



International Community of Women Living with HIV/AIDS (ICW) Violence against HIV Positive Women Briefing¹

This briefing for ICW members frames key issues and advocacy messages based on the findings of our project work on violence against HIV positive women. ICW briefing papers on access to care, treatment and support and sexual and reproductive rights are also available. Your feedback on this briefing is welcome.

The term "violence against women" (VAW) means 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 private life.

Accordingly, VAW encompasses but is not limited to the following:

- 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;
- 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;
- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Other acts of VAW include violation of the human rights of women in situations of armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy. Acts of VAW also include forced sterilization and forced abortion, coercive/forced use of contraceptives, female infanticide and prenatal sex selection.

Definition of Violence against Women from the Beijing Platform for Action 1995

Most of the research conducted to date on the link between VAW and HIV has focused on sexual violence and its role in increasing women's vulnerability to HIV infection. Here we consider the connection between violence and gender inequality for women that are already HIV positive.²

Violence against HIV Positive Women:

- Women are often the first member of a household to discover their status, through ante-natal testing. This can result in blame, violence and rejection from partners or in-laws, family, friends and community. *'When I was diagnosed I had a partner. The relationship became more violent – he said I brought a new problem into the family. The violence became more, he had other relationships. You get told off because you have HIV.'* (ICW member Swaziland)
- Assaults, battery and the rape of HIV positive women and children, especially girls perpetuate the spread of HIV directly (in the case of rape) and indirectly through promoting intra-familial fear that might prevent disclosure by a positive partner to a negative partner or prevent negotiation of safer sex. Certain situations such as conflict, migration and sex work can exacerbate the risk and impact of violence on women including HIV positive women.
- Gender and HIV-related discrimination leads to social tolerance of violence against HIV positive women, including marital rape. This prevents women from discussing the issue, leaving or confronting an abusive situation or seeking help.
- Stigma and discrimination may mean that people living with HIV feel ashamed of themselves and of their status. This can undermine their confidence to leave or confront an abusive situation. *'He says*

¹ Adapted from ICW fact sheet on VAW (2005) developed for the Global Coalition on Women and AIDS (GCWA). Updated 2008.

² The GCWA has produced an Issue Brief on violence against women, the focus of which is on vulnerability to HIV and examples of work addressing the issues. See: <http://womenandaids.unaids.org/themes/docs/UNAIDS%20VAW%20Brief.pdf>.

“you have AIDS anyhow so you can’t compete with me. I have to have a life. You have HIV and won’t be around. So understand my other relationships”. (ICW member South Africa).

- Exposure to re-infection by refusal to wear condoms, or the violation of a woman's reproductive rights (e.g. if a woman is forced or coerced into pregnancies and childbirth that she is not willing to undergo) can endanger her life due to HIV-related complications.

Accessing services:

- Many women do not know where to find information about VAW nor where to report incidences or seek help.
- Violence and fear of violence can lead to women feeling fearful to seek care, treatment and support.
- Fear of disclosure due to the threat of violence or abandonment by partners, can be a barrier to accessing treatment, especially where women have to travel a long distance to reach health services, hospitals or clinics, and may need husbands' permission to make or pay for the journey. The result can be that women seek help at the last minute when they are really sick.
- Fear of disclosure may prevent a woman from accessing available PMTCT programmes, and using safer infant feeding options, as a woman who does not breastfeed her child may be suspected of being HIV positive.

Information and experiences of services:

- VAW services are generally limited and lack referral systems to HIV services. Similarly HIV and health services often lack referral systems to ensure that positive women experiencing violence access appropriate counselling, treatments, advice and legal remedies.
- The health and legal system often do not take the issue seriously, particularly, rape in marriage. When a woman is known to be HIV positive judgements are likely to be made about her behaviour which hold her responsible for violence against her and perversely she may face blame for putting her assailant 'at risk'.
- HIV positive women also face pressure to abort, be sterilised or take contraceptives in order to access treatment and other health services – all of which are forms of VAW.
- Property grabbing by in-laws on the death of a spouse is a form of violence against women that is frequently reported by our members.

Recommendations:

We urge policymakers and programmers to:

- Consider violence against HIV positive women as rooted in unequal gender relations and HIV-related stigma and discrimination and not just to see VAW as a mode of HIV transmission but also as a result of HIV status.
- Monitor the impact of public HIV policies and programmes, including HIV testing, treatment, partner notification and criminalisation on violence against HIV positive women.
- Monitor the impact on violence against HIV positive women of legislation which has relevance to gender relations, such as that relating to marriage, property ownership, domestic relationships and child custody.
- Ensure that public services (legal/justice, medical and social) address the links between being HIV positive, gender and violence.
- Understand the complexities of VAW, including physical, sexual, psychological, financial and institutional violence.
- Support safe spaces for HIV positive women to share histories and seek mutual support. We also feel that if HIV positive women have the space and time together they can break down the barriers to discussing hidden or taboo areas. This could help challenge aspects of 'internalised' acceptance of male violence and male 'right' to sexual access to women, or, for example, the necessity of genital mutilation in order to attract a husband.

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