

Commission on the Status of Women
57th session
4 – 15 March 2013

European Women’s Lobby Proposed Amendments - 19.02.2013

The elimination and prevention of all forms of violence against women and girls

Draft agreed conclusions

1. The Commission on the Status of Women reaffirms the Beijing Declaration and Platform for Action, the outcome documents of the twenty-third special session of the General Assembly, and the declarations adopted by the Commission on the occasion of the tenth and fifteenth anniversaries of the Fourth World Conference on Women. (*E/CN.6/2011/12, CSW55 agreed conclusions, para.1*). The Commission also reaffirms the international commitments made in the Programme of Action at the International Conference on Population and Development and the key actions for its further implementation (*based on General Assembly resolution A/RES/67/144, Intensification of efforts to eliminate all forms of violence against women, PP7*).
2. The Commission reiterates that the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, **{EWL amendment, add: the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others}**, the Convention on the Rights of the Child, the Convention on Rights of Persons with Disabilities and the relevant conventions of the International Labour Organization, provide a legal framework for the elimination and prevention of all forms of violence against women and girls (*E/CN.6/2013/3 paras.3, 4 and E/CN.6/2013/4 para.4*).
3. The Commission reaffirms the commitment to the full and effective implementation of and follow-up to all relevant resolutions of the General Assembly, in particular the Declaration on the Elimination of all Forms of Violence Against Women, and the Economic and Social Commission and its subsidiary bodies on the elimination and prevention of all forms of violence against women and girls (*E/CN.6/2007/9, and based on CSW51 agreed conclusions, para.4*). It also reaffirms its previous sets of agreed conclusions on violence against women and the girl child, as well as relevant Security Council and Human Rights Council resolutions (*E/CN.6/2013/3 para.7 and E/CN.6/2013/4 para.5*).
4. The Commission stresses that “violence against women” 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 and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (*based on A/RES/67/144, OP1*).

5. The Commission condemns all forms of violence against women and girls. It recognizes their changing manifestations and contexts and that intimate partner violence and domestic violence remain the most prevalent forms. It also notes that particular groups of women and girls who face multiple and intersecting forms of discrimination are exposed to increased risk of violence (*based on E/CN.6/2013/3 para.11 and E/CN.6/2013/4 para.9*).
6. The Commission recognizes that violence against women and girls occurs in all countries, contexts and settings and is one of the most pervasive violations of human rights. Violence against women and girls is a manifestation of the historically unequal power relations between men and women and systemic gender-based discrimination (*based on E/CN.6/2013/4 para.15*).
7. The Commission urges States to strongly condemn all forms of violence against women and girls and to **{EWL amendment: replace ‘refrain from’ by ‘stop’}** invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women (*based on A/RES/67/144 OP10*).
8. The Commission urges all States to meet their obligations at all levels, using all appropriate means of a legal, political, administrative **{EWL amendment: add budgetary}** and social nature, to promote and protect all human rights and fundamental freedoms for all, including women and girls, and to exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls, **{EWL amendment: add provide reparation and remedies}** and eliminate impunity (*based on A/RES/67/144 OP 11*).
9. The Commission stresses that the achievement of gender equality and the empowerment of women in all its dimensions is essential for addressing the root causes of violence against women and girls. It also recognizes that the prevention of and response to violence are interlinked, requiring States to act at each and every opportunity and to adopt a comprehensive and holistic approach that ensures accountability (*based on E/CN.6/2013/3 para.9 and E/CN.6/2013/4 paras.15, 19*).
10. The Commission welcomes the progress made in addressing violence against women and girls such as the adoption of laws and policies, the implementation of prevention measures, the establishment of support services for survivors and improvements in data collection, analysis and research. The Commission also welcomes the contributions and participation by all stakeholders including governments, women’s and other civil society organizations and survivors in efforts to address violence against women and girls (*based on A/67/220 paras.62-64*).
11. The Commission recognizes that despite progress made, significant gaps and challenges remain in ending the scourge of violence against women and girls. It is concerned about the gap between commitments and action; the inadequate implementation of legal and policy frameworks; the insufficient allocation of funding

and resources; and that existing efforts are not comprehensive, coordinated, consistent, sustained or adequately monitored and evaluated (*based on E/CN.6/2013/3 para.58 and E/CN.6/2013/4 para.13*). **{EWL amendment: add The Commission regrets the funding cuts made in various countries in the last years, which impact heavily on the availability of women to be protected from violence, at a time of crisis when such violence is on the rise.}**

12. The Commission stresses that ending violence against women and girls is an imperative for the achievement of **{EWL amendment: add true democracy}**, gender equality, human rights, peace and security, development and the internationally agreed development goals, in particular the Millennium Development Goals (*based on A/RES/67/144 PP 15.*).
13. The Commission urges governments, the relevant entities of the United Nations system, international and regional organizations, women's and other civil society organizations, and the private sector, to take the following actions at the national, regional, and global levels as relevant:

A. Strengthening implementation of legal and policy frameworks and accountability

- a) Ratify and fully implement the Convention on the Elimination of all Forms of Discrimination against Women, **{EWL amendment: add including the CEDAW Committee's General Recommendation 19 on violence against women,}** withdraw all reservations to the Convention, and ratify or accede to its Optional Protocol; and include detailed information on measures taken to end violence against women and girls in reports to the Committee on the Elimination of Discrimination against Women so as to increase accountability (*based on E/CN.6/2013/3 para 59(a),(c) and E/CN.6/2013/4 para.89(a),(c)*).
- b) Adopt and accelerate the effective implementation of comprehensive legal frameworks that criminalize **{EWL amendment: add all forms of}** violence against women and girls; mandate protection and support services and prevention measures **{EWL amendment: add taking into account the diversity of women's needs and situation}**; **{EWL amendment: replace '~~and cover~~' by 'ensure'}** the prosecution and punishment of perpetrators to end impunity **{EWL amendment: add and the provision of adequate remedies and reparation}** (*E/CN.6/2013/4 para.59 (g)*).
- c) Implement multisectoral national action plans and policies which include measures for prevention, services and responses, data collection, research, monitoring and evaluation; the establishment of coordination mechanisms; the allocation of resources; and clear timelines and benchmarks for results to be achieved (*E/CN.6/2013/3 para.59 (f) and E/CN.6/2013/4 para.89 (j)*).
- d) Ensure that in conflict, post-conflict, transitional and other humanitarian settings, the prevention and response to all forms of violence against women and girls, including sexual violence, are adequately addressed, including through the provision of reparations and the meaningful involvement of women and women's

- organizations (based on E/CN.6/2013/3 para.59(l) and E/CN.6/2013/4 para.89(w)).
- e) Strengthen bilateral, sub-regional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of governments and intergovernmental and non-governmental organizations, to address the transnational organised crime problem of trafficking in persons **{EWL amendment: add and globalised systems of prostitution, affecting}** especially women and children (based on A/RES/67/145, *Trafficking in women and girls*, PP26.)
 - f) Strengthen governance and coordination and oversight mechanisms to ensure implementation, monitoring and evaluation of laws, national action plans and policies (based on E/CN.6/2013/3 para.59 (i) and E/CN.6/2013/4 para.89 (k)).
 - g) Allocate dedicated and sufficient resources for the full implementation of laws, national action plans, **{EWL amendment: delete and}** policies, **{EWL amendment: add and support services to}** address violence against women and girls including through the expanded use of gender-responsive budgeting (based on E/CN.6/2013/3 para.59 (g) and E/CN.6/2013/4 para.89 (k)).
 - h) Ensure that efforts to end violence against women and girls are a priority area in aid allocation and development cooperation.
 - i) Encourage private sector investment in programmes and strategies to prevent and respond to violence against women and girls.
 - j) Institutionalize mandatory and ongoing capacity building for public officials working in the areas of education, health, social welfare, justice and immigration, as well as the judiciary, police and military, to adequately address violence against women and girls in a gender-sensitive manner; and put in place accountability mechanisms to ensure compliance of public officials with laws and regulations (based on E/CN.6/2013/4 para.89 (p)).
 - k) Enhance consultation and participation among all stakeholders in all efforts to address violence against women and girls, especially with survivors of violence and their organizations, so that their knowledge and experience can fully inform policies and programmes (based on E/CN.6/2013/3 para.52).

B. Addressing structural causes and risk factors to prevent violence against women and girls

- l) Accelerate efforts to eliminate discrimination against women and girls and ensure women's equal enjoyment of all human rights and fundamental freedoms, including the right to education, health, social security, **{EWL amendment: add housing}**, land, property, inheritance, employment, participation and decision-making in all spheres of life (based on E/CN.6/2013/4 para.89 (i)).
- m) Accelerate efforts to address social and economic inequalities, the poverty of women and girls and their lack of empowerment to reduce their vulnerability to discrimination and violence (based on E/CN.6/2013/4 para.86).
{EWL amendment: add Accelerate efforts to address the commodification of women's and girls' bodies, fostered by consumerist and neoliberal values,}

- leading to the globalization of the exploitation of women and girls into prostitution.**
- n) Promote and protect the human rights of all women and girls, including their right to have control over and decide freely and responsibly on matters related to their sexuality free of coercion, discrimination and violence, their right to the highest standard of health, including sexual and reproductive health, and their reproductive rights (*based on E/CN.6/2013/4 para. 89 (h), and E/CN.6/2013/3 para.59 (j) and (k)*).
 - o) Adopt and accelerate the implementation of laws, policies and programmes which protect and enable the enjoyment of all human rights and fundamental freedoms, including their reproductive rights, by all women and girls (*based on E/CN.6/2013/3 para.59(k) and E/CN.6/2013/4 para.89 (h)*).
 - p) Prohibit and take action to eliminate **{EWL amendment: add all forms of}** harmful practices, including harmful customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes; and change attitudes, beliefs and behaviours that generate, foster and perpetuate discrimination and violence against women and girls such as child, early and forced marriage, sex selection, female genital mutilations and **{EWL amendment: add so-called honour}** crimes **{EWL amendment: delete committed in the name of honour}** (*based on E/CN.6/2013/4 para.89 (n)*).
 - q) Mobilize communities and engage every individual at all levels of society, including religious and traditional leaders through the special role they play in communities, **{EWL amendment: add and support women's organisations working for women's rights and equality between women and men}**, to change behaviours and practices that perpetuate and condone discrimination and violence in all spaces (*based on E/CN.6/2013/4 para.89 (n)*).
 - r) **{EWL amendment: add Finance and}** carry out awareness-raising campaigns through different means of communication which target the general public, young people, **{EWL amendment: add women and girls}**, and men and boys, address the structural causes of all forms of violence against women and girls, promote zero tolerance for such violence and remove the stigma of being a victim of violence (*based on E/CN.6/2013/4 para.89 (m)*).
 - s) Encourage the media to develop self-regulatory guidelines that promote gender-sensitive reporting of violence against women and girls (*based on E/CN.6/2013/4 para.89 (v)*) **{EWL amendment: add and develop and implement measures against sexism in media and advertising}**.
 - t) Develop educational programmes, including comprehensive evidence-based sexuality education, that promote and build skills for respectful relationships based on gender equality and human rights, at all levels of formal and non-formal education with the involvement of adolescents, youth, parents and communities (*based on E/CN.6/2013/4 para.89 (l)*).
 - u) Implement strategies and programmes to support and enable men and boys to adopt attitudes and behaviours that are based on gender equality and respectful relationships (*based on E/CN.6/2013/4 para.89 (o)*).

- v) Implement programmes and measures which encourage the equal sharing of responsibilities between men and women in child-rearing and parenting, domestic work and caregiving (*based on E/CN.6/2013/4 para.89 (o)*).
- w) Work with and engage men and boys to take responsibility for their sexual and reproductive behaviour, refrain from all forms of violence against women and girls and act to stop and to prevent such violence **{EWL amendment: add including by refusing to be/become a prostitute-user/sex buyer}** (*based on E/CN.6/2013/4 para.89 (o)*).
- x) Develop targeted programmes for children and young people who have experienced or witnessed violence to reduce the risk of their possible future perpetration of violence or victimization (*based on E/CN.6/2013/4 para. 89 (x)*).
- y) Ensure that public and private sector workplaces are free from violence, especially sexual harassment; and that they address violence against women and girls through regulatory and oversight frameworks and reforms, codes of conduct, protocols and procedures, as well as awareness-raising and capacity-building, in collaboration with employers and workers (*based on E/CN.6/2013/4 para.89 (q)*).
- z) **{EWL amendment: replace ‘Increase’ by Take measures to ensure}** women’s and girls’ safety from violence and harassment in public spaces through awareness-raising and the involvement of local communities, enhancing crime prevention, and improved urban planning, infrastructures and public transport (*based on E/CN.6/2013/4 para.89 (s)*).

C. Strengthening multisectoral services and responses to violence against women and girls

- aa) Establish the full range of **{EWL amendment: add coordinated}** multisectoral services and responses for all forms of violence against women and girls that are sustained and include responses from police and the justice sector, shelters, **{EWL amendment: add rape crisis centers}**, legal aid, health-care services, including services for sexual and reproductive health, psycho-social counselling and support, 24-hour hotlines, and services for accompanying children at shelters, as well as long-term assistance and support (*based on E/CN.6/2013/3 para. 59. (j)*).
- bb) Take measures to ensure universal access to multisectoral services and responses for all women and girls subjected to violence including adolescent girls, those in rural areas and urban slums and those who suffer multiple and intersecting forms of discrimination such **{EWL amendment: add as}** women and girls with disabilities, **{EWL amendment: add lesbians and transgender women, pregnant women}**, women and girls living with HIV**{EWL amendment: add or other diseases}**, **{EWL amendment: add girls}**, widows **{EWL amendment: add and elderly women}**, **{EWL amendment: add women and girls in institutional care and in situations of detention}**, and indigenous, **{EWL amendment: add refugee, internally displaced}** and migrant women and girls; and establish benchmarks and timelines towards this end (*based on E/CN.6/2013/3 para.59. (u, v, w and x)*).

{EWL amendment: add Make sure that all protection and judicial measures do not lead to revictimisation of women and their children.}

- cc) Expand referral mechanisms between multisectoral services and implement information sharing protocols that respect the confidentiality and safety of survivors to ensure adequate integration and coordination (*E/CN.6/2013/3 para. 59 (m, n)*).
- dd) Address the health consequences, including the physical, mental and sexual and reproductive health consequences, of violence against women and girls by providing services that include first line support, treatment of injuries and psychosocial and mental health support, also emergency contraception, safe abortion **{EWL amendment: delete where such services are permitted by the law}**, prophylaxis for sexually transmitted infections, as well as forensic examinations by appropriately trained professionals **{EWL amendment: delete for those women who wish to pursue legal action}** (*based on the WHO guidelines (2003) and forthcoming WHO clinical and policy guidelines on “Responding to intimate partner violence and sexual violence against women”*).
- ee) **{EWL amendment: replace ‘Expand’ by ‘Ensure’}** the availability of services and opportunities, especially free legal advice and economic support, including housing and employment, for survivors and their children to ensure their empowerment, recovery and reintegration into society (*based on E/CN.6/2013/3 para.59 (o)*).
- ff) Work towards a set of global standards to ensure the quality and consistency of services and responses, beginning with those required in the immediate aftermath of violence and progressively including those required for longer term recovery of survivors (*E/CN.6/2013/3 para.59 (q)*).

D. Improving the evidence-base

- gg) Carry out research and analysis on the structural causes of, and risk factors for violence against women and girls and its prevalence in order to inform the development of laws, national action plans, strategies and policies and make such information public to support awareness-raising (*based on E/CN.6/2013/4 para.89.(z)*).
- hh) Collect, analyse and disseminate reliable data on a regular basis, at the national and local levels, on **{EWL amendment: replace ‘different’ by ‘all’}** forms of violence against women and girls, its causes and consequences, disaggregated by sex, age and other relevant factors, to inform the formulation, monitoring and evaluation of laws, policies and programmes (*based on E/CN.6/2013/3 para.59 (z) and E/CN.6/2013/4 para.89 (y)*).
- ii) Collect data on a regular basis, in accordance with the indicators on violence against women, endorsed by the Statistical Commission, and in accordance with global ethical and safety standards (*based on E/CN.6/2013/3 para.59 (bb)*).
- jj) Monitor and evaluate measures and programmes to address violence against women and girls and the feasibility of scaling up such measures, including through the development of indicators and evaluation tools, which are also

8 February 2013

Draft presented by CSW Bureau

practical and feasible for small organizations and low-income countries (*based on E/CN.6/2013/3 para.59 (cc) and E/CN.6/2013/4 (aa, bb, cc)*).

14. The Commission emphasizes that ending of violence against women and girls is not an option but must be a priority for the achievement of sustainable development, peace and security, human rights, **{EWL amendment: add democracy}**, economic growth and social cohesion. The Commission strongly recommends that the elimination of **{EWL amendment: add all forms of}** violence against women and girls be reflected as a priority area in the post-2015 development framework with clear targets and indicators for the realization of gender equality (*based on E/CN.6/2013/4 para.24*)