

25 November 2013 – 10 December 2013

16 DAYS OF ACTIVISM - FREEDOM FROM VIOLENCE

In February 2013, a 20-year old mother of two was stripped naked, tortured and burnt alive in front of a crowd of fellow villagers after she was accused of practicing sorcery in the Highlands of Papua New Guinea.

During the same period, three sisters aged 5, 9 and 11 living in a remote Indian village were raped, killed and flung down a well and in South Africa, a 17-year-old girl was found horribly mutilated on a building site. She had been gang raped, and died hours later.

These stories are just some examples of the routine atrocities that women and girls continue to experience across the globe. Every day, OHCHR offices around the world receive reports of violence against women - the use of sexual violence as a weapon in armed conflict; forced marriages; honour killings; sexual harassment and rape; domestic violence; acid attacks; ambushes on women walking to a toilet or collecting firewood; so called “corrective” rape of lesbians; trafficking of young women; physical and psychological abuse of migrant domestic workers; torture in detention among many others.

While these cases prima facie appears to cases of victimhood, they are also stories of bravery, courage, and hope. In the first half of this year global outrage against widespread pervasive indifference to violence against women resulted in mass protests, from India to South Africa. Public demands for action to end these routine atrocities have inspired government leaders to make important statements of intent, and stung apathetic police forces into launching investigations.

In many ways, this year has become the year of women human rights, a year when men and women all across the globe have taken to the streets to make their voices heard in defence of women fundamental freedoms in particular the freedom from violence and the fear of violence.

So how did we get here? What has been and is being done to reduce and eventually eliminate violence against women world-wide? The following seminal moments are a look back at the last 50 years. Strikingly, they illustrate a story of human progress where the United Nations have led the way. This does not mean we should be satisfied with what we have achieved. The cup is more than half full with clear standards, mechanisms and tools that are designed to end violence against women; the rest needs to be filled with the political will to commit to implementation and cooperation.

During these 16 days, OHCHR says thank you to everyone - civil society, NGOs, individuals, private organisations, who have contributed and will continue to contribute however small, to strengthen the fight against gender-based violence.¹

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INTERNATIONAL AND REGIONAL STANDARDS

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1975-1985 Advocacy during the United Nations Decade of Women leads to increased prominence of the issue on the international agenda, with an initial focus on domestic violence, later expanding to cover various forms of violence against women such as domestic violence, trafficking and sexual exploitation, women in detention and during armed conflict.

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1979 The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was adopted (entered into force in 1981) and its Optional Protocol (2000). Though the original Convention did not explicitly mention violence against women and girls, General Recommendations 12 (1989) and 19 (1992) clarified that the Convention includes violence against women and makes detailed recommendations to States parties.

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Resolution on violence in the family adopted at the 1980 Second World Conference of the United Nations Decade for Women.

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1985 Third World Conference of the United Nations Decade for Women called for comprehensive national prevention and response efforts through legislation, policies, support to survivors and public awareness.

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25 June 1993, the Vienna Declaration and Programme of Action was adopted at the World Conference on Human Rights. The Declaration confirmed that all human rights are universal, indivisible and interdependent.

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1993 the United Nations High Commissioner for Human Rights published the Declaration on the Elimination of Violence against Women.

1993 The International Criminal Tribunal for the former Yugoslavia was established, which included prosecution of sexual violence within its mandate.

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1993 Vienna VDP

1994 The International Criminal Tribunal for Rwanda was established, which included sexual violence in its statute and made the first conviction of rape as a crime of genocide.

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1994 The Special Rapporteur on violence against women, its causes and consequences was appointed.

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1994 International Conference on Population and Development resulted in recognition of the linkages between violence against women and reproductive health and rights.

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1994 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) was adopted. It is the first and only legally binding instrument at the regional level on violence against women.

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1995 Beijing Platform for Action identified specific areas of action for governments to take in prevention and response to violence against women and girls.

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1995 Fourth World Conference on Women.

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1996 World Health Organization declares Intimate Partner Violence and Sexual Violence global public health problems

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1996 The United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (UN Trust Fund to End Violence against Women) was established.

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1998 The [International Criminal Court](#) was established, which prosecutes sexual violence and gender crimes within the context of war crimes, crimes against humanity and genocide.

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1999 25th November was designated United Nations International Day for the elimination of violence against women (which also marked United Nations formally joining the '[16 Days of Activism](#) against Gender Violence' proclaimed and commemorated by the international women's movement since 1991).

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2000 [Security Council Resolution 1325](#) was passed

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2002 South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and

Combating Trafficking in Women and Children for Prostitution, a legally binding instrument was adopted.

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2003 [Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa](#) was adopted, with a dedicated article on violence against women (4) in addition to references throughout the Protocol.

2004 The Commission on Human Rights appointed a [Special Rapporteur on trafficking in persons, especially women and children](#).

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2006 The Secretary-General's In-Depth Study on All Forms of Violence against Women was released, the first comprehensive report on the issue. The General Assembly adopts resolutions bi-annually since on the Intensification of efforts to end violence against women. The Human Rights Council adopts an annual resolution on accelerating efforts to eliminate all forms of violence against women.

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2008 The United Nations Secretary-General launches a global campaign, UNiTE to End Violence against Women.

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2008 The Security Council adopted the landmark Resolution 1820, the first devoted to addressing sexual violence as a tactic of war.

- **2009** The Security Council adopted Resolution **1888** on the issue of sexual violence in armed conflict situations. It established the Office of the Special Representative on Sexual Violence in Conflict. (appointed in 2010) and the Team of Experts.

- **2009** The Security Council adopted Resolution **1889**, which aims to strengthen implementation of Resolution 1325.

- **2010** The Security Council adopted Resolution 1960, reaffirming commitments to addressing sexual violence in conflict and establishing the monitoring, analysis and reporting arrangements (MARA) on conflict-related sexual violence in situations on the Council's agenda.

- **2011** Council of Europe Convention on preventing and combating violence against women and domestic violence adopted as the second legally binding regional instrument on violence against women and girls.

- **2012** UN General Assembly adopts the first-ever resolution which explicitly condemns female genital mutilation.

- **March 2013** Member States adopt agreed conclusions during the 57th Commission on the Status of Women on the prevention and elimination of all forms of violence against women.

- **June 2013** Security Council adopts resolution 2106, the sixth resolution on Women, Peace and Security, and the fourth one focused on conflict-related sexual violence.

The following are examples of emblematic judgments and decisions that have set legal standards concerning violence against women in the international human rights system. They have addressed inter alia, States obligation to act with due diligence in all settings and whether violence is committed by a State or private actor; multiple forms of discrimination; violence against women in the context of an armed conflict; the link between discrimination and violence against women; and the nature, definition, and scope of sexual violence.

I. Judgments of the Inter-American Court of Human Rights

2006 Miguel Castro-Castro Prison v. Peru

2009 González et al. v. Mexico ("Cotton Field")

2009 "Las Dos Erres" Massacre v. Guatemala

2010 Rosendo Cantú et Al. v. Mexico

2010 Fernández Ortega et al. v. Mexico

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II. Decisions of the Inter-American Commission on Human Rights

- 1996 March Raquel Martín de Mejía v. Peru
- 1996 X and Y v. Argentina
- 2001 María Eugenia Morales de Sierra v. Guatemala
- 2001 Ana, Beatriz and Celia González Pérez v. Mexico
- 2001 Maria da Penha Maia Fernandes v. Brazil
- 2007 María Isabel Véliz Franco v. Guatemala
- 2011 Jessica Lenahan (Gonzalez) et Al v. United States of America
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III. Judgments of the European Court of Human Rights

- 1992 Open Door and Dublin Well Woman v. Ireland -
- 1997 Aydin v. Turkey
- 2000 Jabari v. Turkey
- 2003 Y. F. v. Turkey; 2003 M. C. v. Bulgaria
- 2005 Siliadin v. France
- 2007 Tysiāc v. Poland
- 2008 Bevacqua and S. v. Bulgaria
- 2009 Salmanoğlu and Polattaş v. Turkey
- 2009 Opuz v. Turkey
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IV. Judgments of the International Criminal Tribunal for Rwanda

- 1998 Prosecutor v. Jean-Paul Akayesu
- 2003 Prosecutor v. Laurent Semanza
- 2005 Prosecutor v. Mikaeli Muhimana
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V. Judgments of the International Criminal Tribunal for the former Yugoslavia

- 1998 Prosecutor v. Delalić et al. - Čelebići
- 1998 Prosecutor v. Anto Furundžija
- 2001 Prosecutor v. Kunarac et al. - Foča
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VI. Judgments of the Special Court for Sierra Leone

- 2009 Prosecutor v. Sesay et al

VII. Decisions of the Committee on the Elimination of Discrimination against Women (CEDAW)

- 2005 A. T. v. Hungary
- 2005 Goekce v. Austria
- 2006 A. S. v. Hungary
- 2007 Şahide Goekce (deceased) v. Austria
- 2007 Fatma Yildirim (deceased) v. Austria
- 2008 Vertido v. the Philippines
- 2008 Da Silva Pimentel v Brazil
- 2008 V.K. v. Bulgaria
- 2009 L.C. v. Peru
- 2010 Karen Tayag Vertido v. The Philippines

FIRST TIMERS & MISCELLANEOUS

March 2012 Turkey becomes the first country to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence

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1964 the first women's shelter, Haven House opens in California. Later others opened in countries such as United Kingdom, Denmark, Canada, Netherlands, New Zealand and Australia. Today, the majority of countries across the globe have women shelters with similar ideals in mind.

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From 2001 to 2011, Guatemala documented nearly 6,000 cases of femicide meaning on average, one woman was murdered each day, every day, for the past ten years.

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Late 1960's, the killing of a wife, sister, or mother by a man upholding his "male honour" becomes a serious offence in Italy.

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Sweden was the first country to explicitly criminalize marital rape in 1965. Fifty-three countries around the world still don't consider it a crime.

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More than 125 countries have specific laws that penalise domestic violence. -

See more at:

<http://www.unwomen.org/en/news/in-focus/csw57-stop-violence-against-women/#sthash.zLvrnkwn.dpuf>

“We need to shake this global torpor and wake up to reality: every minute of every day, on every continent, women and girls are raped and abused, trafficked, tortured and killed. This doesn't just happen in far-away conflicts. It happens in sophisticated capital cities, as well as in small towns and villages and the house next door.”

--UN High Commissioner for Human Rights, Navi Pillay