they keep silent and no one tells them what to do in the difficult times after violation.*²²⁹

Hence, with broken or separated families and stretched community/social networks, it is difficult to avoid different forms of gender based violence. Similarly, Ganeshpanchan argue that when female refugee uproots her family to flee persecution, her entire frame of reference and social structure changes.²³⁰ Thus, changes in access to services, community support and resources weaken the capacity of female refugees to feel empowered.²³¹ These challenges make female refugees more vulnerable to different forms of gender based violence.

4.2.6. Lack of Awareness

The finding of the study indicates that lack of awareness about the laws regarding gender based violence and the issue itself is one of the causes of gender based violence in the camp. Information collected from in-depth interview confirmed that the participants have less information and knowledge about gender based violence, laws, rules and regulations dealing with gender based violence.

*I think we have bad perception towards female refugees; we still consider them as inferior when compared to us. Concerning violation of human rights, we only consider sexual violence like rape as a violation of human rights.*²³²

Moreover, a key informant stated that lack of awareness towards the fundamental principles of human rights as one of the causes of gender based violence against female refugees in the camp.²³³ Likewise, the health officer and refugee representative explains that absence of

²²⁹ Interview with a female refugee (Informant 4, female, 24), December, 12, 2012.

²³⁰ Ganeshpanchan. *Domestic and Gender based Violence...*, *supra*, footnote, 20, p.4.

²³¹ *Ibid*, p.4.

²³² Interview with a male refugee (Informant 25, male, 25), December, 17, 2012.

²³³ Interview with Key Informant ARRA, Protection, December, 14, 2012. He argued that lack of awareness is the cause for gender based violence “*In a democratic society, people are always aware of their rights and other’s right. In contrary to this, in situations where there is no democracy there will be undemocratic relationship between male and female. This is what is happening in this camp, male refugees still consider themselves as powerful and superior to female refugees. That’s why they attack female refugees. I think this have something to do with the political system in their home country.*”

behavioral change, on the side of male refugees, which emanates from lack of awareness as one of the main causes of gender based violence against female refugees.²³⁴ And, UNHCR officials argue that one factor contributing for the absence of awareness raising campaign is budgetary constraint.

*We are at an infant stage starting from prevention of violence to responding to occurrences. We are not providing the necessary education and awareness raising programs. We have so many gaps in addressing the issues. For instance, there is no strong system in a place regarding the prevention, education and awareness creation programs about gender based violence. This is because of budget and human resources limitations.*²³⁵

Similarly, awareness of participants of FGD and in-depth interview (male and female) about policies, rules, and regulations in place which deals with gender based violence were found to be patchy. They generally tended to say ‘yes’ to a question “Do you know any laws, policies, rules and regulations which address different forms of gender based violence in the camp?”. However, when they were asked to explain what they know, the responses of moderate number of respondents were inconclusive.

Besides, according to the guidelines of UNHCR, one of the goals when looking at violence from a gender perspective is to see both female and male as potential agents of change in a collaborative partnership.²³⁶ This will require looking at the possible reasons behind violence, and hence, it is important to avoid seeing gender violence only as individual acts by individual male against selected female.²³⁷ In contrast, information collected through in-depth interview and FGD from male refugee informants disclosed that most of gender based violence programs in Mai Ayni refugee camp predominantly targets female refugees. Often, male refugees claim to be isolated from the discussions:

²³⁴ Interview with Key Informant, Health Officer, December, 24, 2012.

²³⁵ Interview with Key Informant, UNHCR, Senior Protection, December, 25, 2012.

²³⁶ UNHCR. *Guidelines for Prevention and Response...*, *supra*, footnote 30, p.109.

²³⁷ *Ibid*, p.109.

*I have been here for around four years, but still I do not have any detail knowledge about gender based violence. My girlfriend, however, always participate on issues related to gender based violence prepared by IRC.*²³⁸

Generally, data collected from male and female research participants and the forgoing discussion concerning their awareness on issues of gender based violence display that male and female informants have little knowledge. Besides, according to male informants the issue of gender based violence seems to exclusively belong to female refugees. All these factors make female refugees vulnerable to different forms of gender based violence. Moreover, it is also one of the obstacles to punish individuals responsible for gender based violence.

4.2.7. Poor Reporting, Coordination and Legal Enforcement Mechanisms

The other cause of gender based violence identified by the study is poor reporting, coordination and legal enforcement. During investigation, attempts have been made to examine the enforcement of laws that address gender based violence and its reporting system in the camp. Nevertheless, the findings of this study revealed that many cases of gender based violence in Mai Ayni refugee camp went unreported due to different reasons. Consequently, victims of gender based violence commonly rely on friends, relatives, Jusit Refugee Service (Hereinafter referred to as, JSR) and IRC for emotional and material assistance as opposed to more formal mechanisms such as the police and justice system. A government representative in the camp stated the following regarding reporting cases of gender based violence:

*Most of the time those victim female refugees solve their problems by themselves instead of reporting the case to the police or court. Other workers in the camp also assured that victim female refugees have the tendency of not reporting their case to the police and court.*²³⁹

Furthermore, the single documented source the researcher was allowed to access from ARRA regarding gender based violence indicated that all cases have been resolved by counseling and

²³⁸ Interview with a male refugee (Informant 21, male, 30), December, 15, 2012.

²³⁹ Interview with Key Informant Health Officer, December, 24, 2012.

community support.²⁴⁰ A refugee representative also stated that most gender based violence cases are unreported or underreported to the court or police.²⁴¹ Subsequently, according to the legal expert (prosecutor) of *Mai Stebri* First Instance Court²⁴², only few cases of gender based violence has been reported to the court.²⁴³ In addition to this, the study affirmed the existence of not only poor reporting system but also poor enforcement of laws as well. UNHCR senior protection officer confirmed the presence of poor legal enforcement and coordination mechanisms:

*There is no strong legal response mechanism for wrongdoers of gender based violence in the camp. As there is no organized system of following cases of gender based violence, many cases are going unpunished. By simply observing this, you can imagine how it contributes to the seriousness of the situation. Put differently, there is a weak enforcement and coordination mechanism although there is a legal system in place. For instance, there is no link between the refugee community and law enforcement bodies. At the same time, there is no institution which solely is concerned with legal issues relating to gender based violence. In times of serious human rights abuse occurrences, there is a need for a response which includes punishment for making the refugee community aware. But in the absence of informative responses, potential offenders feel confident and encouraged.*²⁴⁴

To strength the finding of this study with statistical records, the researcher has made rigorous efforts to find out cases of gender based violence in concerned court. However, although there is no organized data in the court, the researcher was able to find few cases of gender based violence against female refugees brought to the court in the year 2011/12. Thus, the data collected from

²⁴⁰ Administration for Refugee Returnee Affairs. *Eritrean Refugee...*, *supra* footnote, 10.

²⁴¹ Interview with Key Informant, Refugee Representative, December, 13, 2012. According to Refugee Representative Cases of gender based violence went underreported: “*I received a lot of cases of gender based violence in the camp, but majority of them still went unreported.*”

²⁴² This court is found in the North-West of Tigray Regional State, endowed with representation of examining cases of refugees. The Judges are from Shire Higher Court; decide on the case of refugees in every Friday in *Mai Stebri* first instance court.

²⁴³ Interview with Key Informant, Legal expert, Prosecutor, December, 27, 2012.

²⁴⁴ Interview with Key Informant, UNHCR Senior Protection, December, 25, 2012.

the court show that only six cases of gender based violence, which were all either rape or attempted rape, has been brought to the court. Of which, all except one, were ceased without punishment.²⁴⁵

Generally, the data collected through in-depth interview with male and female refugees, FGD, key informant interview, document analysis and personal observation displayed that there are different constraints within Mai Ayni refugee camp that impede gender based violence cases from being reported.

As a result, the absence of effective reporting, coordination and law enforcement mechanisms create room for potential offenders to attack female refugees. Thus, the absence of effective law enforcement and reporting mechanisms is both an obstacle to the delivery of justice and a contributory factor for the increasing number of perpetrators. Thus, it can be argued that poor legal enforcement, reporting and coordination mechanisms are among the causes of gender based violence against female refugees in the camp. Therefore, assessing the reasons why cases are not reported to the court is an important step to solve the problem at stake. Consequently, the research identified the following reasons as to why victims of gender based violence do not report the incidences to the police force and court.

As it has been noted earlier, among the six cases brought to the court in the year 2011/12 only one perpetrator was penalized. According to a female refugee, this fact led other refugees to develop lack of trust on the court.²⁴⁶ In line with this, FGD participants stated the absence of effective legal enforcement system in the camp: “we hear that someone arrested, but after two or three days he is in the camp. So, we don’t trust the court”.²⁴⁷ Other female refugee also explained her reason in the following way: “In our camp gender based violence case becomes talk of the

²⁴⁵ Cases of gender based violence brought to the court into the year 2011/12. 1. Case No.00725/04- attempted rape, ceased because the police couldn’t find the accused person. 2. Case No.00791/04 –rape, ceased because the victims admitted that it happened by her will. 3 Case No.00744/04-rape, ceased because of the absence of witness. 4. Case No.00736/04-attempted rape, ceased because of the absence of witness. 5. Case No.00735/04-rape, ceased because of the absence of witness. 6. Case No.01030/04-rape, sentenced (8 years).

²⁴⁶ Interview with a female refugee (Informant 2, female, 35), December, 12, 2012.

²⁴⁷ FGD, a female refugee, December, 15, 2012.

camp for two or three days and is shortly forgotten”.²⁴⁸ Therefore, the above obstacles greatly hinder the reporting of cases to the law enforcement bodies and encourage potential offenders.

In addition, one contributing factor for the developed lack of trust is the absence of instruments through which refugees know the end result of gender based violence cases brought to the court. In this regard, the legal prosecutor of the court confirmed the limitation:

*There are no effective mechanisms through which decisions of the court are made known to the community. I think this is because of burden of work and geographical proximity i.e. it is far from our work area.*²⁴⁹

Furthermore, even when female refugees report their issue to the police station of the camp they don't get the treatment and support they deserve as victims:

*When we report the case to the police they insult us instead of treating us as victims who need guidance and support. They insult and disrespect you in the presence of the one who oppressed you. Sometimes, it is better to keep silent.*²⁵⁰

Such treatments greatly hamper the reporting system of gender based violence. Similarly, research also found that the insensitive attitudes of police officers affected reporting cases of gender based violence. For instance, in Kenya from the victims of gender based violence who had reported gender-based crimes, 51.9 percent of women felt that police officers “were not helpful.” Twenty-eight percent said they were “humiliated” by the police and twenty percent reported of being asked for bribes and hence, it discourages others from reporting cases of gender based violence.²⁵¹

Moreover, it is worthy to note two main points in this regard. Firstly, the police station in Mai Ayni doesn't have a women's desk to help in specific and sensitive gender based violence cases.

²⁴⁸ FGD, a male refugee, December, 15, 2012.

²⁴⁹ Interview with Key Informant, Legal expert, Prosecutor, December, 27, 2012.

²⁵⁰ Interview with a female refugee (Informant 3, female, 22), December, 12, 2012.

²⁵¹ Kim Thuy Seelinger *et al.* 2011. *The Investigation and Prosecution of Sexual Violence: A Working Paper of the Sexual Violence & Accountability Project Human Rights Center University of California, Berkeley*, p. 11.

There are only male police officers in the camp. Secondly, Mai Ayni refugee camp has a total population of 15,354 refugees with one policeman and five militias.

Besides, data collected from female refugees and the court disclosed that absence of witness is another major obstacle. There were times when victim female refugees brought their cases to the court. However, cases were ceased due to the absence of witnesses: “The first challenge is finding eyewitness because most of gender based violence incidents occur at night with no witness?”²⁵²

Likewise, the data collected from the court revealed that out of the six cases brought to the court in the year 2011/12 three of them were ceased because of the absence of witness.²⁵³ Such instance discourages other victims from reporting their case. Hence, according to key informant, the overall impact is that it encourages potential offenders to consider gender based violence as normal occurrence with no legal consequences.²⁵⁴

Female refugees in Mai Ayni refugee camp are also discouraged by other refugees from taking complaints to the court.²⁵⁵ Accordingly, those who take cases often face discrimination and blame from their community including from their relatives for reporting on fellow refugees.²⁵⁶ These fears coupled with female refugee’s sympathy to male refugees, discourage them to report the cases into the court or police. In this regard, one female refugee who was victim of an attempted rape by male refugee put her reason for not reporting in the following way:

*I think we all (male and female) are refugees and we are in this camp because of harsh conditions in our mother land. So, it is difficult to be cruel about your brother and to let him be arrested in a host country.*²⁵⁷

²⁵² Interview with a female refugee (Informant 4, female, 24), December, 12, 2012.

²⁵³ 1. Case No.00744/04-rape, ceased because of the absence of witness. 2. Case No.00736/04-attempted rape, ceased because of the absence of witness. 3. Case No.00735/04-rape, ceased because of the absence of witness. 4. Case No.00725/04- attempted rape, ceased because the police couldn’t find the accused person.

²⁵⁴ Interview with Key Informant, UNHCR Senior Protection, December, 25, 2012.

²⁵⁵ Interview with Key Refugee Representative, December, 13, 2012.

²⁵⁶ Interview with a female refugee (Informant 3, female, 22), December, 12, 2012 and FGD, refugee, December, 15, 2012.

²⁵⁷ Interview with a female refugee (Informant 4, female, 24), December, 12, 2012.

Moreover, some female refugees are also dependent on *Shimgelena*²⁵⁸. In this regard, the legal expert explained in the following way:

*Many gender based violence cases are not brought to the court, but are resolved in the camp via shimgelena and victims are sometimes compensated.*²⁵⁹

The study also found that there is lack of awareness about gender based violence. As explained earlier, instances of physical violence are not considered as gender based violence cases. For example, female refugees consider occurrences of beating and kicking insignificant and fail to mention or report them at all. When the researcher assesses gender based violence cases in the court (2011/12), no case of physical violence was found. However, the finding of this study explicated that female refugees are victims of physical violence.

Finally, informants pointed out that those victims of gender based violence are discouraged from reporting to the court because of their economic problem. As it has been explained previously, female refugees have serious economic problems. Yet, reporting gender based violence cases to the court requires money for transportation as the court is located in a nearby town which demands twenty Birr cost. Thus, cases of gender based violence are not reported because the victims can't afford the cost of transportation.

From the other dimension, sexual violence is the most frequently reported form of gender based violence to the health care center and UNHCR.²⁶⁰ However, the legal expert stated that sexual violence is rarely reported to the court.²⁶¹ Also, one of the findings of the study is lack of information about gender based violence on the side of female refugees. These discrepancies show the absence of effective coordination.

Generally, the preceding discussions about the legal enforcement, reporting and coordination mechanisms concerning gender based violence display that there is lack of systematic follow-

²⁵⁸ Traditional system of resolving dispute in which problems solved via reconciliation (apart from the formal mechanism).

²⁵⁹ Interview with Key Informant, Legal expert, Prosecutor, December, 27, 2012.

²⁶⁰ Interview with Key Informant, Health Officer, December, 24, 2012.

²⁶¹ Interview with Key Informant, Legal expert, Prosecutor, December, 27, 2012.

up during occurrences of gender based violence; lack of coordination between health care center and UNHCR in one side and legal bodies in the other side, in seeking to ensure that female refugees are aware of their legal rights and other options when they are subjected to different forms of gender based violence. Thus, it can be argued that the prevalence of poor legal enforcement, reporting and coordination mechanisms coupled with lack of awareness make female refugees more vulnerable to different forms of gender based violence and encourages potential offenders.

4.3. Consequences of Gender-Based Violence

Gender based violence is a fundamental violation of human rights and it has a profound short and long term impact on health, psychological and social well-being of females. And female refugees in Mai Ayni refugee camp were victims of different forms of gender based violence. As a result, they endured various damaging consequences in their life. The negative consequences of various forms of gender based violence against female refugees are discussed in this section.

The data collected from research participants indicate that gender based violence affects female refugees' health in various ways. Three health related consequences; namely, risk to Sexual Transmitted Diseases and HIV/AIDS, unwanted pregnancy, and physical injury were reported as consequences of gender based violence. Especially, sexual violence makes female refugees vulnerable to Sexually Transmitted Diseases such as HIV/AIDS. According to Health officer in the camp, victims of sexual violence are more vulnerable to different health related problems:

*There are three main consequences of gender based violence in the camp. Firstly, Sexually Transmitted Disease, secondly HIV/AIDS and thirdly, unwanted pregnancy and female refugees are vulnerable for such serious health related diseases.*²⁶²

Similarly, victims of gender based violence explained the consequences of gender based violence on their health:

²⁶² Interview with Key Informant, Health Officer, December, 24, 2012.

*As I told you, I do not remember how it happened; two refugees had sex with me without my consent. After these incidents, I suffered several health complications. I have different health problems..., I feel painful..., it is difficult to share the details with anyone.*²⁶³

The above evidences from both the health officer and victim clearly shows that victims of gender based violence especially sexual violence are suffering from different health problems. Different literatures also stated that those who encountered sexual violence especially rape and gang rape are susceptible to HIV as it often involves unprotected sex. Thus, sexual violence survivors have been found to have an elevated prevalence of various types of sexually transmitted infections (STIs) including gonorrhea, chlamydia, syphilis, herpes simplex virus, human papillomavirus, and human immunodeficiency virus.²⁶⁴ Such infections may lead to other extremely serious health problems like pelvic inflammatory disease, chronic pelvic pain, infertility, cervical cancer, and AIDS.²⁶⁵

Likewise, FGD participants stated that the possibility of using condom during sexual violence such as rape and gang rape is less or none:

*Let alone during sexual violence that happens forcefully and instantly, it is difficult to easily get condom in the camp even under normal circumstance. This is not due to the nonexistence of condom throughout the camp, but because the available condoms are concentrated in few shops and bars. So, it is not an easy task to go and buy condoms as the shops are not found in a nearby to most of us.*²⁶⁶

Moreover, some raped female refugees also have had to cope with unwanted pregnancies:

First, I conceived from my boyfriend and I immediately aborted it because I don't want to have a child at this time and under such condition. Again as I said earlier,

²⁶³ Interview with a female refugee (Informant 6, female, 24) December, 13, 2012.

²⁶⁴ Reynolds, M.W., et al. *Epidemiologic issues of sexually...*, supra, footnote 71, pp.55-56.

²⁶⁵ *Ibid*, pp.55-56.

²⁶⁶ FGD, male refugee, December, 15, 2012.

*I was raped and became pregnant. Once again, I aborted it which means I did it two times. At the moment, I fear what adverse effect will this have in my overall health and wellbeing.*²⁶⁷

As has been noted in the review of related literature, attempts of abortion following unwanted pregnancy have severed medical complications.²⁶⁸ Other female refugee explains her friend's experience: "Three individuals raped her at night and she became pregnant. Also, she doesn't know who the father of her child will be".²⁶⁹ In line with the damaging consequence of gang rape and rape explained by female refugees in the camp, the health officer explained that unwanted pregnancy is one of the negative consequences of gender based violence among female refugees in the camp: "For instance, currently, there is a pregnant female refugee who doesn't know from whom she conceived it".²⁷⁰ Thus, the evidence and information from informants clearly confirm that female refugees become pregnant due to rape and gang rape.

Moreover, female refugees become victims of physical injuries due to different forms of gender based violence especially sexual and physical violence: "Male refugees in the camp are cruel. One time I rejected a request for a love affair and he kicked me at my leg and my leg become broken. I recovered after months-long treatment in the camp. But I still feel pain".²⁷¹ Similarly, the foregoing discussion with informant twelve, informant seven, informant ten and FGD signifies that female refugees were physically injured. Besides, based on observation, the researcher was able to recognize visible cuts and bruises on the face of some female refugee informants.

Furthermore, the data collected from victim female refugees disclosed that psycho-social consequences of gender based violence against female refugee were pervasive and various. Consequently, the following evidences are necessary to show the way how gender based violence leaves the victims with different psycho-social consequences:

²⁶⁷ Interview with female refugee (Informant 17, female, 25), December, 18, 2012.

²⁶⁸ OCHA and IRIN. *Broken Bodies, Broken Dreams...*, supra footnote 73, p.186.

²⁶⁹ Interview with a female refugee (Informant 2, female, 35), December, 12, 2012.

²⁷⁰ Interview with Key Informant, Health Officer, December, 24, 2012.

²⁷¹ Interview with a female refugee (Informant 9, female, 19), December, 13, 2012.

*We left our home because of the dictatorship government. However, because of male refugees' cruelty we become not only refugees but also 'refugees within refugees'. Since the time I experienced attempted rape at night, I fear every night and I am night-phobic. And more is that as I don't know the guys who attempted to rape me, I am suspicious of anyone who talks to me.*²⁷²

*The worst is when one gets pregnant after rape. If so, the mother is discriminated by the community and she can't go somewhere and avoid this stigma because of ARRA's delayed service. The child continues to remind the mother of the incident that was committed against her. As a result, she feels shame and suffers from self-hate and self-blame.*²⁷³

*During my journey from Eritrea to Ethiopia I encountered different problems which are even difficult to remember. After one male refugee attacked me in this camp, I spend most of my time in my home. I feel disregarded and isolated. I have completely lost my confidence. I, sometimes, scream at night.*²⁷⁴

*This is about my friend. After she became victim of sexual violence she always remembers and thinks of the incident. She feels pain especially when she sees the one who raped her in the camp. She looks healthy because her pain is not visible to everyone. Now, she lives in a condition of uncertainty, fear and anxiety. She fears men.*²⁷⁵

From the above testimonies and the data from other informants, it becomes clear that psycho-social consequences are among the malicious consequences of diverse forms of gender based violence against female refugees. This leaves them with psychological trauma and social stigma. Therefore, the psycho-social consequences include depression, anxiety, insecurity, fear, shame, self-hate and self-blame.

²⁷² Interview with a female refugee (Informant 3, female, 22), December, 12, 2012.

²⁷³ FGD, a female refugee, December, 15, 2012.

²⁷⁴ Interview with a female refugee (Informant 7, female, 18), December, 13, 2012.

²⁷⁵ Interview with a female refugee (Informant 1, female, 25), December, 15, 2012.

On the other hand, the information from informants also displayed that victims of gender based violence especially sexual violence are perceived as being “losers”. As a result, the community in the camp discriminates them. Hence, it can be inferred that female refugees who already are traumatized and harassed by the dictatorship government in their home country are re-victimized in the refugee camp. Thus, they are subjected to double trauma.

Likewise, as it has been stated on the literature part, studies show several psycho-social consequences of gender based violence like anxiety, shame, post-traumatic stress, depression, loss of sexual pleasure, fear of sex, and a loss of function in society.²⁷⁶ Furthermore, refugees are at an even higher risk of medical complications due to the unfamiliar territory, and increased exposure to other violence.²⁷⁷

Apart from examining the devastating consequences of gender based violence, attempts have been made to assess what kind of support the victims practically receive. Accordingly, victims basically obtain psycho-social, material, and health care support from ARRA, JRS, UNHCR, IRC and the health care center. Regarding psycho-social and material support, evidence from victims of gender based violence revealed that the material support they obtain, particularly, from IRC is not sufficient:

*Most of the time, victim female refugees who encountered gender based violence receive little material support from IRC; usually one cloth and one shoes. Do you think this is enough support for a victim?*²⁷⁸

Moreover, according to the refugee representative in the camp, the support is basically psychological support. And hence, majority of female refugees know that if they become victims of gender based violence, they will only participate in trainings conducted in the camp. But they are tired of such trainings as nothing has changed from previous trainings. The study also found out that although some female refugees are victims mainly because of their economic dependency, solving this fundamental cause is not emphasized. But rather giving short trainings

²⁷⁶ UNHCR. *Guidelines for Prevention and Response...*, supra footnote, 27, p.24.

²⁷⁷ *Ibid*, p.24.

²⁷⁸ Interview with a female refugee (Informant 4, female, 24), December, 12, 2012.

about sexual and physical violence and giving cloths to the victims is the usual practice in the camp.

On the other hand, UNHCR official argued that victims of gender based violence have the possibility to be privileged on resettlement program within short period of time.²⁷⁹ Similarly, evidences from key informants especially Ethiopian government representatives in the camp displayed that, in every activity in the camp including in resettlement programs, priority is given to victims of gender based violence.

Nevertheless, in contrary, evidences from female refugees and especially, victims of gender based violence disclosed that victims of gender based violence still face different problems in addition to gender based violence:

*As I told you I'm victim of sexual violence. Let alone to get any priority during resettlement program, the resettlement chance obtained after waiting two years is ceased by UNHCR officials. Imagine, their simple reason is 'you have to know the father of your child'. I told them that two individuals raped me in different times and I don't know the father of my child. No one understood my feelings. I told them to use my father's name as a father of my child, but they rejected me.*²⁸⁰

In addition, victims of gender based violence stated that the support they obtain from health care center in the camp is good. However, informants disclosed that in times of serious illness, they are reluctant to allow to other better hospitals.²⁸¹

Generally, data collected from in-depth interview with female refugees, key informant interviews, FGD and personal observation disclosed that female refugees were victims of various forms of gender based violence and therefore, they endured damaging consequences in their life. And based on the victims' voice, it can be stated that victims of gender based violence were not adequately supported by the stakeholders in the camp.

²⁷⁹ Interview with Key Informant, UNHCR Senior Protection, December, 25, 2012.

²⁸⁰ Interview with a female refugee (Informant 6, female, 24), December, 13, 2012.

²⁸¹ Interview with a female refugee (Informant 14, female, 27), December, 16, 2012.

From the other perspective, an attempt to assess the consequences of gender based violence on perpetrators has been made. Investigation on the cases of gender based violence in the court revealed that only one perpetrator has been punished by the court. Thus, there is no effective legal enforcement mechanism in the camp. However, according to Article 4 of the Declaration on the Elimination of Violence against Women, States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons. Moreover, due diligence standard has long been part of international law and was incorporated into General Recommendation 19 of CEDAW, and later to DEVAW, in order to expand State accountability to include violence against women by private actors (in addition to State actors) in the private or public sphere, thus placing upon the State the duty to prevent, investigate, punish and provide compensation for all acts of violence against women wherever they occur.²⁸²

²⁸² See, Art. 4 of Declaration on the Elimination of Violence against Women.

CHAPTER FIVE SUMMARY AND RECOMMENDATION

5.1. Summary

Gender-based violence is one of the most prevalent human rights violations in the world despite the fact that it is underreported in different parts of the world.²⁸³ Similarly, gender-based violence is recognized by different concerned bodies as a major problem in refugee settings.²⁸⁴ This research is concerned with examining the prevalence, cause and consequences of gender based violence against female refugees in Mai Ayni refugee camp, with particular focus on physical, socio-economic and sexual violence.

In order to achieve the above stated objectives, qualitative research methodology has been employed. Consequently, in-depth interview with eighteen female refugees and five male refugees, FGD with four female and four male refugees, interview with key informants who are directly linked with the issue as well as document analysis and personal observation were used to collect the needed data. Taking in to account the sensitiveness of the issue, the researcher gave due care for ethical consideration which is an important step in collecting accurate and trustworthy data. Data collected through the above methods were analyzed using description, interpretation and the data was summarized.

The finding of the study disclosed that physical violence is one form of gender based violence committed against female refugees in the camp. Subsequently, data collected from victims of physical violence clarified that unless the violence they experienced involves serious physical damage, they don't report it into the protection or police station. In addition to this, the finding displayed that male refugees and intimate partners of female refugees are the prime physical violence perpetrators against female refugees in the camp. One of the causes of physical violence in the camp is men's feeling of 'loss of power'. When the researcher examined cases of physical violence, there was no case of physical violence in the court (2011/12).

²⁸³ UNHCR. *Guidelines for Prevention and Response...*, supra, footnote 30.

²⁸⁴ Executive Committee of the High Commissioner's Program. *Report on...*, supra, footnote 23, p.5.

Besides, the study indicated that female refugees were victims of socio-economic violence and this is the second form of gender based violence. Consequently, discrimination/stigmatization, and delay of services were documented as forms of socio-economic violence. Unlike sexual and physical violence, ARRA is responsible for the delay of services. And, the refugee community in general and male refugees in particular are responsible for the discrimination and stigmatization of the victims. The other finding of the study in this regard is that while socio-economic violence by itself is one form of gender based violence, it also paves the way for further vulnerability of female refugees especially for sexual violence.

Moreover, according to the finding, female informants were victims of sexual violence and rape is one of the various forms of sexual violence. Thus, female refugees in the camp are forced to sexual intercourse against their will. In most cases, rape was committed at night and male refugees and intimate partners of female refugees are the prime offenders of the violence against female refugees in the camp. In this regard, the finding revealed that rape is the most frequently reported form of sexual violence to UNHCR and health center, but the rarely reported one to legal bodies.

Furthermore, data collected from female refugees show the prevalence of gang rape against female refugees in the camp. Male refugees are the prime abusers of female refugees. Similarly, this form of sexual violence is committed primarily at night by more than two individuals; as a result, the perpetrators flee the scene of the crime. There is no case of gang rape in the court in the year 2011/12. The other form of sexual violence identified by the research is attempted rape and female refugees were the victims by male refugees in the camp. Generally, sexual violence is one of the main difficulties faced by female refugees. However, data collected from the concerned court reveals that only one perpetrator was penalized in the year 2011/12.

The research also examined the main causes/risk factors for gender based violence against female refugees. Forced idleness of male refugees in the camp tied with frustration and boredom exposed female refugees to be vulnerable to gender based violence. Addiction to alcohol, drug and pornography videos on the side of male refugees are also factors embraced under the reasons that expose female refugees to gender based violence.

Moreover, data collected from the informants show that men's feeling of 'loss of power' in the camp which challenges their prior identity as superior and breadwinners led to anger and grievance which as a result, made female refugees vulnerable to different forms of gender based violence.

Additionally, another factor for gender based violence against female refugees in Mai Ayni refugee camp is the economic dependency of female refugees on both humanitarian agencies and male refugees. In Mai Ayni refugee camp some females were victims of gender based violence due to the absence of sufficient provision of basic necessities. Besides, some forms of gender based violence against female refugees were triggered by the absence of adequate facilities like lighting. As a result, in many cases as it is difficult for victim female refugees to identify their perpetrators at night, individuals responsible for the violence escapes punishment.

Furthermore, lack of awareness about the laws, policies and regulations dealing with gender based violence is also another cause of gender based violence. Data collected from male and female refugees via FGD and in-depth interview revealed that their awareness about the policies, rules, and regulations dealing with gender based violence is found to be sporadic. Related is that most of the gender based violence programs in Mai Ayni refugee camp mainly targets female refugees. Thus, lack of awareness makes female refugees vulnerable to different forms of gender based violence. It is also one of the obstacles to punish individuals responsible for gender based violence. Moreover, data concerning the social category of the total population in Mai Ayni refugee camp shows that more than 90% of refugees are living without family structure. In this regard, research participants elucidated that the absence of social and family support structure coupled with lack of awareness makes female refugees vulnerable to as well as victims of gender based violence.

In addition, the study examined the enforcement of laws in the camp. The findings revealed that many cases of gender based violence in Mai Ayni refugee camp went unreported. Since there is no mechanism through which refugees know the end result of gender based violence cases brought to the court, the victims developed lack of trust on the court. This obstacle greatly hinders the reporting of cases to the law enforcement bodies and encourages potential offenders. Victim informants stated that even in cases they report their issue to the police station of the

camp; they don't get the treatment and support they deserve as victims. Besides, data collected from female refugees and the court disclosed that the absence of witness is another major obstacle for reporting cases. Female refugees in Mai Ayni refugee camp are discouraged by other refugees from taking complaints to the court because those who do so are discriminated and blamed by the community. Some female refugees are also dependent on *Shemagele* to solve their cases in contrary to the formal justice system and they don't take cases to the court.

Furthermore, as per the finding of the study, victims of gender based violence don't report their cases to the court as the nearest court is far from the camp and they can't afford the transportation cost because of their less economic capacity. In addition to these major obstacles of reporting, there is lack of systematic follow-up during occurrences of gender based violence; lack of coordination among UNHCR, the health center and legal bodies. Thus, the existence of poor reporting, coordination and law enforcement mechanism make female refugees vulnerable to gender based violence while encouraging potential offenders.

In a nutshell, due to gender based violence, female refugees in the camp suffer from short and long lasting damaging consequences in their life in terms of health, physical and psycho-social complications. The finding revealed that the health consequences of rape and gang rape against female refugees are diverse as victims are susceptible to Sexually Transmitted Diseases. Further, victims had to abort their unwanted pregnancies and as a result, suffered from wide-ranging health difficulties. Moreover, victim female refugees in Mai Ayni refugee camp suffered from physical injuries as a result of physical violence. As per the finding, female refugees cope with long lasting psycho-social damages. Thus, the finding of the study indicates that gender based violence leaves victims with psychological trauma and social stigma including feeling of insecurity, anxiety, self-hate, shame, and self-blame. In addition, informant victims do not get adequate support and the priority they deserve.

5.2. Recommendation

Finally, based on the findings of this research, the following recommendations are forwarded to relevant bodies in the hope of addressing gender based violence against female refugee in Mai Ayni refugee camp.

- The finding of the study shows that refugees are forced to be idle in Mai Ayni refugee camp. However, Ethiopia is a signatory of the International Convention on Economic, Social and Cultural Rights which recognized refugees' right to work. Thus, Ethiopia has the duty to respect and implement the convention. Thus, there should be efforts to enforce the right to work of refugees.
- The study found that female refugees are not economically self-reliant which makes them vulnerable to different forms of gender based violence. Thus, suitable environment should be created by ARRA, UNHCR and NGOs for female refugees to have their own income so as to avoid any feeling of dependency and to struggle for their rights even after the occurrence of gender based violence.
- The finding of the study indicates that female refugees are exposed to diverse form of gender based violence especially to sexual violence at night. Consequently, since the incidents of sexual violence occur at night, the perpetrators flee the scene of the crime. Hence, UNHCR and ARRA should work to improve the expansion of light.
- The study also revealed that forced idleness coupled with the prevalence of pornography, alcoholism and drug intoxication exposed female refugees to different forms of gender based violence. Thus, responsible bodies should control the prevalence of pornography videos and use of illegal drugs in the camp.
- The finding of the study display that informant female and male refugees have less information about gender based violence, laws, regulations and policies. Moreover, some of the training of gender based violence mainly targeted female refugees. Therefore, there

should be awareness raising activities about gender based violence and fundamental human rights principles targeting both females and males. In addition to this, there should be interventions in terms of intensive trainings for bridging the gap between awareness and practice of gender equality by offering incentives. In line with this, interventions must focus on both male and female refugees.

- The finding of the study disclosed that female refugees were exposed to diverse forms of gender based violence due to social and family structure breakdown. Hence, there should be strong social structure support in the camp.
- The finding of the study shows that some female refugees were not easily given permission by ARRA to get rest even after they become victims of gender based violence and they had to continue to live in the camp with all psycho-social problems. Therefore, there should be efficient service delivery in the camp.
- One of the finding of the study is that sexual violence is the most frequently reported type of gender based violence to UNHCR and the health center in the camp; however, it is rarely reported to legal bodies. To avoid this gap, there should be systematic follow-up in cases of gender based violence. And there should be coordination among health officers, UNHCR and legal experts in order to ensure that female refugees know their legal rights and to take the necessary care before violence happens.
- The study also finds out that when some victims of gender based violence report the issues to the police station of the camp they don't get treatment and support they deserve as a victim. Also, there is no women's desk in the police station. Thus, police officers in the camp should treat victims of gender based violence in good respect and treatment. Consequently, a women's desk should be created at the police station in the camp.
- The finding of the study elucidates that victims of gender based violence are discouraged from reporting to the court because they cannot afford the cost of transportation. Therefore,

all stakeholders, including UNCHR, IRC, and ARRA should give free transportation service for victims of gender based violence to follow their case in court.

- The study also revealed that refugees have less information about the punishments against perpetrators of female refugees in the court. Thus, the legal bodies should let the community know about the penalties for perpetrators. There should be legal literacy campaign for both female and male refugees.
- The finding of the study also indicates that some victims of gender based violence do not get enough support and priority in the camp. In addition to this, the support for victims emphasized on counseling. Hence, apart from counseling services, victims should get enough support and priority by the concerned bodies. Also, economic support should be offered to improve the quality of lives of victims of gender based violence.

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Appendix I: Interview Guideline

1. Interview Guideline for Female Refugees at Mai Ayni Refugee Camp

This question is prepared for collecting a data to conduct a research work on Gender-Based Violence against Female Refugees in Eritrean Refugee Camps: *In Case of Mai Ayni Refugee Camp*, for the partial fulfillment of MA Degree Award in Human Rights. Your cooperation in providing genuine answers to the following questions is highly important for the success of this study and your response will be kept confidential. It is only for academic purpose.

I thank you in advance for your cooperation. **Yonas Bayruau**

Research Site

Site name _____

Place _____

Date _____

i. General Information

1. Tell me about yourself. How old are you? Where is your place of birth? What is your religion? What ethnic group do you belong to? What is your academic status?
2. When did you leave Eritrea? How long have you lived in the refugee camp?
3. What is your current living arrangement (with whom are you living now)?
4. What are your favorite ways to spend time?
5. Could you please explain the existing gender relation between female refugees and male refugees or security force or NGO workers in the camp?
6. How equal are the opportunities for female and male refugees in Mai Ayni refugee camp?

ii. Question on Physical Violence

In this question physical violence includes : Beating, punching, kicking, biting, burning, maiming or killing, with or without weapons, selling and/or trading in human beings for forced

sexual activities, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs.

7. Do you think that physical violence is a serious problem in Mai Ayni refugee camp? If yes why?
8. While you are living in Mai Ayni refugee camp, have you ever experienced physical violence?
9. If yes, could you explain in detail what are these physical violence's? Where and when did these incidents happen to you? Did you report it? If so, to whom? If not why?
10. What do you think are the conditions that contribute to force you to have physical violence?
11. Without mentioning names or indicating anyone specific, who are the perpetrators? What happens to the perpetrators?
12. Has anyone helped you to deal with your experiences? If so, how did they help you?
13. Do you know any laws, policies, rules and regulations which address physical violence in the refugee camp? If yes, please explain them and their enforcement?
14. Have you ever been informed about physical violence in the refugee camp by any one through orientation or other mechanism? If yes please describe its importance?
15. Have you encountered any kind of health/psychological/social or other problem because of various forms of physical violence? Explain them in detail together with the general effect these problems had on you?
16. Do you think that physical violence against female refugee is a violation of human rights? If yes, how? If no why?
17. What do you think should be done in the refugee camp to avoid physical violence in the refugee camp?
18. Do you have any other comments regarding this topic or physical violence in Mai Ayni refugee camp?

iii. Question on Socio-Economic Violence

In this question socio-economic violence includes: discriminatory access to basic health caress, education, social exclusion, inadequate shelter food, economic deprivation, Discrimination,

social exclusion, obstructive legal practices, such as denial of the exercise and enjoyment of rights, acts that involve denial of opportunities or services.

19. Do you think that socio-economic violence is a serious problem in Mai Ayni refugee camp?
If yes why?
20. While you are living in Mai Ayni refugee camp, have you ever experienced socio-economic violence?
21. If yes, could you explain in detail what are these socio-economic violence's? Where and when did these incidents happen to you? Did you report it? If so, to whom? If not why?
22. What do you think are the conditions that contribute to force you to have socio-economic violence?
23. Without mentioning names or indicating anyone specific, who are the perpetrators? What happens to the perpetrators?
24. Has anyone helped you to deal with your experiences? If so, how did they help you?
25. Do you know any laws, policies, rules and regulations which address socio-economic violence in the refugee camp? If yes please explain them and their enforcement?
26. Have you ever been informed about socio-economic violence in the refugee camp by any one through orientation or other mechanism? If yes please describe its importance?
27. Have you encountered any kind of health/psychological/social or other problem because of various forms of socio-economic violence? Explain them in detail together with the general effect these problems had on you?
28. Do you think that socio-economic violence against female refugee is a violation of human rights? If yes, how? If no why?
29. What do you think should be done in the refugee camp to avoid socio-economic violence in the refugee camp?
30. Do you have any other comments regarding this topic or socio-economic violence in Mai Ayni refugee camp?

iv. Questions on Sexual Violence

Sexual violence: is any sexual act, attempt to obtain a sexual act, or other act directed against female using coercion, by any person regardless of their relationship to the victim, in any setting.

It includes: Any type of Rape, inappropriate touching, forced prostitution, gang rape and sexual harassment etc.

31. Do you think that sexual violence against female refugee is a serious problem in Mai Ayni refugee camp? If yes why?
32. While you are living in Mai Ayni refugee camp, have you ever experienced sexual violence?
33. If yes, could you explain in detail what are these sexual violence's? Where and when did these incidents happen to you? Did you report it? If so, to whom? If not why?
34. What do you think are the conditions that contribute to force you to have sexual violence?
35. Without mentioning names or indicating anyone specific, who are the perpetrators? What happens to the perpetrators?
36. Has anyone helped you to deal with your experiences? If so, how did they help you?
37. Do you know any laws, policies, rules and regulations which address sexual violence in the refugee camp? If yes please explain them and their enforcement?
38. Have you ever been informed about sexual violence in the refugee camp by any one through orientation or other mechanism? If yes please describe its importance?
39. Have you encountered any kind of health/psychological/social/physical or other problem because of various forms of sexual violence? Explain them in detail together with the general effect these problems had on you?
40. Do you think that sexual violence against female refugee is a violation of human rights? If yes, how? If no why?
41. What do you think should be done in the refugee camp to avoid sexual violence against female refugees in the camp?
42. Do you have any other comments regarding this topic or sexual violence in Mai Ayni refugee camp?

2. Interview Guideline for Male Refugees at Mai Ayni Refugee Camp

This question is prepared for collecting a data to conduct a research work on Gender-Based Violence against Female Refugees in Eritrean Refugee Camp: *In Case of Mai Ayni Refugee Camp*, for the partial fulfillment of MA Degree Award in Human Rights. Your cooperation in

providing genuine answers to the following questions is highly important for the success of this study and your response will be kept confidential. It is only for academic purpose.

I thank you in advance for your cooperation. **Yonas Bayruau**

Research Site

Site name_____

Place_____

Date_____

2.1 Background Information

1. Tell me about yourself. How old are you? Where is your place of birth? What is your religion?
2. What ethnic group do you belong to? What is your academic status? with whom are you living now
3. When did you leave Eritrea? How long have you lived in the refugee camp?

2.2. Questions on Gender Based Violence

4. Could you please explain the existing gender relation between female refugees and male refugees?
5. Do you think that gender based violence is a serious problem in Mai Ayni refugee camp? If yes why?
6. What do you think are the major causes of gender based violence against female refugees in the camp?
7. Do you know any laws, policies, rules and regulations which address gender based violence in the refugee camp? If yes please explain them and their enforcement?
8. Do you think that gender based violence against female refugee is a violation of human rights? If yes, how? If no why?

9. Have you ever been informed about gender based violence in the refugee camp by any one through orientation or other mechanism? If yes please describe its importance?
10. What do you think should be done in the refugee camp to avoid gender based violence in the refugee camp?
11. Do you have any other comments regarding this topic or gender based violence in Mai Ayni refugee camp?

3. Interview Guideline for Key Informants

Semi-Structured Interview to be asked for ARRA official, UNHCR official, Legal Expert, Health officer, and Refugee Representative:

This study is going to be undertaken by a student of Addis Ababa University, Center for Human Rights as a partial fulfillment of for the award of MA in Human Rights. This interview is designed to obtain information on assessing Gender-Based Violence against Female Refugees in Eritrean Refugee Camps: *In Case of Mai Ayni Refugee Camp*. The information collected is purely for academic purpose and will be kept confidential. Hence, you are requested to participate in this discussion as truthfully as you can.

I thank you in advance for your cooperation. **Yonas Bayruau**

Research Site

Site name _____

Place _____

Date _____

Personal information

Sex _____

Age _____

Position in the refugee camp _____

How long you stayed in this position _____

3.1. Semi-Structured Interview for UNHCR and ARRA Official in the Mia Ayni Refugee Camp

1. Could you please explain the prevalence of gender based violence against female refugees in Mai Ayni refugee camp?
2. What are the frequently reported forms genders based violence against female refugees in the camp?
3. What are the major causes of gender based violence against female refugees in the camp?
4. What are the consequences of gender based violence against female refugees in the camp?
5. What challenges have you faced in the effort to avoid gender based violence?
6. What are the major measures taken to protect female refugees from gender based violence?
7. Do you think that the available legal and institutional mechanisms in the refugee camp are sufficient to deal with gender based violence against female refugees?
8. What do you think should be done to avoid or to reduce gender based violence against female refugees in the camp?

3.2. Semi-Structured Interview for Legal Expert in the Camp

1. What forms of Gender Based Violence against female refugees have been reported? How many cases of violence have been reported in the year 2011/12?
2. What is done to help female refugees who face gender based violence?
3. Do you think that refugees are aware of laws and human rights instruments related to Gender Based Violence?
4. Do you think that the available legal and institutional mechanisms in the refugee camp are sufficient to deal with gender based violence against female refugees?
5. Are the refugees are aware of the services available at the police?
6. What are causes of gender based violence against female refugees in the camp?
7. What are the consequences of gender based violence against female refugees in the camp?
8. What can be done to stop gender based violence against female refugees in the camp?

3.3. Semi-Structured Interview for Refugee Representative in Mai Ayni refugee camp

1. Could you please explain the existing gender relation between female refugees and male refugees or security force or NGO workers in the camp?
2. Could you please explain the prevalence of gender based violence against female refugees in Mai Ayni refugee camp?
3. What are the major causes of gender based violence against female refugees in the camp?
4. What are the consequences of gender based violence against female refugees in the camp?
5. What can be done to stop gender based violence against female refugees in the camp?

4. Focus Group Discussion Guideline

This question is prepared for collecting a data to conduct a research work on Gender-Based Violence against Female Refugees in Eritrean Refugee Camp: *In Case of Mai Ayni Refugee Camp* for the partial fulfillment of MA Degree Award in Human Rights. Your cooperation in providing genuine answers to the following questions is highly important for the success of this study and your response will be kept confidential. It is only for academic purpose.

I thank you in advance for your cooperation. **Yonas Bayruau**

Research Site

Site Name _____ date _____

Place _____

FGD Participants' Personal Data

Refugee camp _____

Sex _____

Marital Status _____

Age _____

Academic status _____

1. Could you please explain the existing gender relation between female refugees and male refugees or security force or NGO workers in the camp?
2. How equal are the opportunities for female and male refugees in Mai Ayni refugee camp?
3. Discuss current conditions of female refugees in the camp?
4. What do you think about gender based violence?
5. Could you please explain the prevalence of gender based violence against female refugees in Mai Ayni refugee camp (please mention examples)?
6. Discuss different forms of gender based violence against female refugees in the refugee camp (please mention some examples)?
7. Without mentioning names or indicating anyone specific, who are the perpetrators? What happens to the perpetrators?
8. What are the reactions of female refugees who survived the abuses?
9. What do you think about the cause of Gender based violence against female refugees in the camp?
10. Discuss some of the consequences of gender based violence against female refugee in the refugee camp?
11. Discuss the mechanisms to prevent gender based violence against female refugee in the camp?

5. Guideline for Personal Observation

Observations to be made:

1. Facilities in the refugee camp?
 - Health cares
 - Protection/security
 - Light
2. Any Signs of gender based violence
 - Scares on face
 - Scares on hands
 - Overall Comments _____

Appendix II List of Informants

1. List of Female Refugee

No	Name of Informants	Age	Marital status	Religion	Ethnicity	Educational level	How long Stayed in the camp
1	Informant 1	25	Single	Orthodox	Tigrigna	6 th Grade	2 years
2	Informant 2	35	Widow	Protestant	Tigrigna	7 th Grade	3.2 years
3	Informant 3	22	Single	Orthodox	Tigrigna	7 th Grade	4 years
4	Informant 4	24	Single	Orthodox	Tigrigna	7 th Grade	3.2 years
5	Informant 5	27	Single	Muslim	Tigrigna	8 th Grade	2 years
6	Informant 6	24	Single	Orthodox	Tigrigna	10 th Grade	2 years
7	Informant 7	18	Single	Orthodox	Tigrigna	7 th Grade	2 years
8	Informant 8	31	Widow	Orthodox	Tigrigna	7 th Grade	3.2 years
9	Informant 9	19	Single	Orthodox	Tigrigna	7 th Grade	3 years
10	Informant 10	21	Single	Protestant	Tigrigna	7 th Grade	2 years
11	Informant 11	24	Single	Orthodox	Tigrigna	7 th Grade	2 years
12	Informant 12	23	Single	Protestant	Tigrigna	8 th Grade	4 years
13	Informant 13	28	Widow	Orthodox	Tigrigna	7 th Grade	4 years
14	Informant 14	27	Single	Orthodox	Tigrigna	7 th Grade	3 years

15	Informant 15	30	Widow	Orthodox	Tigrigna	7 th Grade	4 years
16	Informant 16	22	Single	Orthodox	Tigrigna	8 th Grade	3.2 years
17	Informant 17	25	Single	Orthodox	Tigrigna	7 th Grade	4 years
18	Informant 18	29	Widow	Orthodox	Tigrigna	7 th Grade	3 years

2. List of Male Refugee

No	Name of Informants	Age	Marital status	Religion	Ethnicity	Educational level	How long Stayed in the camp
1	Informant 21	30	Single	Orthodox	Tigrigna	12+1	4 years
2	Informant 22	36	Single	Orthodox	Tigrigna	8 th Grade	4 years and 8 months
3	Informant 23	19	Single	Orthodox	Tigrigna	7 th Grade	2 years
4	Informant 24	24	Widow	Catholic	Tigrigna	5 th Grade	4 years
5	Informant 25	24	Single	Protestant	Tigrigna	7 th Grade	2 years

3. List of FGD Participant

No	Age	Marital status	Religion	Ethnicity	Educational level	How long Stayed in the camp
1	28	Single	Muslim	Tigrigna	12+1	4 years

2	36	Single	Orthodox	Tigrigna	8 th Grade	4 years
3	19	Single	Orthodox	Tigrigna	7 th Grade	2 years
4	24	Widow	Catholic	Tigrigna	5 th Grade	4 years
5	24	Single	Protestant	Tigrigna	7 th Grade	2 years
6	28	Single	Orthodox	Tigrigna	7 th Grade	3 years
7	20	Single	Orthodox	Tigrigna	8 th Grade	2 years
8	19	Single	Orthodox	Tigrigna	6 th Grade	2 years

4 List of Key Informants

1	Health Care in the Camp	Health Officer
2	UNHCR	Senior Protection Officer
3	ARRA	Protection
4	Mai Stebri <i>First Instance Court</i>	Prosecutor
5	Refugee Central Committee	Leader of the Refugee central Committee