



Economic and Social Council

Distr.: General
7 December 2017

Original: English

Commission on the Status of Women

Sixty-second session

12–23 March 2018

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

Statement submitted by The Well Being Foundation, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution [1996/31](#).

* The present statement is issued without formal editing.



Statement

As the nuances of sexual assault become more acknowledged, our collective efforts to end gender-based violence — particularly for rural women and girls — demand greater malleability; the willingness to evolve our definition of sexual assault as we increasingly recognize unspoken truths.

We must incorporate the complexity of sexual assault, in all its ugliness and ambiguity, into our conversations around it, because stock-standard definitions seldom fit.

We know that not all sexual assault is rape, but that all rape is sexual assault. What we don't always understand, however, is that discreet sexual abuse has the capacity to be as traumatic as abrupt and violent abuse, and when it comes to defining sexual assault, rationalization becomes a slippery slope. Fight, flight or freeze are all commonly-understood responses to panic and danger... yet when it comes to sex, sometimes we forget that these are valid responses. Instead, debate is waged on technicalities: whether consent can be revoked mid-sex, how much struggle is deemed 'enough', whether the word 'no' was used, and emphatically. This creates a narrative in which some criteria must be satisfied before survivors of sexual assault can define their lived experience.

We owe it to the survivors to understand and advocate for them more effectively — and especially those navigating power structures that are stacked against them. The uneducated. The impoverished. The rural. The women and the children.

We know sexual assault is one of the most difficult-to-quantify epidemics on the planet because shame and secrecy are so deeply embedded in the psyche of abuse. The World Health Organisation states that 1 in 3 women have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Given that sexual assault largely goes unreported, it is fair to say that this figure — already harrowing — under-reflects reality. Sexual assault committed against men is even more difficult to assess because so much social stigma and misunderstanding is rooted in the notions of masculinity and abuse.

A dissemination of the below six facts about sexual assault would help to create a culture of accountability and change:

Twenty 'No's and a 'Yes' does not mean yes

The idea of sexual consent has evolved. It is unlikely for someone who is intimidated or uncomfortable in a sexual situation to assert healthy boundaries under pressure.

“Just say no” is dead. We must scream from the rafters: “Long live enthusiastic consent!”

Creating a culture in which enthusiastic consent is the benchmark for sexual interactions manifests an onus of responsibility on all parties to ensure the other(s) are comfortable and safe. Placing the burden of responsibility on the more vulnerable party to set the tone for sexual engagement is unreasonable and illogical. Enthusiastic consent negates the risk of consent being given under duress or with reluctance.

Consent can be revoked at any time

Sexual consent isn't a legal contract.

Consent is influenced — and changed by — a number of factors. No person has unconditional access to another person's body. To refuse or revoke sexual consent is a human right that can be invoked at any time and in any circumstance.

Consent can be revoked or refused in various contexts:

- A partner may not wish to undertake a sexual act that they usually enjoy
- A person may have agreed to sexual contact at a later time and then changed their mind
- A person may become uncomfortable mid-sex and wish to stop
- A person may have consented to sex with the use of a condom and/or other contraception, but their partner may attempt or succeed in surreptitiously removing this contraception

The common link between all of these examples is that if someone continues sexual contact beyond any of these points, they are committing sexual assault.

Boys and men can be sexually assaulted

Though women experience a vastly higher rate of sexual violence than men do, this does not negate the severity of crimes against men. Mistaken assumptions that men cannot be sexually assaulted or are unlikely to be raped are deeply pernicious.

It's still sexual assault if the survivor orgasms

People are unlikely to cry, scream or fight back whilst a sexual assault is taking place. There are various reasons — rarely conscious choices — why people will freeze during sexual assault — including dissociation (when the brain subconsciously disconnects a person from reality to protect them from serious trauma), self-preservation (“they’ve already shown that they’re hurting me, so they might kill me if I fight back.”), or even denial.

Many survivors of sexual assault convince themselves they were not assaulted for this very reason. If the archetype dictates a need for violence and struggle, it is easier to rationalize an assault as less frightening than experienced. But this does not negate the severity of the assault, nor its impact on a person's psyche. This cognitive dissonance is dangerous because it creates criteria by which survivors of sexual assault are not just disbelieved by others but also by themselves.

Many survivors of sexual assault experience orgasm when they are being assaulted. Biology, often displaced from psyche, demands that human sexual organs respond to whatever physical contact might enable conception.

It makes sense therefore that a human body might experience orgasm during assault for reasons completely unrelated to pleasure. But this does not mean that there was consent or pleasure. This does not make a rapist any less of a rapist.

People have sex with their rapists

A rapist can look like anyone. Even someone you love.

Surviving sexual assault is often a confusing experience. The label of ‘victim’ weighs heavy. There is shame. There is guilt. And there is denial.

This denial is important because it goes a long way in explaining why survivors of sexual assault may attempt to convince themselves, or others, that no molestation ever took place. It is a sad reality that some people have consensual sex with their abusers, thereby retrofitting the experience of sexual assault into misunderstanding.

It can be years before a person who has been sexually assaulted even comprehends the magnitude of their assault. By then, a multifaceted, complex or even loving relationship might have grown from a mutated seed, which can be wildly destabilizing for the survivor’s mental health.

We struggle to recognize the binary that society has created of lovers versus monsters in our sexual relationships, because there is no binary. People who commit sexual assault are, more often than not, both.

When somebody tells you they have been sexually assaulted, believe them

There are many assumptions about how a survivor of sexual assault is supposed to have acted before, during and after sexual assault. There is an expectation that stories of sexual assault are straightforward: a villain and a victim. And if the role of villain in the story is someone who, to the listener’s mind, seems like a ‘good person’, a victim is far less likely to be believed.

To disrupt the status quo by declaring oneself a survivor of sexual assault — or to go further and name an abuser — is not merely controversial, but dangerous. It is common for families and communities to close ranks to protect somebody they perceive as unfairly maligned, and often survivors of sexual assault are the ones alienated as a consequence.

Why?

Because we expect perfect victims and perfect villains, when no such template exists. An assertive or aggressive survivor can look malicious; dishonest. One too sheepish can seem like an unconvincing liar. It is also easier to disbelieve a survivor than it is to admit to ourselves that a peer might be capable of sexual assault. Denial removes our complicity in their behavior and allows us to believe in a more comfortable reality.

We must remember that for every person who openly states that they been subjected to sexual assault, there are several more who might not have come forward due to shame, fear, or denial.

When somebody opens up about their sexual assault, we all have an obligation to consider the coded ways in which we assess “valid” claims against an incorrect system of measurement. Because for somebody who has struggled deeply to even name their experience, all they really need in the moment of sharing is one thing.

To be told: “I believe you.”
