

Consultation on CEDAW General Recommendation No.19
Consolidated Inputs

Civil Society experts and members of the Civil Society Advisory Group (CSAG) for UN Women India Multi-Country Office made the following overall comments to be considered in the update of General Recommendation No.19:

- Take into consideration the changing nature of the socio-economic and political contexts, and how global reforms contributing to multiple layers of discrimination against women.
- Bring increased focus on adolescent 'girls'.
- Highlight the need for a coordinated support system for redress wherein all services are provided in a systematic manner. This involves strengthening of coordination and monitoring mechanisms, existing referral systems, national and state women's machineries, and capacity building for direct survivor assistance.
- Highlight the need for strengthened partnerships with key stakeholders including beneficiaries and the private sector.
- Focus on increased need for enhancing and upgrading skills of local and host communities, community based organizations, private sector and authorities for sustainability of initiatives towards countering violence against women.
- Address state sponsored violations of women's human rights, and special laws which legitimize violence against women, and prevent accountability and justice in conflict affected areas.
- Expand requirements of reporting, moving from simply legislation to indicators showing implementation of laws on the ground, for example rate of conviction, number of cases filed, number of orders passed and implemented, time taken for cases to be resolved, accessibility of women to courts etc.
- Draw more strongly upon the role of men in ending gender based violence.
- Address the issue of bystanders and perpetrators and focus on restorative justice.

The CEDAW Committee has recommended measures in the areas of prevention, provision of protection and redress, data collection and monitoring, and international cooperation to accelerate elimination of gender-based violence against women. The consultative discussion for inputs to the 'Draft Update of General Recommendation No.19' raised the need to comprehensively address limitations and scope for detail under the following themes:

Non-state actors

- Define and elaborate the term 'non state actors' in line with definitions provided in the Sustainable Development Goals.
- Bring clarity on definition of private sector actors vis a vis non-state actors.
- Given the evolving global contexts and the increasingly transnational nature of gender based violence, action must be multilateral in nature, incorporating the role of transnational actors.
- Address the role of non-state actors like religious bodies that violate women's rights.

Prevention

Intersectionality

- Expand attention towards intersectionality particularly descent and work based discrimination.
- Adequately reflect the multiple discrimination caused by disability. Disability cannot be treated as a homogenous group (recognize for example: migrant disability).
 - Women with disability face greater discrimination as laws in India do not give legal capacities. Forced sterilization and abortions are sometimes sanctioned by the state. The consequent high levels of violence and abuse is not reflection in the Draft.
 - Not many institutions for women with disabilities are run by governments, thus raising the question of how to draw accountability from these non-state actors.
- Recognize the differentiated impact of violence on rural women.
- Build capacity of community members for spreading awareness on GBV. Recruit community members for training as psycho social counselors and peer counselors in order to reach survivors of GBV, including vulnerable populations, through information sessions.
- Expand attention to macro trends like conflict and other forms of displacement that increase women's vulnerability to GBV.

Protection and Redress

Economic Empowerment of Women

- With regard to the section on 'Redressal', address the need to provide economic support and elaborate on what kinds of reparation to be provided for women alongside counselling and psychological support.

Urban Spaces and Housing

- Draw emphasis on 'Housing' as opposed to simply 'Shelter Homes', thus opening the scope for women's right to land, property and inheritance. 'Shelter' is still a traditional view, there exists a need to account for safe spaces especially in areas of conflict, post-conflict and natural disasters. States must look at providing women with Housing options in the long term, to enable them to live independently within communities and rebuild their lives.
- Expand GR 19's role as a normative instrument for safe urban spaces for women, influencing the way infrastructure is visualized and cities are being planned, drawing from SDG 11: Sustainable Cities and Communities.
- Create institutional mechanisms to review major urban projects through a gender lens.

Data Collection and Monitoring

Financing & Implementation

- Incorporate a call for concrete commitment from states for funding of legislative measures and services.
- Explicitly incorporate the need for states to review implementation of laws as well as allocation of sufficient funds.

- Elaborate on the need for greater accountability from member countries on implementation of legal frameworks and creation of implementation and monitoring systems.
- Address issue of implementation of laws with attention to grassroots level actors like panchayats, municipal bodies and local self-governments.
- Monitor the quality of implementation alongside establishing legislation and allocating resources.
- Ensure participation of civil society organizations in monitoring processes.

Sustainable Development Goals

- Make reporting on Sustainable Development Goals, and Goal 5 (which includes Target 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation) mandatory in Country Reports to the CEDAW Committee.

Annex:

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