

## **CSW Position Paper “Violence Against Women”**

In the Final Report of Beijing +5 there has been a broader context in defining various forms of violence against women. Not only the physical, psychological and sexual violence were given attention but the combination of other discrimination forms were brought into perspective, such as racism and traditional practices. A holistic approach was recommended in searching for solutions in combating violence against women and girls, despite their ages ethnicity sexual orientation and/or disabilities. Violence against women and girls should be treated as a criminal offence punishable by law including violence based on all forms of discrimination, especially against women and girls, female genital mutilation, child (sexual) abuse (incest) and racially motivated violence.

The outcome document of the twenty-third special session of the General Assembly entitled „Women 2000 gender equality, development and peace for the twenty-first century“ underlines that the issues of women’s human rights and violence against women, including trafficking are violations of most of all their basic human rights. Denying the human rights of women and girls.

As today, member states have not yet succeeded in defining the various forms of violence against women, collecting reliable data to analyse the problems and adopting a variety of effective policy measures. Most policymakers still use gender neutral terminology in defining violence. This does not help to understand the structural nature of gender based violence. The result is that a large number of women do not even realise that the human rights also apply to women; and if it does, it also applies to private life space.

Girl child, as subject and witness to domestic violence deserve more attention. Yet, the draft report E/CN.6/2003/7, dated 16 December 2002 is mainly concentrating on one form of violence: trafficking in women and girls. The Optional Protocol to the Convention on the Rights of the Child, adopted by the General Assemblée of the UN-ECOSOC/ 25 May 2000, obliges states parties to take the necessary steps to strenghten international Cooperation. Monitoring is urgent needed by (womens) NGOs.

### **Domestic Violence**

Our organisations are disappointed that domestic violence has almost disappeared from the agenda of the CSW 2003. However important the trafficking issue may be, domestic violence in all forms, in traditional and modern practices, remains to be de most widely spread form of violence against women and girls in the entire world. Therefore we recommend that domestic violence should remain on the agenda of the CSW 2003 and be in the proper context.

### **Diversity analysis**

If (domestic) violence is a derivation of power inequality between man and woman, a holistic approach also needs to consider the other forms of power relations within the society as different groups take different positions herein, based on their different identity factors. In other words, the causes and sources of violence should be analysed in all its diversity within our societies as these affect various groups differently. Such analyses are important to understand violence against women and girls in all its forms.

Such a diversity analysis should also be applied to perpetrators.

Also actions should be introduced aimed motivating perpetrators to break the cycle of violence.

Policy measures

A careful analysis is the only basis for effective policy measures. The interests of women and girls should be at the centre of all the policy measures, reflecting the diversity of the women and the situations. This means first of all, recognition of human rights of women and taking strong actions in case of violation of their rights. Perpetrating have to be investigated, the perpetrators have to be brought for courts and be sued.

Policy measures and implementations against trafficking for example, should not only be seen as opportunity of unveiling the organised crime and illegal immigration. The wellbeing of the victims should be at the focus of the policies and in all the necessary steps during implementation. All policy measures should be accompanied with budget allocations and should be nested in legislation, juridical system and services. Such measures have also be accompanied by curriculum activities at schools and trainings for professionals if long term effects be realised.

Most states do not have an action plan do deal horizontally with violence against women and girls. World wide policies to prevent (domestic) violence are often not associated, but split into diverse themes and not formulated in a gender neutral language. There is no interrelation/ or cross relation and no cohesion. Human rights and the violation of women's rights need to be seen as a matter of priority by States: (See B.P.A. paragraph 224). Legislation needs to be reviewed and revised, where appropriate.

### **Monitoring and data**

In order to monitor the national policies and measures, there is a need for reliable data collection and gender based statistics. This demands a joint effort of the policy makers, researchers, police authorities and service institutions, legislative organs and NGO's. The allocation of the necessary budgets to achieve reliable data should be the state responsibility.

It is relevant that at (EU) Regional level the EU provides annual statistics and data annual (Eurostat) on violence against women. The European Women's Lobby has adressed this priority and recommended that "the collection of this data could be obtained through a partnership between the national statistical bodies in the member States and the (national) observatories on violence against women and/or women's NGOs working in the area."

### **Recommendations:**

- Research and data collection are necessary in policy development and monitoring.
- States should develop an action plan to realise a holistic approach to all forms of (domestic) violence against women and girls. States should integrate a gender and human rights perspective into all action plans and in an integrated multi-sectoral manner.
- Violence act should be considered a public crime and be prosecuted accordingly
- Public awareness campaigns are necessary to establish a wider understanding of the causes and nature of the violence against women and girls as it affects different groups within the society.
- There should be trainings programs for women on the grass roots as well as for the relevant professional groups which can play a role in dealing with violence.

- Public sensitivity should be stimulated in acting upon violence signals. This also goes for professional groups in their contacts with women and girls.
- Protection of victims reporting violence should be guaranteed.
- Policy measures should take into account the existing diversity within the society. In developing such (holistic) policies, the participation of the relevant populations and their NGOs should be guaranteed.
- Educational institutions should include the subject in their curriculum activities.
- Children witnessing or subjected to domestic violence should be protected. Appropriate treatment should be developed for them to avoid long term damages on their personality, especially to avoid their becoming perpetrators themselves.
- Adequate treatment should be offered to perpetrators to deal with their behaviour. Where necessary appropriate punishment should be applied. It should be made clear at all levels that this behaviour is not tolerated under any circumstances.
- More strategic mechanisms need to be developed to monitor and prevent (sexual) exploitation of woman and children, including virtual forms of violence.