

Gender-based hatred
against minorities
and indigenous
peoples – impacts
and ways forward

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The genocide in Rwanda in 1994 shows the drastic consequences of a sustained hate campaign against a minority ethnic group, perpetuated widely by radio and print media. It was a campaign that specifically placed Tutsi women as targets of gender-based ethnic hate speech on behalf of extremists from the Hutu majority. The propaganda against Tutsi women was one of the most vicious aspects of the campaign, reducing Tutsi women to sexual objects with traitorous intent. Tutsi women were demonized and their vulnerability to sexual violence during the conflict was magnified. A reported 250,000 to 500,000 women were raped, with many murdered and mutilated; but many also lived to endure the social stigmatization of rape. The sexualized violence overwhelmingly affected Tutsi women and the ensuing pregnancies were endured exclusively by women.

This case illuminates the particular vulnerabilities of women from a minority or indigenous community to gendered ethnic hate speech and hate crimes. Minority and indigenous women can experience hate speech and hate crimes differently from their male counterparts, when the experience is compounded by hate that targets their identities as women.

Hate speech and hate crimes that target minority and indigenous women are present throughout the world. According to data released in 2013 by Tell MAMA, a United Kingdom (UK) organization that monitors hate speech and hate crimes against Muslims through a hotline, 58 per cent of the 632 reported incidents involved female victims and 75 per cent of the perpetrators were male. Unfortunately the acknowledgement of this link between gender, minority or indigenous status, hate speech and hate crimes is lacking in many policies and practices intended to curb these incidents, as well as in the prosecution of those responsible for gendered hate crimes.

Minority and indigenous women's experience of violence

Hate speech and hate crimes are both a cause and a symptom of discrimination and racism, whose manifestations range from slurs to violent killings, often interacting with gender discrimination and misogyny to target minority

and indigenous women and girls. Hate speech and hate crimes are used to marginalize, vilify and silence the voices of minority and indigenous women, maintain the patriarchal status quo, legitimize violence against women from minority and indigenous communities, and perpetuate their marginalization.

Understanding minority and indigenous women's particular vulnerabilities to hate crimes rests on the concept of intersectional discrimination: discrimination is not one-dimensional, but rather can be based on a multitude of different axes of identity, such as gender, ethnicity, religion, language, class, sexual orientation, gender identity, health status, education or political views. The theory of intersectionality acknowledges how various forms of discrimination interact, shifting in different circumstances, compounding the experience, resulting in multiple levels of oppression.

Patriarchal social structures based on the principle of male domination and female subordination define our wider societies, and inform gender roles in many minority and indigenous communities as well. Often the same can be said of state policies and structures that privilege those from the majority community. But it is the distinctive interplay between ethnicity, religious affiliation or language with patriarchal norms and gender discrimination, and its impacts on minority and indigenous women, that are often overlooked in broad discussions of hate crimes, including that of sexual violence in armed conflict against minority and indigenous women and girls.

Hate speech and hate crimes can be understood as part of a continuum of violence, whereby different types of violence against minority and indigenous women are interrelated and part of intersecting structural, institutional, interpersonal and individual factors. Hate crimes and gender-related killings of minority and indigenous women cannot be seen in isolation from other forms of violence, such as domestic violence, but hate crimes are an extreme example of how violence is used to reinforce and assert social and patriarchal hierarchies, and perpetuate the marginalization of specific communities. Hate speech and hate crimes against minority and indigenous women are normative, facilitated



Above: Roma mother and child in Romania.
Bjoern Steinz/Panos.

by complex private and public factors that make them particularly at risk of violence.

Femicide is an extreme form of gender-based violence that often targets women from socially and economically marginalized communities. In many cases, femicide can combine the killing of women on the basis of their ethnic *and* gender identity. Femicide of indigenous women has been rife in conflicts throughout South America, El Salvador, Guatemala and Mexico, marked in particular by the brutality of the murders, including torture and dismemberment. In Guatemala, femicide of indigenous women is rooted in colonial times, but increased in frequency and intensity during the decades-long armed conflict. The Commission for Historical Clarification, a truth and reconciliation commission created after the war, found that 88 per cent of those affected by violence during the war were indigenous Mayan women and girls targeted for gender-based violence, including femicide, with two girls killed for every boy. Perpetrators were mostly military and paramilitary personnel. Even after the conflict,

Guatemala still has one of the highest rates of femicide in the region, with few perpetrators brought to justice and a culture of impunity being the prevailing norm.

While situations of armed conflict have in some cases given minority and indigenous women the chance to break out of traditional roles, it can also expose them to violence at the hands of state and non-state actors, including physical, sexual and psychological violence. Rape was used as a weapon of war against indigenous women in Guatemala's conflict, as well as against minority and indigenous women in other conflicts, including Bosnia and Herzegovina, Burundi, the Philippines and Indonesia, and is ongoing in Burma. Rape is used to punish and dehumanize women and symbolically defile the whole community, and emasculate men for not being able to protect 'their' women.

Displacement resulting from conflict further leaves minority and indigenous women open to hate crimes. In Somalia, for example, gender-based abuses are prevalent throughout the country, but have a disproportionate impact on displaced women from minority communities. Minority women who have fled fighting in south-central Somalia are raped and abused by

members of the police, army or other security service forces en route to camps for displaced people in Puntland. Within the camps the situation for minority women remains dire, as, according to the Independent Expert on the situation of human rights in Somalia in his August 2013 report, the ‘victims of rape in IDP [internally displaced people] camps are generally minority clan origin’, suffering in particular as they are without any protection that might be offered from majority clan systems. Police hail from majority clans and routinely fail to investigate allegations of rape, leaving minority women fearful to report incidents.

Hate crimes target minority and indigenous women as symbolic representatives of their communities. Women are perceived as the bearers of their people; cultural notions of propriety and sexual norms focus on women as the ‘repositories’ of traditional cultures. A woman’s behaviour is thought to reflect on the community in general and the household specifically. Violence against women from within the community can result as well, with murders of women and girls in the name of honour as their activities, voluntary or otherwise, have been perceived to bring shame upon the household or wider community. While murder or attacks in the name of honour are not widely accepted as hate crimes, they are similarly violent with a ‘message’ – killing to control the conduct of women in the community.

Gender roles assigned to men also impact on hate against minority women. In India, the ideology behind the Hindu nationalist movement, *Hindutva*, has been accompanied by widespread attacks on the Muslim minority, including in Gujarat in 2002. *Hindutva* ideology portrayed Muslim men in aggressive roles, encouraging Hindu men to feel threats to their masculinity. It has been reported that in this instance of communal attack and others across India, bangles and saris, signs of femininity, were distributed to men who did not participate in the violence. It should be said that there were reports of Hindu women actively participating in violence against Muslim minority women in the Gujarat violence as well.

Hate pamphlets circulated at the time of the Gujarat violence made explicit reference to

sexual victory over Muslim women as well as over Muslim men. Indeed, gendered hate crimes can target men for sexual violence as well, as the perpetrators seek to dominate and emasculate their male enemies. Cases of men raped during armed conflict go under-reported, as victims are afraid to be seen as gay or non-manly, fearing stigmatization from their families and society. A 2013 report by Human Rights Watch documented how sexual violence and rape has been used in Sri Lanka to torture both female and male suspected members of the Liberation Tigers of Tamil Eelam (LTTE), most of whom were from the Tamil minority, continuing after the end of the war in 2009 in both official and secret detention centres. Evidence from a London torture treatment centre in the late 1990s suggested that 20 per cent of Sri Lankan male victims had been sexually abused while in detention.

Hate discourse can hyper-sexualize women from a minority or indigenous community, stereotyping them as particularly fertile or promiscuous. Discriminatory stereotypes of Roma women, particularly evident in Romania and Bulgaria for example, characterize Roma women as having far too many children. During the 2002 parliamentary election campaign, the Slovak Social Democrat Party was in a controversial coalition with the xenophobic Slovak National Party; the latter party’s leader made numerous anti-Roma statements, but even the leader of the Social Democrats, Robert Fico (who then became Prime Minister) stated that the ‘irresponsible growth’ of the number of Roma children needed to be ‘actively controlled’. The Bulgarian Health Minister, in an interview with journalists in 2006, warned of consequences if the Roma birth rate was not limited.

Coercive, forced sterilization of minority and indigenous women has been documented throughout the world, often as part of state-sponsored eugenic programmes, as in the cases of Canada, the US and Sweden. Coercive sterilizations have been performed on Roma women in various European countries throughout the twentieth century, and have been reported as recently as 2007 in the Czech Republic. In the Rome Statute of the International Criminal Court, widespread and

systematic forced sterilization is recognized as a crime against humanity. Given the involuntary, coercive nature of forced sterilization, with evidence that the practice targets minority and indigenous women in a discriminatory manner, it can arguably be classed as a hate crime as well – albeit one carried out by the official machinery of a state.

The European Court of Human Rights reached its first ruling on a case of forced sterilization on 8 November 2011, in the case of *V.C. v. Slovakia*. The Court found that a Slovakian Roma woman had been the victim of coerced sterilization, in violation of Article 3 (prohibition of inhuman or degrading treatment) and Article 8 (right to respect for private and family life) of the European Convention on Human Rights (ECHR). Shortly thereafter, on 12 June 2012 in the case of *N.B. v. Slovakia*, the Court issued a similar ruling where the forced sterilization of a Roma woman had violated Articles 8 and 13 of the ECHR. However, in neither of the cases did the Court find that the forced sterilization constituted discrimination under Article 14 of the ECHR, saying there was not sufficient evidence that the doctors had acted in bad faith that was intentionally racially motivated. Evidence was presented in court to the contrary, however, including an interview with the accused hospital's chief gynaecologist during which he made a series of very disparaging remarks about Roma.

Stereotypes about women from minority and indigenous communities can have damaging consequences. The *hijab* has come to be associated with all that is anti-Western and anti-feminist. Muslim women are characterized as oppressed and powerless victims, of which head or body coverings are just a reflection. In societies where Islam is a minority religion, Muslim women who wear the *hijab*, *niqab* or *burqa* are frequently targets of hate. Eighty per cent of the 'offline' anti-Muslim incidents surveyed by Tell MAMA in the UK involved victims wearing physical identifiers of their faith at the time of the attack. Such 'gendered othering' is not limited to people with extremist views. Mainstream public figures have also given voice to such attitudes, as reflected quite succinctly in the statement of the then UK Leader of the House of Commons,

Jack Straw, in 2006, that the veil is 'such a visible statement of separation and of difference'.

Ironically, it seems that in some cases the stereotypes of repressed womanhood make Muslim women more vulnerable to attack. According to Fiyaz Mughal, director at Tell MAMA, at times when there are political discussions around head coverings, there is a higher frequency of Muslim women reporting hate crimes and hate speech against them. He adds, however: 'Now, whether this is because of a higher frequency of incidents or women feeling security in reporting in, this is not clear, however, there is a link that we see' (email interview). Similarly, in the province of Quebec, Canada, an 'alarming rise' in hate incidents against Muslim women was reported after the Quebec Values Charter was proposed in September 2013. This Charter seeks to prohibit public workers from wearing religious symbols, but the debate has centred mostly around the wearing of the *hijab*. The Quebec Collective Against Islamophobia reported a 300 per cent increase in reports of anti-Muslim attacks in the weeks following public debates on the Charter.

Women human rights defenders from minority and indigenous communities have been vocally and openly advocating for the realization of rights that challenge the traditional status quo and roles in society for both women and marginalized groups. Their gender, public presence and threat to sociocultural norms make them vulnerable to targeted hate speech and hate crimes. Women human rights defenders are at an increased risk of violence, gender-related killings and targeting of their children. Attacks and criticisms of women minority and indigenous rights defenders can take a decidedly racist and misogynist angle.

Rusudan Gotsiridze is both an ordained bishop and a human rights defender from Georgia, working to promote religious tolerance, gender equality and the rights of sexual minorities. She hails from the small Baptist Christian community in this majority Georgian Orthodox country. Her work defending minority rights, holding a position of religious power historically only the domain of men, and being a woman have exposed her to vicious hate speech:

'All the women who dare to step over the kitchen borders and see themselves as a part of the society become subject to psychological and moral pressure; additional pressure if she is protecting minority rights (especially the rights besides her own minority community) and triple pressure if she represents religious authority.'

Since women are breaking out of traditional roles to advocate for minority and indigenous rights, sometimes harms committed against them are perceived to be 'what she deserved' or are justified because of a perception that women embracing social change may be threatening the integrity of the wider community. Hate incidents against female minority activists are attempts to marginalize all minority and indigenous women's voices and power. Gotsiridze is clear though: 'This threefold role makes my message even more powerful and loud' (email interview).

Access to justice and reparation

Minority and indigenous women experience further threats and discrimination in their search for justice against perpetrators of hate speech and hate crimes. All across the world, justice systems fail to prosecute or punish perpetrators, including those responsible for mass human rights violations based on gender and ethnic or religious identity. Poverty, social exclusion, stigmatization, language barriers, and discrimination faced in hospitals, police stations and the courts, combine to make the struggle for justice even more difficult. Institutional weakness – such as deficiencies in investigation, prosecution and punishment – are the norm; threats, harassment and intimidation of those who report crimes are common.

For example, in 2006 the National Campaign on Dalit Human Rights conducted research in four Indian states on violence against Dalit women. Out of 500 Dalit women surveyed who had experienced violence, 40.2 per cent did not attempt to pursue any legal action and another 26.5 per cent were obstructed in their attempt to seek redress before they reached the police, while another 1.6 per cent of women obtained informal justice at the community level without involving the legal system. Troublingly, 17.4 per cent of women were also prevented from securing

justice by police or by other official actors. This means that 85.7 per cent of cases of violence experienced by the Dalit women surveyed did not even enter the legal system and hence were not included in official data.

Similarly, as detailed in a 2013 MRG submission on India to the Committee on the Elimination of Discrimination against Women, Dalit women who manage to file a report with the police on cases of violence against them experience significant delays 'at every stage of the justice chain', as well as ill-treatment and insensitivity in filing and pursuing the case:

'Andal from Madurai district, who had approached the police for seeking justice against her dominant caste neighbour, was sent back for days by the police saying that they would enquire the matter. When she continued to go to the police station, she was abused as [a] filthy woman, and threatened by the Inspector of police that if she continued to come to the police station he would register [a] false case against her. Fearing police threatening and abuses, she decided not to take further action.'

The result is widespread impunity for crimes where impunity reigns and the victims do not receive justice or protection from the state. The effects are aptly summarized by the UN Secretary-General:

'Impunity for violence against women compounds the effects of such violence as a mechanism of control. When the State fails to hold the perpetrators accountable, impunity not only intensifies the subordination and powerlessness of the targets of violence, but also sends a message to society that male violence against women is both acceptable and inevitable. As a result, patterns of violent behaviour are normalized.'

Some progress has been made, particularly in South America, in implementing laws against femicide. In Guatemala, the 2008 Law against Femicide and Other Forms of Violence against Women 'incorporates a wide definition that acknowledges that femicide is committed by a person who, in the context of unequal power relations between men and women, puts to death a woman because she is a woman'.

However, femicides remain uninvestigated and unprosecuted, and indigenous women face difficulties accessing the justice system. Lorena Cabnal, an indigenous women's rights defender, has accused the state of having 'not made the necessary efforts to implement [the law] in the communities'. Guatemala does not disaggregate data on femicide by ethnicity, making it impossible to know exact numbers on how indigenous women are affected.

Women's experience of gendered hate crimes

Research suggests that hate crimes can have a greater negative impact on the victim than non-hate crimes. But what are the specific gender-related experiences of hate crime?

Femicide and rape used in conflict have the effect of terrorizing all women from a given community, especially if abuses are committed in front of family members, and its impacts are felt across the community. In some cases, as reported in the armed conflict in Burma, women face great stigmatization from their community as a result of being raped by soldiers, due to gender stereotypes of propriety. As a result, many are hesitant to speak out; husbands of rape victims may direct their anger at their wives through verbal and physical abuse. Women have been inclined to migrate and leave their villages to escape being ostracized.

As mentioned previously, cases of gendered hate crimes often do not go to court. Women report feeling angry at the injustices committed, and many do not have access to psychological or counselling services, especially those that are culturally appropriate. According to the experience of the director of Tell MAMA with Muslim women in the UK:

'The greatest impact is on self-esteem, particularly if the incidents happen over a long and sustained period of time. This self-esteem can impact on familial relations since if they mention such incidents to their husbands, some husbands isolate the female by suggesting that they will take on tasks for their wife to protect them from going out and hence the possibility of less frequency in such incidents. Sons are also affected and in some cases take on a sense of perceived attack on identity and

with their mothers being affected, they seem to show higher levels of aggression. Girls in the family have a greater sense of personal grievance which is not outwardly voiced.' Email interview

Tell MAMA UK also suggests that women begin to more seriously question their role in the wider society, especially if they are first- or second-generation immigrants, and whether they belong.

Many fear retribution for reporting crimes, as they may have been threatened with further harm, or the attackers may still be free in the community. This may occur not only in the context of conflict, but also in situations where the rule of law is apparently strong, such as in Canada, where minority and indigenous community experiences of decades-long misconduct and abuse by the police have resulted in a profound distrust of authorities.

Addressing the gender aspect of hate

'One challenge we face is the need for deepening of reflection on, knowledge of and approaches to the multiple oppressions that women survivors of sexual violence face. Particular attention is required to the intersection of ethnic oppression or racism which coexist with the oppression on the basis of gender in the lives of women, who in addition live in conditions of extreme poverty.' Luz Méndez, Guatemala

Minority and indigenous women's experience of hate speech and hate crimes cannot be separated from their daily experience of discrimination, whether in the economic, political, cultural or social spheres. The effects of marginalization – ranging from poverty and lack of access to education or health services to exclusion from decision-making, displacement and domestic violence – interact with and compound the violence they face in their experience of hate crimes and hate speech.

Violence against women is now being prioritized as an issue at the international level, including the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Also known as the Istanbul Convention, this is the first legally binding international framework for preventing

Right: Indigenous women in Colombia.
Christian Escobar Mora/EPA.

violence against women, protecting the rights of victims and ending impunity. It was opened for signature in 2011. Eight countries have ratified; ten are needed before it enters into force. The Convention calls for its provisions to be applied without discrimination, including on the basis of race, national or social origin, or as a national minority, migrant or refugee: if implemented, the Convention could serve as a mechanism for addressing underlying causes of gendered hate crimes against minorities.

At the UN level, there have been five resolutions adopted by the UN Security Council on Women, Peace and Security, binding on every UN Member State: Resolutions 1325, 1820, 1888, 1889 and 1960. The resolutions acknowledge the need to respect women's rights during conflict, participate in peace negotiations, condemn sexual violence in conflict and post-conflict contexts, and end impunity for sexual crimes. Within these resolutions, though, despite the fact that many have been informed by the experiences of minority and indigenous women and conflict, nothing is said specifically of their distinct experiences or needs.

While groundbreaking standards and norms continue to make their way into national and international norms and policies, local organizations are struggling to realize their principles in the lives of indigenous and minority women, in their work toward truth and reconciliation commissions, peace-building initiatives, supporting survivors of violence and bringing perpetrators to justice. In the ongoing peace negotiations in Colombia, for example, indigenous women are asserting their essential role in peace-building. As part of the 1325 localization project by the Global Network of Women Peace-builders, a network of indigenous women has been formed in Colombia to implement resolutions 1325 and 1820 at the local level. Their work so far has included drafting an indigenous women's action plan that includes a set of indicators to monitor implementation of Resolution 1325 in indigenous communities. As one participant at the indigenous localization workshop stated:



'It is not easy for us as women. Our commitment is to defend our culture, and our right to have territory and autonomy. That is why the authorities are opposed when we speak about our individual rights. But I believe that this will change. [...] We must help ourselves to these resolutions in order to restore our balance.' María Márquez

Hate crimes and hate speech against minority and indigenous women are part of a wider structuring of societies that legitimize violence against women and discriminate against marginalized groups. Any efforts to address and eradicate gendered hate crimes must take a holistic approach that sees violence against women in both public and private arenas as symptomatic of patriarchal systems of power. Dismantling societal structures that privilege male power must go hand in hand with violence against women initiatives, peace-building and reconciliation, and post-conflict reconstruction, to address the true roots of gendered hate crimes. ■

Minority Rights Group International

Minority Rights Group International (MRG) is a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide, and to promote cooperation and understanding between communities.

Our activities are focused on international advocacy, training, publishing and outreach. We are guided by the needs expressed by our worldwide partner network of organizations which represent minority and indigenous peoples.

MRG works with over 150 organizations in nearly 50 countries. Our governing Council, which meets twice a year, has members from nine different countries. MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), observer status with the African Commission on Human and People's Rights, and is registered with the Organization of American States.

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State of the World's Minorities and Indigenous Peoples 2014

Events of 2013

Across the world, minorities and indigenous peoples are disproportionately exposed to hatred. From intimidation and verbal abuse to targeted violence and mass killing, this hatred often reflects and reinforces existing patterns of exclusion. The impacts also extend beyond the immediate effects on individual victims to affect entire communities – in the process further marginalizing them from basic services, participation and other rights. This year's edition of *State of the World's Minorities and Indigenous Peoples* highlights how hate speech and hate crime, though frequently unreported or unacknowledged, continue to impact on every aspect of their lives. The volume also documents many of the initiatives being taken to promote positive change and the different ways that governments, civil society and communities can strengthen protections for minorities and indigenous peoples.

