



Photo: Heather McClintock

ENDING VIOLENCE AGAINST WOMEN

The case for a comprehensive international action plan

In March 2013, governments will meet to discuss global progress made with regards to the elimination of violence against women in all its forms, under the helm of the Commission on the Status of Women (CSW57). The commitment of governments is urgently needed to expedite the implementation of existing frameworks to eliminate all forms of violence against women (VAW). This Oxfam policy paper outlines a proposal for a comprehensive international action plan that addresses this issue politically, with time-bound targets and explicit accountability mechanisms. This action plan should provide a roadmap to fast-track the implementation of existing agreements to eliminate VAW.

1 AN INTRODUCTION: VIOLENCE AGAINST WOMEN AND GIRLS

Oxfam envisions a safe and just world, where women and girls gain power over every aspect of their lives and live free from violence. This is a fundamental prerequisite to the empowerment of women and girls. Violence against women (VAW) is a violation of human rights, a barrier to women's active citizenship, and a fundamental constraint to the eradication of poverty. It limits women's choices and ability to access education, earn a living and participate in political and public life. It also robs women of control over their own bodies and sexuality as well as being a major cause of death, ill-health and disability. In all countries, VAW has proven devastating long-term effects, not only on women but on their families and society:

- The home is often the most dangerous place for women and many live in daily fear of violence. One in three women will experience physical or sexual violence from men, usually someone known to them, in their lifetime¹.
- Every year, 60 million girls are sexually assaulted either at or going to and from school².
- Domestic violence is now outlawed in 125 countries but, globally, 603 million women live in countries where domestic violence is not considered a crime³.
- The systematic use of sexual violence is now a defining and deliberate tactic of war.
- Women who have experienced violence are up to three times more likely to be living with HIV⁴.
- It is estimated that more than 130 million girls and women alive today have undergone Female Genital Mutilation (FGM), with two million girls a year at risk of mutilation⁵.

Women's unequal status in society and the lack of control women have over their lives, often manifested in poverty, is at the root of VAW. Therefore, Oxfam supports transformative approaches to ending VAW in order to address these root causes. This approach is based on an understanding that violence against women is structural in nature and is perpetuated on the basis of gender roles and identities and unequal power relations. It is Oxfam's belief that the elimination of VAW is essential for realizing gender justice. The large-scale acceptance of violence against women and impunity worldwide, shows the global community is failing women and girls on this issue.

Effecting lasting change in this context requires a multi-faceted strategic approach that catalyses and fosters change at individual and collective levels; in informal and formal institutions; shifts women's and men's attitudes and beliefs; and increases women's access to resources.

2 INTERNATIONAL FRAMEWORKS FOR THE PROTECTION OF WOMEN

Important progress has been made internationally as a result of years of lobbying by women's rights organizations and other civil society actors in promoting international standards and norms that clarify the obligations of states to eradicate and punish all forms of violence against women and girls, in the private and public sphere, by state and non-state actors.

In 1993 the UN General Assembly adopted the landmark Declaration on the Elimination of Violence against Women⁶, which is considered a major expression of political will towards addressing VAW. The global gender equality roadmap, the Beijing Platform for Action on Women, Development and Peace (1995) condemns VAW and outlines specific steps governments can take to end it. While the legally binding Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)⁷ does not address VAW in a specific article, its monitoring body, the CEDAW Committee, issued two general recommendations (n°12 (1989) and n°19 (1992)) which specifically address it.

These frameworks have been adopted and ratified by almost all governments and other members of the international community. Regional instruments in the EU or in Africa such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), try to strengthen regional efforts to ban VAW. Yet globally the issue of violence against women in all its forms, with the exception of sexual violence in conflict, has been somewhat sidelined.

Many initiatives to address the problem of VAW lack coherence, coordination, consistent funding, and concrete actions, structures and systems to implement and monitor their implementation at all political levels, especially the national level. The large-scale persistence of all forms of violence against women and the continuing impunity of its perpetrators demonstrates the urgent need to develop comprehensive and coordinated strategies.

3 WHY WE NEED AN INTERNATIONAL ACTION PLAN AND WHO SHOULD LEAD IT

Over the past years efforts have been made to eliminate violence against women. Countries have passed legislation, drawn up action plans and signed international declarations. Other stakeholders like the UN and civil society have stepped up their campaigning and programming efforts to eliminate VAW. Yet despite these gains, there is not enough progress as illustrated by the high number of women still estimated to experience violence throughout their lifetime: one in three women worldwide.

It seems that the efforts are not delivering at a national level. In a global survey conducted by Oxfam and VSO UK in 2011, almost all of the 100 women's rights activists interviewed across 75 countries indicated that ending violence against women is the most urgent women's rights issue to address at the country level. Respondents from the Middle East and Maghreb (MEMAG) region and Asia even reported an increase in violence against women.⁸ Respondents explained their choice, indicating that VAW and the prevention thereof is not often seen as a priority issue by most governments. They gave a number of reasons why action on ending VAW has been delayed, ranging from a lack of accountability, a lack of financial resources, the lack of institutional mechanisms to take the lead at government level, as well as an absence of technical expertise. In addition, respondents said systems that facilitate reporting incidents of VAW, including the role of the police, were inadequate or lacking all together. This leads to serious under-reporting and at the same time ensures that those who continue to inflict the violence carry on with impunity.

What emerged from this data is that the problem is global. Although the responses reveal certain regional differences, the reasons why the interviewees selected VAW as the most urgent issue at the country level were the same. The similarities were also great in terms of the causes and effects of VAW, as well as the type of problems they were finding in implementing solutions.

This means a global solution is needed, with an international action plan with fixed targets aimed at fast-tracking implementation. The lack of a coordinated strategic agenda at international, regional and national levels is an important barrier to fully implementing current obligations. There are currently no common global targets or timetables for tracking progress including measures dedicated to ending VAW.

An action plan could fill these gaps, by laying out concrete and time-bound steps to fast-track the implementation of existing norms and frameworks such as the BPfA and CEDAW at the national level. This can be achieved by promoting best practices, identifying gaps and mobilizing resources. In addition, this is a means to addressing fragmentation in the formulation and implementation of existing agreements, and in doing so improve policy coherence. An action plan is also a much needed reaffirmation that ending VAW is a shared effort by all nations and the international community as a whole. This momentum in turn could bolster national level efforts to eliminate violence against women.

The Expert Group advising the UN system on the elimination of VAW in preparation for the 2013 session of the Commission on the Status of Women recommended the development of a global implementation plan. The Experts stated: "This plan should aim to provide vigilance on established international obligations (particularly the overarching BPfA and CEDAW obligations cited above), and serve as the tool for operationalising these norms into national policy and programming in a coordinated and results-based way."⁹ In his recent report addressing the role of prevention and the elimination of VAW, the UN Secretary-General recommended governments to "consider the development of a global implementation plan".¹⁰

So who should commit to such an action plan? In accordance with the Due Diligence Principle, states have the primary responsibility to protect women from all forms of violence. This means it is their responsibility to work towards its elimination. There is also a specific role for donors and the UN system led by UN Women¹¹. Civil society, especially at the national level, plays an important role in formulation and delivery of such an action plan to ensure that any plans are based on the local needs of women.

4 THE ACTION PLAN PROPOSAL

Oxfam is calling for a comprehensive international action plan, aimed at fast-tracking policy implementation that is time-bound and has strong accountability mechanisms. This is driven by a sense of urgency to strengthen existing responses and focus on fundamental issues to ensure transformational change in terms of how women are viewed in society, and how they are subsequently protected from VAW and the threat thereof. The action plan aims at fast tracking, implementing and supporting government efforts to expedite and prioritize ending VAW, given it has reached global pandemic levels.

Oxfam proposes the following four areas for an international action plan to eliminate VAW.

1. Develop and strengthen laws for women's rights and gender equality

Women's rights and the acknowledgement of gender equality before the law are critical to lasting change in the context of ending VAW. In countries where there is no legal base for gender equality and women's rights, state action is limited. Moreover, it is high time the act of violence against women is made criminal, in all countries around the world. This would be an important contribution to ending impunity.

Types of actions governments can take:

- Enact laws to end all violence against women as defined in the Beijing Platform for Action¹², making the act of violence against women a crime.
- Undertake a review and revision of policy and legislation to remove all discriminatory laws against women, in order to ensure a consistent framework for the prevention of violence against women and girls. This should ensure women's and girls' human rights and gender equality are in line with international human rights standards.
- All national legislation and policy should address the needs of all women, especially the most marginalized ones such as rural, disabled, and ethnic minority women.
- Ratify CEDAW and CEDAW protocols aimed at eliminating VAW as well as relevant regional instruments like the Maputo Protocol or the Convention of the Council of Europe on Preventing and Combating Violence Against Women and Domestic Violence.

- Ensure a legal base for access to free health services for survivors of VAW.

2. Prioritize and reallocate financial resources to end VAW

Existing funding streams for gender equality, whether allocated to support women's rights organizations, or national governments, are entirely inadequate.¹³ Resources need to be increased given that promoting women's rights and gender equality are inherent to the prevention of VAW. Existing funding should be pooled by using a comprehensive approach to avoid fragmentation of existing responses.

Types of actions governments can take:

- Donors and national level governments ensure long-term, predictable funding for women's rights organizations dedicated to the prevention of VAW and providing services for survivors.
- Donors and national level governments ensure long-term, predictable funding for women's rights organizations and other civil society actors working to strengthen women's rights and gender equality frameworks as well as the implementation thereof.
- National governments provide specific and long-term funding to support community-based organizations that work to advance gender equality and challenge attitudes and behaviors that sustain all forms of gender-based violence.
- At the international and bilateral level, donors allocate funding specifically dedicated to a comprehensive approach to ending VAW. This can be done by reprioritizing existing resources. National governments need to ensure adequate funding to government mechanisms such as the proposed VAW unit (see point 3 of the action plan below), ensuring it is able to take a lead role in ending VAW at the national level. This money is explicitly allocated in the annual budget. It should explicitly be part of Poverty Reduction Strategy Papers (PRSP) and Sector-Wide Approaches (SWAPS) in developing countries, and generally part of budgetary processes in all countries.
- All concerned ministries allocate specific budgets for the prevention of VAW as well as services for survivors, such as One-Stop-Shops.
- Specific VAW budgets for ministries of Justice and Home Affairs/Interior to finance sensitization of police forces, medical practitioners and judiciary investment in formal (police reporting systems) and informal reporting systems (hotlines for survivors of VAW as well as people threatened by VAW).

3. Ending VAW needs to be top-level government business

In the survey carried out by Oxfam for the 'Blueprint' report, respondents highlighted the need for government reform to address VAW. But what does this mean, exactly? How can governments organize themselves to ensure inter-departmental outreach and collaboration to eliminate VAW, as well as working with an inter-sectoral approach? Oxfam believes that government reform is a priority area in the fight to end VAW.

Types of actions governments can take:

- Set up VAW units based in the Ministry of Justice or Interior, led by a senior ranking official who is part of the ministry's top leadership or management team.
- The VAW unit is responsible for developing and implementing National Action Plans, monitoring and evaluating past and existing programmes, and making relevant policy proposals.
- The unit involves survivors and their organizations as well as other women's rights organizations and CSOs working to eliminate VAW in the design, monitoring and evaluation of national-level action plans. The unit is in charge of coordinating VAW action plans and ministerial responses, monitoring policy implementation, organizing inter-sectoral dialogue with other ministries (who each have senior-level point persons and staff dedicated to VAW like Ministry of Justice/Home Affairs, Interior, Health, and Education).
- VAW units have a specific coordinator for VAW in conflict and humanitarian settings.
- Ensure regular dialogue with men and community leaders.
- The unit shall also involve the information and communication technology sections to collaborate on communication around the subject area in the most effective way.

4. Fragile states develop strategies for organizing responses to VAW in conflict settings

In recent years, extreme levels of sexual violence in conflict have sparked outrage and political action from the donor community from prevention through to protecting and providing life-saving services for survivors of such violence. In many conflict settings where violence against women takes place, states and governments are not able to provide protection. Yet even then, a strong legal framework for women's rights and gender equality as well as legislation that defines any act of violence a crime should be enacted to tackle the culture of impunity.

Types of actions that governments, including donors and the UN can take to respond to VAW in conflict settings:

- Nations participating in peacekeeping must train forces on VAW prior to duty in conflict zones and increase the participation of women peacekeepers.
- Ensure accessible and free-of-charge emergency health services for survivors.
- Champion a place at the table for women in peace negotiations in line with UN Security Council Resolution 1325, to help ensure that ending gender-based violence is recognized as part of any peace process and that women's rights are sustained over the long term.
- Support programmes that work with communities to increase acceptance and support reintegration for survivors of rape and other VAW in conflict (to tackle the high levels of stigma survivors often face).

- Build police and security services with a capacity to tackle VAW through training and awareness of the issue and legislation, as well as through more women recruits.

Progress in eliminating VAW is urgently needed. An international action plan focused on implementing existing standards and norms at the country level would be a major first step towards eliminating violence against women in all its forms. Ending violence is a shared goal by the international community and we cannot afford to continue to fail women and girls on this issue. The Commission on the Status of Women marks a key opportunity for governments to commit to the development of an international action plan to eliminate VAW.

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- 7 Note: CEDAW does not contain specific reference to VAW, however, the CEDAW Committee issued two general recommendations (n°12 (1989) and n°19 (1992)) which address VAW specifically
- 8 *A Blueprint for UN Women: What does civil society at the country level expect from the new UN women's agency?*, Oxfam International and VSO UK, 2011, pp. 11–13
- 9 Report of the Expert Group Meeting on Prevention of Violence against Women and Girls, EGM/PP/2012/Report, September 2012 <http://www.unwomen.org/wp-content/uploads/2012/11/Report-of-the-EGM-on-Prevention-of-Violence-against-Women-and-Girls.pdf>
- 10 Prevention of violence against women and girls Report of the Secretary-General, 20 December 2012, E/CN.6/2013/4, http://www.un.org/ga/search/view_doc.asp?symbol=E/CN.6/2013/4
- 11 In Oxfam's 'Blueprint for UN Women' report, two-thirds of respondents said that ending Violence against Women should be a top priority for UN Women¹¹. At the country level UN Women according to survey participants has a key role in strengthening and supporting efforts to end VAW. Interviewees said that UN Women should use its access to governments to open up spaces for CSOs to play a part in strengthening women's rights and responses to VAW.
- 12 Beijing Platform for Action, Critical areas of concern, paragraphs 113–116
- 13 The World Bank has estimated that the cost of interventions needed to achieve only MDG3 and of related mainstreaming activities in low-income countries will be \$83.2 billion in 2015². Even according to the most conservative estimate the financing gap between total costs and domestic resources mobilized will increase from \$8.3bn in 2006 up to \$23.8bn in 2015.

Source: Grown, Bahadur, Handbury and Elson (2008). "The Financial requirements of achieving gender equality and women's empowerment". In M. Buvinic et. al, *Equality for Women: where do we stand on Millennium Development Goal 3?*, World Bank. 2008.

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