

VIOLENCE AGAINST WOMEN IN POLITICS

Expert Group Meeting Report & Recommendations

8-9 March 2018 | New York, NY



UNITED NATIONS
HUMAN RIGHTS
SPECIAL PROCEDURES

SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

Mandate of the Special Rapporteur on violence
against women, its causes and consequences



UN
WOMEN



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

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In collaboration with the Inter-Parliamentary Union and
National Democratic Institute for International Affairs.

ABOUT THE MEETING

UN Women, the Office of the High Commissioner on Human Rights (OHCHR) and the UN Special Rapporteur on violence against women, its causes and consequences (Special Rapporteur or SRVAW), in collaboration with the Inter-Parliamentary Union (IPU) and the National Democratic Institute for International Affairs (NDI), co-organized an Expert Group Meeting (EGM) on Violence Against Women in Politics (VAWP) on March 8 and 9, 2018 in New York.

More than 40 experts attended the meeting, including: Members of Parliament (MPs) and local government; academics; gender equality advocates; and representatives of regional human and women's rights monitoring mechanisms, Electoral Management Bodies (EMBs), UN agencies and Civil Society Organizations (CSOs).

Convened at a time when gender-based violence (GBV) against women (GBVAW) was in the global spotlight, the EGM provided the space for a diverse, specialized and influential group of experts to identify institutional, advocacy and legal means to enable women to fully realize their political rights, and end impunity for those who seek to stifle or suppress them.

This report provides a précis of the EGM discussions. It contains key points and priority actions to inform partners' interventions, particularly the Special Rapporteur's forthcoming thematic report on VAWP to the 73rd session of the UN General Assembly.

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ABBREVIATIONS

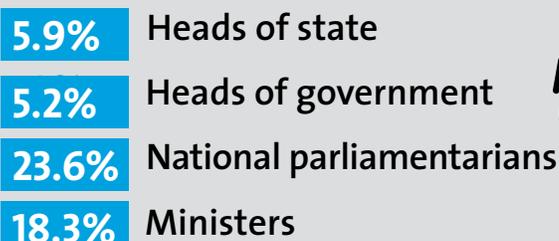
EGM	Expert Group Meeting
EMB	Electoral Management Bodies
EVAW	Ending Violence Against Women
GBV	Gender-Based Violence
GBVAW	Gender-Based Violence Against Women
SRVAW	UN Special Rapporteur on violence against women, its causes and consequences
MP	Member of Parliament
VAW	Violence Against Women
VAWE	Violence Against Women in Elections
VAWP	Violence Against Women in Politics

OPENING SESSION

Ms. Purna Sen, Director of Policy, UN Women, highlighted that GBVAW is receiving unprecedented attention with the adoption of the 2030 Agenda for Sustainable Development and its Target 5.2 to eliminate all forms of violence against women and girls, the #MeToo movement, and a renewed focus on sexual abuse and exploitation. Public awareness on VAWP, however, has been sporadic and belated.

for this, VAWP is the most tragic. Social media, she added, appears to be an especially frightening space for women in politics. Drawing attention to the case of Hon. Diane Abbott, a United Kingdom MP who alone received almost half of all the abusive Tweets sent to female MPs in the run-up to the 2017 general election,¹ she highlighted the potentially disproportionate experience of VAWP for women of color.

WOMEN IN POLITICS TODAY



Sources: women heads of state and government data (UN Women 2018); women in national parliaments, (Inter-Parliamentary Union 2018); women in ministerial positions (UN Women and Inter-Parliamentary Union 2017).

Mr. Andrew Gilmour, Assistant Secretary-General for Human Rights, OHCHR, expressed OHCHR's support for the SRVAW, who has decided to make VAWP a focus issue within her broader mandate. He named VAWP as a clear deterrent to women's political participation – be it voting, running for or remaining in elected office – and noted that available data and anecdotal evidence indicate a global backlash designed to roll back the progress made on women's rights.

He highlighted several illustrative cases: in the United States, among the revelations of the #MeToo movement has been the prevalence of sexual harassment experienced by women and perpetrated by men at all levels and in all branches of government; in Honduras, where Mr. Gilmour met last year with the family of murdered human rights activist Berta Cáceres; and

Underscoring that VAWP is a human rights violation and a violation of women's political rights, Ms. Sen

“ *The range of experiences of political life have been the stories of abuse, violence and the fear of violence that have impeded women's participation and full contribution to political life. Those are, of course, rights. And violence against women in politics is a violation of those rights. We won't have true democracy anywhere without the safe, full and equal participation of women.* **”**

— Ms. Purna Sen, Director of Policy, UN Women

held that women must be able to exercise those rights and bring their full value and contribution to public life “wherein major decisions are made, and major policies are shaped that impact whole societies.” She recalled that targets set by Member States to achieve gender balance in political leadership are unmet, and women are underrepresented at all levels of decision-making. Among the many reasons

in the United Kingdom, where in 2016 the world witnessed the assassination of MP Jo Cox, and where MP Jess Phillips received more than 600 rape threats on Twitter in a single night after joining a campaign to combat online bullying. He added that VAWP is not limited to high-profile women leaders but affects any woman who expresses opinions publicly.

¹ According to an Amnesty International study that also revealed Black and Asian women MPs received 35 per cent more abusive Tweets than their White colleagues (Medium 2017).

“On the Internet, it seems that almost any woman who dares express a political opinion exposes herself to a barrage of vitriol and threats. These online attacks can have grave offline consequences, from psychological and emotional harm to offline stalking and physical attacks.”

—Mr. Andrew Gilmour, Assistant Secretary-
General for Human Rights, OHCHR

He also recalled that women face violence and intimidation not just from strangers, but from their own families and communities. When women experience violence that keeps them from contributing to society, “we all suffer that loss.” It is therefore neither productive nor accurate to view this as a “women’s issue,” he argued, adding that men must act to support women family members, colleagues, friends and leaders in the struggle against VAWP. This is not only a matter

face discrimination: poor women, women from racial and ethnic minority groups, LGBTI women, and women from geographically isolated communities. VAWP is a human rights violation that compounds exponentially, she asserted: not only is it a violation of women’s human and political rights, it also diminishes policy outcomes by limiting the range of perspectives and ideas available in decision-making and deters other women and girls from participating in politics.

“Violence against women in politics is deeply damaging not only to women, but to all of us. Every vote that is not cast, every voice that is not heard, takes us farther from realizing our full potential as local and national polities and as a global community.”

—Mr. Andrew Gilmour, Assistant Secretary-General for Human Rights, OHCHR

of ensuring women’s basic human rights and fundamental freedoms, but also of recognizing that political systems benefit from the inclusion of women’s ideas and perspectives.

Dr. Dubravka Šimonović, Special Rapporteur on violence against women, its causes and consequences, decided to make VAWP an important element of her thematic work and the subject of her forthcoming report to the General Assembly, because, she said, “until now, we have insufficiently focused on violence against women by not including the political sphere.” She stressed that women who experience this violence are not only targeted because of their political activism, but also because they are *women* who are politically active. Risks of violence are heightened for those from marginalized communities who already

Highlighting the especially scant data available on VAWP, the Special Rapporteur explained how her work on VAWP is closely tied to other thematic priorities of her mandate, including: the use of data on VAW as a prevention tool; establishing a “femicide watch” to track gender-related killings of women; understanding and seeking solutions to end online VAW; and prioritizing cooperation between international and regional independent monitoring mechanisms for women’s human rights. She emphasized that VAWP is one area where international and regional cooperation would be key, adding that “[we] need to come together in implementing human rights instruments and supporting women in politics to push back against constant violent attacks.” She noted that this EGM marks the start of a long-lasting partnership.

“ *Make no mistake: this is gender-based violence, and its goal is stopping not just the individuals specifically targeted, but all women from expressing their political voice and agency.* ”

—Dr. Dubravka Šimonović,
Special Rapporteur on violence against women, its causes and consequences

OPENING SESSION

KEY POINTS:

- Violence against women in politics is GBV and a human rights violation that impacts on the whole society.
- VAWP is a deterrent to women’s political participation and political rights and processes, and policy outcomes suffer from the underrepresentation of women decision-makers.
- Women of color appear to be disproportionately affected, and risks are likely higher for women of marginalized communities.
- While international attention is overdue, there is high-level international support and commitment to prioritize, prevent and end VAWP, including through the independent mandate of the UN SRVAW.
- The EGM marks the start of a long-lasting partnership between UN agencies and international organizations, global and regional women’s rights independent monitoring mechanisms, academia and CSOs.

SESSION 1:

VAWP in the world today - causes and consequences

SESSION OVERVIEW:

What is violence against women in politics? What do we know about it, what are we still learning, and what are the most pressing needs to end it? What are the different approaches to conceptualizing and addressing VAWP by various stakeholders? This session provided an overview of VAWP in the world today, and key points for the EGM discussions.

MODERATOR:

Ms. Julie Ballington, Policy Advisor on Political Participation, UN Women

INTERVENTIONS BY PANELISTS:

Ms. Paddy Torsney, Permanent Observer of the IPU to the UN, shared results from IPU's 2016 study that provided data on sexism, harassment and VAW in parliament from 39 countries across five regions and 42 parliaments, as well as recommendations for parliaments to address VAW. Voluntary, confidential interviews with 55 women MPs confirmed that VAWP is experienced across countries and regions. Findings revealed the prevalence of psychological, physical and sexual violence perpetrated against women MPs inside and outside parliaments, sometimes from members of their own political party. Psychological violence (especially through social media) was particularly widespread; being young, a minority or an opposition member were aggravating factors.

Ms. Torsney argued that VAWP undermines parliamentary work and reinforces discrimination and negative stereotypes, impeding on women's ability to carry out their work safely and effectively. Solutions proposed by IPU and its member parliaments include:

- Instituting strong and strictly enforced laws on equality and combating VAW, including online violence;
- Creating a conducive environment and mechanisms to report and lodge complaints against all forms of GBV in parliament, ensuring clear process and meaningful consequences for those found to have violated codes of conduct;
- Establishing strong internal policies, structures and mechanisms in parliament, including those to ensure MPs' safety; and
- Changing the political culture, e.g. through women MPs' solidarity, engaging men parliamentarians, and working with the media and CSOs to educate the public, set the right examples, and denounce GBV and VAWP.

Ms. Sandra Pepera, Director for Gender, Women & Democracy, NDI, shared perspectives on VAWP gleaned from the roll-out of NDI's global advocacy campaign #NotTheCost, which aims to raise awareness about VAWP, pursue action to stop violence, and spread the message that violence is "not the cost of politics." NDI's work on VAWP also includes electoral assistance support through tools developed for citizen election

IPU STUDY ON VAW IN PARLIAMENT:

81.8% Experienced psychological violence

44.4% Received threats of death, rape, beatings or kidnapping

25.5% Experienced physical violence in the parliament

21.2% Of parliaments surveyed have a sexual harassment policy

38.7% Women MPs said VAWP undermined both their mandate implementation and freedom of expression

46.7% Feared for their security and that of their family

Source: IPU Issues Brief, "Sexism, harassment and violence against women parliamentarians" (Inter-Parliamentary Union 2016).

observer groups, offering reporting channels for victims of VAWP and online programming guidance. VAWP, she explained, appears to have at least three distinct characteristics: abuse of human rights, abuse of civil and political rights, and an undermining of democratic integrity. VAWP's primary intent is to deter women from being or becoming politically active. To illustrate this, Ms. Pepera cited examples from Latin America where after being elected, women were asked to relinquish their seats to men from their parties who received fewer votes. This, she argued, also constitutes an abuse of voters' rights. Underreporting by victims is another challenge. Women do not always report GBV, for fear or lack of awareness, and women in politics may have additional concerns around political loyalty, power or being viewed as unreliable partners within their political parties.

Dr. Mona Lena Krook, Professor of Political Science, Rutgers University, noted that consensus is emerging on VAWP: "it targets women because of their gender; its very form can be gendered, as exemplified by sexist threats and sexual violence; and its impact is to discourage women from being or becoming politically active." While some use different terminology to refer to this phenomenon, key elements include:

- *physical violence* (e.g. assassinations, kidnappings, beatings, property damage);
- *sexual violence* (e.g. rape, sexual harassment, sexualized threats);
- *psychological violence* (e.g. threats, character assassination, denial of salary, stalking and online abuse).²

Early research is revealing the implications of VAWP: there is evidence that misogyny and sexism in politics have short and long term negative effects on women's political engagement, such as dissuading many young women from pursuing politics as a career. There is, however, a growing global momentum to tackle VAWP, particularly in Latin America where Bolivia has passed a law criminalizing VAWP and similar legislation is being proposed elsewhere in the region. Some political parties have started to speak out. Networks of politicians, journalists and activists "are trying to lift the conspiracy of silence around these issues," as stated in a 2016 French manifesto against VAWP.

Dr. Gabrielle Bardall, Senior Gender Specialist, International Foundation for Electoral Systems (IFES), noted that women have been omitted from formal definitions of political violence and from empirical applications of the actions against it. Underscoring the "harm that exists at the intersection of violence, politics and gender," she argued that VAWP is complex and under-examined because it straddles the personal and political, and the violent acts possess traits of both politically motivated and gender-based violence. Its intent is not only to impact on an electoral outcome, but also to "punish the victims for entering the public realm." She reinforced that VAWP manifests as physical, psychological (including economic) and sexual violence, in public, private and online domains, cautioning that women also act as "silencers" of other women.

² Related is what Dr. Krook calls "semiotic violence," or sexualized and pornographic images that are rarely about the woman in question, but that are meant to objectify and shame women in front of the broader public, raising questions about the competence and appropriateness of women as leaders.

“Gender motivated political violence is a distinct form of violence that is motivated by a desire to repress, deter, control or coerce the political rights of its victims...due to [their] non-male hegemonic gender identities... to enforce patriarchal control of governing institutions. This is what we need to understand.”

—Dr. Gabrielle Bardall, Senior Gender Specialist, IFES

She stressed the need to take a gendered perspective on political violence itself to better understand the gendered nature of political conflicts, democratization, human rights issues and the protection of electoral security and integrity. Just as gender differences exist in the manifestations of civil war, terror or genocide – now well understood thanks to the Women Peace and Security agenda – violence in the political sphere has distinct patterns in forms, locations and frequencies according to gender. Therefore, she argued, it is critical to “change and formalize the ways in which practitioners and academics measure and engage in this field,” by developing indicators that reflect the universal nature of VAWP and examining the manifestations of both individual harm and systematic patterns that harm democratic processes and institutions.

DISCUSSION:

Discussions expanded on the view of VAWP as a form of GBV, further exposed gaps in research and awareness raising and, in reaction to IPU’s findings on VAW parliamentarians, put forward ideas for institutional responses. Experts agreed that VAWP is a form of GBV, but also that it is essential to understand VAWP as a political issue rooted in structural violence according to group membership, and perpetrated through cultural violence. Victim-blaming is central to the phenomenon of VAWP as men and women attempt to reinstate a challenged hierarchy of power and governance. VAWP is also normalized and de-prioritized, especially in conflict-afflicted contexts. The Internet has given the problem of GBV a new and more toxic life, and social media companies must take responsibility and action.

In response to what one expert called “a serious problem of awareness,” discussion emerged about the opportunity and growing acceptance within academia to merge feminist scholarship and traditional political science in order to advance VAWP as an important and valuable field of research in its own right. Conceptually, VAWP has been challenging to define and research because

it straddles two academic fields: political theory and feminist theory. While political conflict theorists tend to work with restrictive quantitative data sources, feminist

GOOD PRACTICES:

- The 135th IPU Assembly unanimously adopted a Resolution on “The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective,” (Geneva, 27 October 2016)
- The “We Said Enough” campaign calls attention to widespread sexual harassment in California politics.
- The political party federation Liberal International made a statement in 2016 to the UN Human Rights Council with a call to action to stop VAWP.

theorists have more systematically integrated quantitative and qualitative data in research. There is a need for capacity-building within academia and in translating data for policy needs, including in ‘local’ languages, and for making the explicit link between VAWP and the undermining of democratic integrity. Activism that runs parallel to programming and research and can leverage research and data to “give societies a shake” is crucial to motivate men and women to work towards change.

Pioneering legislative advances on VAW exist (e.g. working through existing criminal codes, information acts as they apply to online service providers, or Codes of Conduct for political parties or parliaments) but, as some experts acknowledged, they are insufficiently implemented, funded or enforced. The strategic design, implementation and parliamentary oversight of legal and institutional mechanisms to end VAWP are thus important. To build political will for legislative reform, good practices should be collected and shared, and responsibility must be taken at state level. The IPU and the Parliamentary Assembly of the Council of Europe

(PACE) are conducting a joint regional survey focusing on the experiences of female MPs and female parliamentary staff in the 47 European parliaments. The IPU is also developing guidelines and good practices to keep parliaments free from harassment and GBV. Political parties are key to

preventing VAWP and protecting and promoting political rights; however, within some political systems political parties are considered 'private realms' that cannot easily be regulated in terms of budgets, internal rules and procedures or campaign financing.

VAWP IN THE WORLD TODAY – CAUSES AND CONSEQUENCES

KEY POINTS:

- VAWP is GBV that manifests physically, psychologically and sexually, both online and offline; it manifests in many ways, but is universal in its intent and impact.
- The Internet has created new opportunities for women to express their views and engage politically, but also new ways for perpetrators to subject women to violence.
- Research on and policy responses to VAWP have been negligible until recently, in large part due to the location of VAWP at the intersection between feminist and political science scholarship.
- Without data, it is challenging to determine whether the incidence of VAWP is increasing.
- VAWP negatively impacts on the work of political institutions (e.g. political parties, parliaments, local councils) and undermines democratic integrity.
- Women MPs are among the most visible victims of VAWP; however, VAWP also targets local councilors, election staff, human rights defenders, and less correlated victims, e.g. friends and families of women candidates or public servants.
- Underreporting of GBV is common; victims of VAWP may have additional reasons for not reporting violence, such as fear of being viewed as politically disloyal or weak.
- Victim-blaming is a common feature in reactions to VAWP, used in the attempt to reinstate patriarchal hierarchies and punish women for entering politics in the first place.
- Freedom of expression is often used to justify VAWP. At the same time, VAWP may be a violation of the right to freedom of expression of those targeted by violence.
- Political parties can take action to prevent VAWP and protect and promote political rights.
- Activism and awareness raising campaigns are necessary and require constant momentum.

PRIORITY ACTIONS:

- Practitioners and academics must adapt and formalize their measurement of and engagement on VAWP, e.g. by developing indicators that reflect VAWP's universal nature.
- Build the capacity of practitioners and policymakers to analyze GBV politically and political violence with a gender perspective, translate data for policy needs (including in 'local' languages), and connect the absence of VAWP to democratic integrity.
- States, institutions and companies must take responsibility: states have a responsibility to address VAWP as a human rights violation; parliaments must ensure their institutions enable the participation and work of women MPs; social media companies and the courts must not protect online VAWP as "free speech."
- Collect and share good practices, e.g. in legal reform, parliamentary response, and research at national and international levels.

SESSION 2:

Accounts of VAWP and its manifestations

SESSION OVERVIEW:

How does VAWP manifest in diverse social, political and economic contexts, in both public and private spaces, both online and offline? How do women in politics experience and respond to harassment in their everyday work? This interactive session featured firsthand perspectives from women in politics.

MODERATOR:

Ms. Sandra Pepera, Director for Gender, Women & Democracy, NDI

TESTIMONIES:³

Hon. Margaret Jepkoech Kamar, Member of the Senate of the Parliament of Kenya, described the physical, psychological and sexual violence experienced by women throughout the electoral cycle in Kenya in 2017. VAWP was perpetrated by both women and men. Election observer reports indicated that VAW targeting candidates and voters was a serious issue, with observers having witnessed VAW against candidates during the campaign. Sexual violence was perpetrated through Twitter and edited images of women candidates circulated on the Internet. There was no centralized monitoring mechanism to track VAW in the elections specifically, but several platforms did track violence generally, e.g. a toll-free telephone line to report violence, women's lawyers' associations organizing a SMS platform for reporting cases of GBV during elections, and a hotline established to report electoral violence.

While these platforms reported electoral misconduct, the general electoral environment was not conducive

for women to report incidents of violence against them. Some women said they believed the violence was part of "doing politics," or that they did not believe anything would be done about it.

All political parties had signed a code of conduct, but enforcement was poor. The EMB made small improvements in its response to complaints, but otherwise did not have the capacity to respond adequately. Women who went to the police said they were told by security forces "we don't want to be involved in politics, we are police officers," and therefore could not help. Elections secretariat teams and prosecutors, focused on the general conduct of elections, did not adequately address specific offenses perpetrated against women candidates. Some women candidates decided to hire security teams, but this proved an unsustainable solution because their campaigns became more expensive.

Hon. Rossana Dinamarca, Member of Parliament, Sweden. Ms. Dinamarca's outspoken activism against neo-Nazi movements in the early 1990s through demonstrations, newspaper articles and public debates eventually led her to run for and be elected to parliament; it also made her a target of violence. She received her first rape threat when she was 18 from a

³ The information and opinions expressed within the testimonies summarized in this section are attributable solely to the respective panelists.

“ I felt showing fear is a weakness and weakness is nothing good...I had to admit to everyone that I was afraid. But when I did, it did not feel like [my perpetrator] was pleased; on the contrary, he was defeated. That’s when I learned showing feelings is never a weakness. It might be the strongest thing you can do. ”

—Hon. Rossana Dinamarca, Member of Parliament, Sweden

man who phoned in the middle of the night, calling her an “Arab lover and communist whore” and threatening to break in and rape her with a baseball bat. The police refused to act on a threat alone, and discouraged her from speaking about it publicly. She stopped reporting, but the threats continued and worsened, especially with the arrival of mobile phones and social media.

In 2013, a TV programme on which famous Swedish women broke the silence about threats they had received from men through text messages, emails and social media inspired Ms. Dinamarca to start talking about her own story. In 2015, a man who had threatened her for years was sentenced to three months in prison. It was the first time such a case went to court. It took years for the secret service to finally track him down. The police had wrongfully advised her that it would be impossible to find someone using hidden phone numbers or calling from a prepaid card; the secret service confirmed this was untrue. Ms. Dinamarca was not the only one the man had threatened;

Ms. Fátima Mena Baide, Councillor, Honduras, is a city councilor from San Pedro Sula. At the age of 28, she founded a political party. By age 29, she had run for and was elected to parliament (2014). Ms. Mena Baide did not recognize VAWP when she was active in her party as easily as she did once in office. As a parliamentarian, although she was the head of her party caucus in Congress, she was not given equal speaking time as the other caucus chairs. She and other women MPs were sidelined from leadership in important committees such as those on budget or security, and were denied office space, staff and budgets. Embroiled in an internal power struggle in her political party, she was targeted by a fellow member when he appeared on a well-known radio programme and called her incompetent for being a young woman and insinuated that she had reached her status in parliament by currying sexual favor with an older, male politician. The radio clip went viral, as did edited images of her on the Internet, which to this day she has been unable to remove.

“ The police explained to me that threats were something I had to learn to live with as a public person, and since I appeared in the local media, it was to be expected...Reporting is not always easy because it takes time and energy to be met by uninterested policemen who have nothing to say besides ‘case closed, no further investigation’ two weeks later... [But], it IS possible to find those who threaten and violate. It almost never happens, but when it does it shows others it is possible to report to police. ”

—Hon. Rossana Dinamarca, Member of Parliament, Sweden

thanks to several independent reports of other women who decided to come forward, the man, who had prior hate crime convictions, was connected to similar threats to ten other politicians. “It felt good,” she said, “and terribly hard.”

In 2017, another perpetrator who threatened her on several occasions through Facebook was sentenced. Other convictions against those who threatened journalists through social media have since been realized. All of this occurred in a short timeframe without any change to Swedish legislation.

When she ran for city mayor in 2017, more internal party conflict ensued; the electoral court dissolved her political party, and she ran as an independent candidate. She received a daily barrage of social media and text messages from false profiles, telling her to care for her child, threatening her by describing her whereabouts or her son’s, among others. She was attacked physically: she was hit, her hair was pulled by a congressman running for reelection and who was elected, she was threatened and told not to campaign in certain districts because there was an order to kill her. She decided to speak out and go

to the authorities, but a police report was never filed. Reporting the incidents within her own party proved a futile endeavor. She was followed by secret police on her way home. Ms. Mena Baide has reported most of the incidents of VAWP she has experienced, but only women's groups and gender equality advocates, backed by the international community, have showed her any tangible support.

Ms. Farahnaz Ispahani, Former Member of Parliament, Pakistan, started her political career alongside Ms. Benazir Bhutto, the first woman Prime Minister elected in a Muslim majority country, who was assassinated in 2007 and for whom death threats began immediately following her election. Ms. Ispahani described the compounded effect of the rise of Taliban, militarism, and sectarian groups in an already deeply

“ *When a man goes out and campaigns all day, greeting people, he is [considered] a hardworking public servant. When a woman does, [people say] ‘what kind of woman/mother is she...?’ Being a woman traveling to another city, with these accusations, creates domestic problems and challenges as well, where families ask you, ‘is it really worth it?’ They don’t hear you.* ”

—Ms. Fátima Mena Baide, Councillor, Honduras

“ *When we raise the issue of violence against women in politics, we are told, ‘well there are more important issues than that like the economic situation, massive rape in the Eastern part of the country, and men also are victims of violence.’ Or, they say, ‘it’s a male job, politics is violent and you wanted it, so don’t complain.’* ”

—Ms. Angèle Makombo, Political Party Leader, Democratic Republic of Congo

Ms. Angèle Makombo, Political Party Leader, Democratic Republic of Congo (DRC), described the challenges of convincing both men and women that VAWP is a serious issue and reality in all political parties in DRC, the so-called “rape capital of the world.” Strong laws and legislation exist (e.g. the 2006 law against sexual harassment), but are not applied. Many are doubtful that a code of conduct, currently being shaped by the EMB for the anticipated 2018 elections, will be respected. Women are not always supportive of raising VAWP as an issue in this context; with so many challenges to women's political participation, some suggest that as a strategy to win nominations, candidates should “keep quiet” about the violence they face. Ms. Makombo cited a case of a woman who ran for parliament in 2011 who, upon campaigning in her province, was brutally attacked by thugs sent by her opponent with instructions to “bring him back her breast.” ‘Revenge porn’ against women activists is also starting to circulate in DRC.

embedded patriarchal system. Acid attacks, rape, and so-called honor killings against women have increased over the last few decades in Pakistan. Any woman in public life in this context is a target, but what women experience as women legislators and civil society and human rights activists is, in Ms. Ispahani's experience, a different reality.

After living and campaigning in exile, she arrived in Pakistan with Ms. Bhutto and survived several life-threatening attacks, including the one that eventually killed the former Prime Minister. Upon entering parliament, Ms. Ispahani together with other women MPs managed to change more laws in favor of women's and children's rights in one five-year term than any other parliament. But the tenor of interactions with her own fellow party members had changed; male ministers and MPs made comments about women MPs' weight or spread rumors that if a woman smoked, she was “a prostitute or worse.” She was later threatened by men

“ *My name was on websites. I was accused of being sexually involved with the prime minister, and received death threats, because I was working on legislation on women in the workforce and acid attacks... [They] said ‘Shari’a covers all women’s rights, why do we need a law?’* ”

—Ms. Farahnaz Ispahani, Former Member of Parliament, Pakistan

“ Would I go into politics again? I am in politics. Politics is not just about holding office...it’s a lifelong mission, and when you take that on, you are in it for life... When in it every day...you keep fighting and aren’t aware of the psychological damage that’s happening. Boom, one day, you’re in exile, in jail...and that’s when the...traumas...appear, and those don’t go away. ”

—Ms. Farahnaz Ispahani, Former Member of Parliament, Pakistan

“ Would I go for it again? Definitely, yes. But I wouldn’t be so quiet as I was. I didn’t speak about [the violence] for 20 years. I would have wanted a different reaction and intervention from the police. Everything changed because we women started to talk about it. ”

—Hon. Rossana Dinamarca, Member of Parliament, Sweden

“ Without a doubt I would do it again. The authorities must intervene, but...police are sometimes not even aware that this represents political violence, [they] don’t even know the term. People need to understand what keeps women strong is knowing what they are experiencing: political violence, against them, because they are women. Many women do not have awareness. Until now, I didn’t identify this violence has a name. ”

—Ms. Fátima Mena Baide, Councillor, Honduras

with guns whilst distributing wheelchairs to disabled constituents, after which she hired 24/7 security detail as a MP. She currently lives in exile.

DISCUSSION:

Experts acknowledged that these stories exemplified the “heartbreaking reality” for women in politics, who suffer grave consequences for exercising their rights and holding political power. Discussions centered on what solutions might be viable in high-stakes contexts in which VAWP is perpetrated, noting that it should not be the sole responsibility of women to fight a system perpetuating GBV. When asked whether they would enter politics again if given the choice, the panelists replied with a resounding “yes.”

These experiences demonstrate that the roots of GBV and patriarchy are the same. Societies reproduce patriarchal power in private spaces through political power in public ones. This accounts for why it is so challenging to break the silence on the issue of VAWP. Women in politics – already facing many challenges in

their own parties, families and societies – must make strategic choices. It is difficult to talk about the violence one is experiencing, especially when politicians are expected to portray strength and a “thick skin.” This, however, is a “male perspective” and standard that reinforces patriarchal norms. While it is not just the women’s responsibility to denounce and redress violence, state institutions – whether the police, EMB, parliament, judiciary or media – are not always well equipped, informed or willing to help. Even when processes are in place for victims, the ways in which they are implemented risk “re-victimizing” the survivor.

Women’s organizations and international agencies, which can maintain impartiality and uphold human rights norms, therefore tend to be the first and most supportive ports of call for victims, albeit unsustainable solutions to a state-level systemic and structural problem. Nonetheless, the training, solidarity, capacity and empowerment building facilitated by women’s groups – including by women’s political caucuses with common agendas – constitute an undeniably powerful and necessary counter-force to VAWP.

ACCOUNTS OF VAWP AND ITS MANIFESTATIONS

KEY POINTS:

- There is empowerment in putting a name to an experience; many women in politics do not recognize, or have the vocabulary to describe, their experiences as VAWP.
- VAWP victims may be afraid to speak publicly and may face additional disincentives to report incidents, e.g. political backlash, defamation, family impacts, marginalization within their own parties, showing weakness, receiving criticism that they are ‘not up to the job,’ or the humiliation and frustration of not being taken seriously by police.
- Reporting incidents can be traumatic in itself, especially when institutions like the police, judiciary, EMBs or political parties do not take VAWP seriously, or respond inadequately or without impartiality.
- Although men are the main perpetrators, VAWP is perpetrated by both men and women, including by fellow and sister political party members who seek to silence and marginalize women as they gain visibility and influence.
- Online and phone stalking appear to have a ‘gateway impact’ from the virtual to the physical world; perpetrators do not necessarily work alone, but as members of online networks.
- Threat levels against the women in politics on this panel appeared to increase the more they were outspoken, visible and influential in terms of policy-making.
- Many incidents of VAWP occur with impunity due to lacking state and institutional mechanisms to follow up on claims; beyond issuing a report, press conference or article, it can feel impossible for women to seek justice.
- Women’s organizations, women’s political caucuses, women’s lawyers’ associations and international organizations are important allies and advocates for VAWP victims.

PRIORITY ACTIONS:

- Create safe spaces for women where they can trust their stories and claims will be heard and dealt with expeditiously; this includes women’s organizations, but must also exist within state institutions with the power to protect women from violence, punish perpetrators and provide long-term psychological support for victims who experience after-effects.
- End the culture of silence and impunity around VAWP through more training for police who have the tools and knowledge to track down perpetrators, but may not recognize VAWP as a form of violence and a crime, particularly in the absence of physical assault or specific criminal laws against VAWP.
- Work with and build awareness within the media, which has the power to promote a violence-free culture and set standards, but which often perpetuates harmful stereotypes about women in politics or continues the cycle of violence, e.g. by reprinting damaging words or images.
- Encourage more women to come forward and break the silence on their own experience of violence, which may inspire others to do the same; speaking publicly about incidents has cascading effects.
- Build solidarity among women in politics – in parliaments, cross-party movements and civil society – and empower them to create a common agenda to fight all forms of GBV against women.

SESSION 3:

Applying existing normative frameworks on Human Rights & VAW with a focus on regional perspectives

SESSION OVERVIEW:

How are women's rights to equal participation in political and public life, and to live a life free from violence, established? How is VAWP situated within the UN international human rights framework, and how are women's rights impacted when VAWP takes place? In this extended session, the Special Rapporteur convened global and regional monitoring mechanisms on human and women's rights to reflect on their approaches to VAWP within their respective mandates, and identify opportunities for coordination to maximize communication and reporting on VAWP.

MODERATOR:

Dr. Dubravka Šimonović, Special Rapporteur on violence against women, its causes and consequences

INTERVENTIONS BY PANELISTS:

Professor Ruth Halperin-Kaddari, Vice-President, CEDAW Committee, reiterated that women's participation in political life and equal voice is "desperately needed" for sustainable development. CEDAW is one of ten UN treaty bodies tasked with overseeing the implementation of various human rights Conventions. With 189 States Parties, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has almost universal ratification.⁴

Professor Halperin-Kaddari outlined the process for Member States reporting,⁵ adding that "alternative" or "shadow reports" from civil society also serve as sources of information on which the CEDAW Committee relies to make critiques and recommendations. The Committee also receives reports from international organizations, e.g. UN agencies or IPU. After evaluating all sources, the Committee conducts a one-day dialogue with States Parties in Geneva, exchanges questions and answers, and formulates concluding observations and statements containing an assessment of progress, positive aspects and recommendations for what the respective State Party must do to improve the implementation of the Convention.

4. Information on Ratification, Accession and Succession available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8-b&chapter=4&lang=en

5. The CEDAW Committee, composed of 23 independent experts nominated and subsequently elected by their respective Member States, is tasked with monitoring the implementation of the Convention. It meets three times per year over three sessions and receives periodic reports from States Parties to CEDAW (approximately every four to five years) in which the State Party conveys information on the status of women in their country and responds to a list of questions from the Committee sent one year prior. The Committee then scrutinizes and assesses each State's progress.

“ *When we receive information [on VAWP], we implement it... we need to strengthen our ties with civil society everywhere who can provide information and draw our attention to this form of violence where it is pervasive. As the Committee, we also need to include VAWP in our guidelines for States Parties and NGOs on how to report against CEDAW and actively seek information.* **”**

—Professor Ruth Halperin-Kaddari, Vice-President, CEDAW Committee

The CEDAW Committee, tasked with interpreting the Convention as a living instrument, is developing its own *juris prudencia* and normative framework for gender equality and ending VAW by periodically proposing general, thematic recommendations. In 2017, the Committee proposed General Recommendation 35 on GBVAW, a 20-year update on General Recommendation 19, which was a groundbreaking instrument in conceptualizing GBVAW as discrimination against women. General Recommendation 35 recognizes that the need to eradicate GBVAW is now considered an international norm, addresses crimes against women, acknowledges that VAW stems from social, political and cultural factors, and urges States to pay attention to these forms of violence.

CEDAW AND VAWP

VAWP is not addressed specifically in the Convention or in General Recommendation 35, as the Committee decided not to differentiate all forms of GBVAW. The Committee, however, is beginning to tackle the issue of VAWP in its concluding observations of State Parties' reporting. Six cases have included VAWP since 2012:

1. *The Bahamas (2012)*: The Committee expressed deep concern about the persistence of adverse cultural norms in the workplace, politics and society and recommended comprehensive strategies be put in place without delay (paragraph on stereotypes and harmful practices).
2. *Togo (2012)*: The Committee urged Togo to implement without delay the recommendations of the Truth, Justice and Reconciliation Report on political violence, including on VAW, and to ensure that those responsible for the violations of women's human

rights during the pre-electoral period were brought to justice. This was the first time that clear information on VAWP was presented to the Committee from both the State Party and other entities (paragraph on VAW).

3. *Bolivia (2015)*: The Committee commended Bolivia for being the first country to enact legislation on VAWP, and recommended that the State adequately prosecute perpetrators and implement programmes to combat harmful stereotypes and ensure the law is enforced (paragraph on political and public life).
4. *Honduras (2016)*: The Committee mentioned IPU's study on VAW in parliaments for the first time after the IPU approached the CEDAW Committee with that information.
5. *Costa Rica (2017)*: The Committee recommended expediting the passage of a draft law to “combat political harassment and political violence against women” (paragraph on political and public life).
6. *Italy (2017)*: The Committee expressed concern that women in politics were targets of sexual harassment and sexist attacks and recommended that the State consider the adoption of specific legislation to address VAWP.

Professor Halperin-Kaddari emphasized that if VAWP as a form of GBVAW is pervasive, and States are failing to address it, there is recourse to ask the Committee to examine this issue and engage in inquiry to States Parties. She cited other mechanisms within CEDAW under the Optional Protocol, which allows for both individual

“ *I was surprised to discover the first time the CEDAW Committee mentioned violence against women in politics specifically was as late as 2012. I think this really proves the lack of awareness, even in this most important body in securing and safeguarding women's rights on the international level.* **”**

—Professor Ruth Halperin-Kaddari, Vice-President, CEDAW Committee

petitions and State cases, e.g. a 2015 inquiry to Canada on killings of indigenous women.

Ms. Soyata Maiga, Chairperson, African Commission on Human and Peoples' Rights (ACHPR), noted that while there is no specific document addressing VAWP within the African regional human rights system, the African Charter on Human and Peoples' Rights, the Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa (the African Women's Protocol, or Maputo Protocol), and the African Charter on Democracy, Elections and Governance altogether provide the framework for norms, guidelines and standards for women's empowerment and gender

in the region, particularly sexual violence, stressing the need for more scholarship on the matter. Beyond general provisions in the *Protocol* or in international criminal law instruments, such as the Rome Statute of the International Criminal Court, that guarantee women's political rights and prohibit all forms of VAW, applicable legal frameworks in Africa say little on VAWP specifically.

Nonetheless, Commissioner Maiga acknowledged that obligations of States Parties to the African Women's Protocol are designed to protect women against all forms of violence, including VAWP, and stated her belief that existing provisions of international human

“ This is our duty...we have undertaken 25 missions to inquire about rights of women in Africa... but we must collaborate with all rapporteurs on rights of women. ”

—Ms. Soyata Maiga, Chairperson, ACHPR

mainstreaming in the region. These documents contain gender equality principles and recognize that women's political participation is critical to the development of democracy. The Maputo Protocol, which came into force in 2005, has enabled African states to put in place a defined framework on ending VAW. Many of its provisions address VAW and establish various legal reform obligations. Chief among these is Article 4(2), which obliges States Parties to “enact and enforce laws to prohibit all forms of violence against women.” States Parties are also required to enact legislative and other measures aimed towards preventing, punishing and eradicating all forms of VAW. Additionally, the general prohibition of harmful practices against women in Article 5 of the Protocol offers protection in cases of VAW.

THE MAPUTO PROTOCOL AND VAWP

Commissioner Maiga explained the process for Member State reporting. Expounding on the many constraints to women's political participation in Africa – ranging from inhibiting electoral systems, poorly enforced quota laws, conservative backlash and harmful traditional practices – she noted that the lack of data and regional policies on VAWP are major challenges. She noted that African human rights bodies appear to have been outpaced by the rise in VAWP

rights treaties can be used to provide protection for women who experience violence as a violation of their political rights. However, it is critical that States comply with due diligence obligations and implementation of quotas or other electoral reform measures to increase women's participation, effectively reducing the “taboo” of women in politics, and hopefully, the potential for violence. Notwithstanding, treaty bodies and States must work towards acquiring data on incidents with a view towards legislative and policy change specifically aimed at ending VAWP.

Mrs. Margarette May Macaulay, Special Rapporteur on the Rights of Women, Inter-American Commission on Human Rights (IACHR),⁶ called attention to the role regional mechanisms can play in ensuring States adhere to agreed principles and standards, even when ratification or implementation of regional treaties is patchy. The IACHR has adopted jurisdiction over countries which have not ratified the American Convention on Human Rights by applying the Convention's standards and principles. While States can argue the Convention is nonbinding, their participation in public hearings is nonetheless indicative of their participation in processes to which the Convention's principles can be applied. Unlike the CEDAW Committee or the

⁶ An autonomous organ of the Organization of American States (OAS) whose mission is to promote and protect human rights in the Western hemisphere.

“ There has not been any notable *juris prudencia* on VAWP in the region – though we will after this meeting – and that is the difficulty, because like with women’s reproductive and sexual rights, the [Inter-American] Commission didn’t take it up until 2006 because it was mostly men present and they just ignored petitions dealing with cases of rape...[But] women are being slaughtered [for being in politics and holding certain views]. That’s what we have to call it. ”

—Mrs. Margarette May Macaulay, President, IACHR

ACHPR, the IACHR has neither the mandate nor the capacity to receive regular country reports. It does, however, hold *ex officio* hearings on any area related to human rights requested by civil society or groups of individuals, or trials on the “petition system” which take place after domestic remedies are exhausted. If the State fails to abide or implement human rights law or principles, the matter is sent to the Inter-American Court of Human Rights. The decisions of the Court are as binding on the State as if they were national judgements and must be executed in the same way as national judgments. Both the Inter-American Convention and other international human rights instruments, e.g. the Belém do Pará Convention, recognize the importance of guaranteeing women’s access to services in their countries and participation in public affairs. These instruments establish the States’ commitment to guarantee women’s full and equal participation in public life, recognizing it as essential for democratic principles and standards.

IACHR AND VAWP

While there has been no notable *juris prudencia* on VAWP at regional level, the Commission receives petitions from both men and women political candidates who say they were prevented from holding office by their governments. Mrs. MacCaulay also noted the prevalence of physical, psychological and sexual violence in the region, the murders of women politicians, and the severe underrepresentation of indigenous women and women of African descent in politics due to traditional social exclusion. Psychological violence, which constitutes a common form of VAWP in the region, such as by threatening the families of women in politics or political parties denying women candidates funding, has fallen outside of the Commission’s jurisdiction.

Highlighting Bolivia’s groundbreaking legislation on VAWP, Mrs. MacCaulay suggested that other countries in the region can learn from this example of having established the necessary mechanisms to prevent and respond to VAWP. The IACHR can also communicate it as a good example for other countries to emulate.

Ms. Sylvia Mesa Peluffo, President of the follow-up Mechanism to the Belém do Pará Convention (the Mechanism or MESECVI), outlined several tools developed to eradicate VAWP. MESECVI is a permanent, multilateral evaluation methodology based on exchange and technical cooperation between each States Party to the Belém do Pará Convention⁷ and a Committee of Experts. MESECVI analyzes progress in the implementation of the Convention by the States Parties, as well as persistent challenges to an effective State response to VAW. While there has been a tendency in Latin America to refer to ‘political violence,’ Ms. Mesa Peluffo clarified that MESECVI’s preference is to consider the issue as VAWP, because its conceptual approach is rooted in GBVAW.

The Declaration on Violence and Political Harassment against Women (2015) declared the need to “promote the adoption, where appropriate, of norms (...) for the prevention, care, protection, and eradication of political violence and harassment against women.”

THE MODEL LAW ON VAWP

In 2015, the Mechanism issued a landmark Declaration on Violence and Political Harassment against Women, which has led to the elaboration of a “model law” on VAWP. The Model Law is intended as a tool for moni-

⁷The 1994 Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Convention of Belém do Pará, defines VAW, and establishes that women have the right to live a life free of violence and that VAW constitutes a violation of human rights and fundamental freedoms.

“ *The appraisal and parliamentary immunity of public servants who are denounced for an act of violence against women in political life will be suppressed in cases in which the respective investigations establish direct responsibility for the crimes foreseen in this law.* ”

—Ms. Sylvia Mesa Peluffo, President of MESECVI

toring and curbing violence that occurs in the public sphere, in accordance with the follow-up MESECVI recommendation to advance the harmonization of national legislation with the *Belém do Pará* Convention. It is particularly innovative in that it:

- Explicitly defines VAWP as “any action, conduct or omission, carried out directly or through third parties that cause harm or suffering to one or more women based on their gender, and whose purpose or result is to undermine or cancel the recognition, enjoyment or exercise of your political rights;”
- Considers VAWP as a form of violence at the international level;
- Provides the first definition of the problem considering both the international and the inter-American legal frameworks (e.g. CEDAW and *Belém do Pará* Convention);
- Establishes the link between VAWP and equality by stating outright that VAWP’s elimination is a pre-condition of equality;
- Extends protection to all women who participate in the public sphere (whether elected or appointed, human rights defenders, etc.); and
- Expresses special concern for the protection of VAWP victims at the local level.

The Model Law furthermore outlines the public entities responsible for preventing and responding to VAWP, namely: National Women’s Machineries; EMBs; political parties and organizations of political representation; other public bodies, e.g. the Ministry of Justice and competent courts, ombudsperson’s offices and Ministries of Economy and Education; and the media.

The Model Law includes protective guarantees through *common provisions* (e.g. due diligence, summary proceedings, denunciation by third parties with

consent, protection of the electoral campaign period, obligation to denounce public servants, prohibition of conciliation in the resolution of crimes, resolution of cases against indigenous women with an intercultural approach) and *protective measures* (e.g. restrict aggressors access to victim’s location, escorts, risk analysis and security plan, withdrawal of violent campaign, suspend electoral candidacy of the aggressor, suspend the election of a candidate, suspend employment or public office of the aggressor). It pertains not only to women who participate in political life, but also to women aspirants and political party members, voters, civil society activists and human rights defenders.

Critically, the Model Law includes provisions on violations, sanctions, aggravating factors and reparation. Depending on the severity of the manifestations of violence (Art. 6), the Model Law distinguishes between “grave misconduct” and “very grave misconduct” and “crimes.” Sanctions for misconduct include: public or private warning; suspension of employment or public office and/or salary; penalty fee; withdrawal of mes-

MODEL LAW ON VAWP REPARATION MEASURES:

Full satisfaction of rights of victims must be guaranteed, as well as that of their relatives and community, with the guarantee of non-repetition of the acts. The following are considered measures of reparation, among others:

- **compensation of the victim;**
- **immediate restitution in the position from which she was forced to resign on grounds of violence;**
- **determination of security measures and others to ensure the exercise of the position;**
- **retraction of offenses against women victims of violence.**

sages contrary to norms. Criminal sanctions include as punishment the “political disqualification of the aggressor plus the pre-established penalties for these crimes aggravated by a third party.”

Next steps for the Model Law include: distribution to States Parties (2018-2020); releasing a Model Protocol of Political Parties to Prevent, Punish and Eradicate Violence against Women in Political Life (2018); publishing a Guide for Judges with a Gender Perspective in the Electoral Field: the case of Violence against Women in Political Life (2018); and training Electoral Courts on VAWP (1st edition Mexico, 2018).

Ms. Marta Martínez, Specialist, MESECVI, expanded on the intervention of Ms. Mesa Peluffo to describe several tools currently in development to protect women from VAWP in the Latin America and Caribbean (LAC) region. In addition to the Model Law, these include a Model Protocol for Political Parties, a Guide for Electoral Courts, and a Workshop Series on “Identifying VAWP.” The Model Protocol of Political Parties to Prevent, Punish and Eradicate Violence against Women in Political Life is based on an existing Mexican judicial protocol on VAWP.

THE MODEL PROTOCOL ON VAWP

The Model Protocol includes a “test” for judges to determine whether a violent act is indeed VAWP. A list of questions accompanies each criterion. A series of workshops for judges were organized to apply the test for identifying acts of violence, revealing a general lack of awareness among judges about gender concepts. In response, MESECVI is continuing to work on a list of gender-sensitive legal training for judges so they can more easily identify acts of VAWP.

The Guide for Electoral Courts includes the same test and addresses VAWP perpetrated by the State, intersectionality (particularly as it pertains to indigenous women), and freedom of expression. On the latter issue, Ms. Martínez cited several cases in Latin America

MODEL PROTOCOL FOR POLITICAL PARTIES

Two criteria for judges to determine whether a violent act is VAWP:

- (1) the act is addressed against the woman because she is a woman, and/or the act has been aggravated for being a woman, and/or the act has affected the woman disproportionately
- (2) the violent act has the effect or the purpose of impairing or nullifying the political rights of women.

in which claims against VAWP were considered inhibitive of the perpetrators’ freedom of speech. Thus, there is a need to better understand how free speech and VAWP interact.

Ms. Martínez noted with enthusiasm that the IACHR expressed commitment to work on VAWP, adding that Member States need guidelines. She also detailed plans for rolling out the draft Model Protocol for political parties in Mexico and Ecuador, and other countries in the future.

Ms. Melissa Upreti, Member, UN Working Group on the issue of Discrimination Against Women in Law and in Practice (WGDAW), described the work of the Working Group, a special procedure of the Human Rights Council (HRC) established in 2010 with a broad mandate to consider discrimination against women in law and practice. WGDAW examines how States apply, operationalize and interpret international law; issues reports on HRC resolutions and in response to urgent appeals; communicates directly with Member States through letters and, if no response is received, issues press releases. The Working Group also issues questionnaires and surveys to solicit information from

“UN special procedures provide a flexible and useful tool for addressing human rights concerns like violence against women in politics. There is a role for cooperation and collaboration on this issue. It’s global and cross cutting, relevant to the mandates of many organizations and mechanisms. When the Working Group has taken action, we have done so in collaboration. Would like to continue to do so with other actors.”

—Ms. Melissa Upreti, Member, WGDAW

governments and civil society. It meets three times per year in both Geneva and New York and conducts country visits when a “deep dive” into issues that pertain to women’s rights is necessary. Working Group members are mandated by the HRC to promote and exchange views in consultation with State actors on good practices, and to develop a dialogue with States and other actors. To promote legal reform, the Working Group makes recommendations on improvements to and implementation of existing laws, and the elimination of discriminatory practices.

In 2013, the Working Group issued a thematic report on discrimination against women in public and political life with a focus on political transition. It highlighted the persistent use of cultural rights to curtail women’s political agency, challenged traditional ideas of what is appropriate for women, and identified a spectrum of forms of violence that undermine women’s ability to participate in this sphere. Since the report, WGDAW has continued to engage on the question of women’s political participation, studying this element in every country, for example: in Tunisia, WGDAW highlighted threats and stigmatization of women in politics; and in Hungary, it noted harassment of and attacks on women in NGO advocacy for the rights of women and LGBTI persons. The Working Group has also sent several direct communications to States on issues relating to GBVAW, including a statement on protection for women human rights defenders.

Professor Dr. Feride Acar, President, Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), detailed relevant aspects of the Council of Europe (CoE) Convention on preventing and combating violence against women and domestic violence (known as the Istanbul Convention), and the role of GREVIO in monitoring its implementation. The Convention was adopted and opened for signature in 2011; as of today, it has been ratified by 28 of 47 Member States of the CoE and signed by an additional 17 states and the European Union itself.⁸ GREVIO is the Convention’s monitoring mechanism, currently composed of ten members;

following Germany’s ratification, an additional five members will be elected in 2018.

The Convention preamble recognizes that “violence against women is a manifestation of the historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women,” effectively identifying the structural relationship between VAW and gendered inequality. Furthermore, because *de jure* and *de facto* equality between women and men is a key element in the prevention of VAW, the Convention emphasizes the importance of laws for prevention. Critically, it concedes that women and girls are exposed to higher risk of GBV than men, thereby recognizing the need to address VAW as a priority rather than taking a gender-neutral approach to GBV, as it is sometimes the approach in Europe.

The Istanbul Convention does not address the issue of VAWP specifically. Dr. Acar explained that this may be due to a lack of awareness, but clarified that the Convention is organized around critical concepts or definitions and is “operationally oriented” towards investigation, prosecution, procedural law and protective measures of the State to address VAW. By not speaking about specific groups of women, the Convention takes a holistic approach, she argued.

ISTANBUL CONVENTION ARTICLES RELEVANT TO VAWP

- *Article 3 defines VAW* as a violation of human rights and formal discrimination against women and details that it “shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.” This can be understood to include GBVAW in the political sphere and, therefore, Member States that have ratified the Convention are obliged to take measures to promote and protect the rights of women in politics.
- *Article 17 on prevention* calls on States to encourage the private sector and media to set guidelines and

⁸ Several countries are close to ratification despite evidence of backlashes against the Convention which may delay the process (e.g. Bulgaria, Ireland, Czech Republic, Croatia, Ukraine), while others have received baseline evaluations (Austria, Monaco, Albania, Denmark), are currently undergoing monitoring (Montenegro, Turkey), or are queued for ratification (Sweden, Portugal). Only two CoE Member States have neither signed nor ratified the Convention, namely the Russian Federation and Azerbaijan.

“Despite the explicit absence of its mention, freedom from violence against women in politics is protected by the Istanbul Convention in both letter and spirit.”

—Professor Dr. Feride Acar, President, GREVIO

standards to enhance respect for the dignity of women and prevent VAW. This might include, e.g. that the government should encourage social media companies to address cases of GBVAW.

- *Articles 33 and 34 on substantive law* requires all States who have ratified the Convention to criminalize psychological violence and stalking, which are of concern to women in politics, both online and offline.
- *Article 40 on sexual harassment* addresses “unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment,” which is understood to include spreading untruthful information. The Article also stipulates that these are subject to criminal and other legal sanctions.

DISCUSSION:

Recognizing the challenges of implementing legal frameworks for women’s rights and the lack of explicit attention to VAWP in law and practice and in global and regional monitoring, a debate followed about the available means, legal and procedural, to seek justice for victims of VAWP and to hold States accountable. Consensus emerged that even where VAWP is not explicitly mentioned in legal frameworks, or in the absence of standalone, national laws on VAWP, there is sufficient scope within international normative frameworks to cover VAWP as a form of GBVAW, although more can be done to issue specific provisions, protocols, guidelines or recommendations on VAWP

to guide States and survivors. It was also agreed that, despite the apparent implementation gap of norms and standards and lack of awareness among regional mechanisms, there is now an effort to better connect agendas and speak with a unified message that VAWP is a violation under CEDAW, the Maputo Protocol, Inter-American Convention, *Belém do Pará* Convention, Istanbul Convention, and so forth.

Many agreed on the benefits of using the flexible instrument of a Model Law to encourage the adoption of national, standalone laws on VAWP, acknowledging that the establishment of laws against VAWP can not only stipulate punishment or sanctions, but also establish a cultural change by signaling that the State will not tolerate it. The process of developing and passing standalone laws on VAWP, however, can prove difficult and lengthy, so other options should also be considered to ensure swifter justice.

These can include:

- Using case law and applied norms and standards, e.g. through ratified conventions, to prosecute and hold States accountable, particularly when national constitutions recognize supremacy of international conventions like CEDAW;
- Examining existing criminal, civil or tort law for other model laws that could be applied, e.g. Belgium’s recent anti-sexism in public spaces law;
- Reporting incidents to parliamentary associations’ human rights committees⁹; or
- Working with EMBs to apply codes of conduct.

⁹ For example: the IPU’s established Committee on Human Rights of Parliamentarians and regional parliamentary bodies like the Commonwealth Parliamentary Association, CARICOM, Parlantino or Francophonie can also receive complaints.

APPLYING EXISTING NORMATIVE FRAMEWORKS ON HUMAN RIGHTS & VAW

KEY POINTS:

- Due to lacking awareness and data, VAWP has largely been ignored in international human rights treaties and by human rights monitoring mechanisms until recently, but nothing precludes VAWP from being addressed specifically in normative frameworks.
- Despite their specific omission of VAWP, normative frameworks on women's rights and ending VAW cover VAWP in "both letter and spirit;" thus, existing provisions on protection from all forms of GBVAW in international human rights treaties to which States are party can be used to provide protection for VAWP victims.
- UN special procedures provide a means for addressing human rights concerns like VAWP, and there is a clear role for cooperation and collaboration across global and regional independent mechanisms on an issue as cross-cutting as VAWP.
- Model laws are flexible instruments that can help States adopt or amend existing laws. Where stand-alone model laws are not feasible, case law and international law can be leveraged; where ratification and implementation of international and regional human rights treaties are patchy, regional mechanisms can ensure that States adhere to agreed principles and standards.
- The increasing presence of women in politics and in human rights mechanisms is helping to bring the issue of VAWP to the fore; reinforcing States' obligations on the protection and promotion of women's political rights broadly, including the implementations of quotas, is part of the solution.

PRIORITY ACTIONS:

- Increase collaboration and cooperation between independent international and regional mechanisms dealing with women's rights, including through joint missions and press releases, launching communications about VAWP in a State or region, and engaging with other regional bodies, like social and economic commissions.
- Respond to the SRVAW's "open call" to impart views and recommendations on the issue of VAWP, as well as submit relevant reports, information and data to be centrally displayed on the website of the Special Rapporteur.
- Enforce States' obligations regarding women's right to live a life free from violence and right to equal participation in political and public life; this could include a specific CEDAW General Recommendation on VAWP.
- Adopt specific instruments and guidelines addressing VAWP at global, regional and national levels to assist States, whilst offering treaty bodies the modalities for assessing a State's obligations.
- Submit cases of VAWP from and to appropriate independent mechanisms with a relevant mandate, including CEDAW Committee, SRVAW, WGDRAW, communications procedures, regional mechanisms, the IPU Committee on Human Rights and/or other parliamentary associations, UN agencies, and CSOs, and include VAWP reporting guidelines for States Parties and civil society.
- Conduct training for judges and lawyers to raise their awareness about VAWP and gender concepts and concerns, and better understand what tools they need to issue decisions and litigate on VAWP.
- Encourage civil society and all groups that can provide information on VAWP to strengthen ties and communication with the CEDAW Committee, and include VAWP in CEDAW reporting guidelines to States Parties and NGOs.
- Collect more examples of existing, model and case laws, including the process of developing, adopting and implementing such laws to establish good practices on applying existing normative frameworks to VAWP.

SESSION 4:

National legal and policy advances on VAWP

SESSION OVERVIEW:

How are different countries and societies responding to VAWP through legal and policy measures? This session took stock of legislative and regulatory advances as well as lessons learned from their implementation.

MODERATOR:

Ms. Marta Martínez, Specialist, MESECVI

INTERVENTIONS BY PANELISTS:

Ms. Katia Uriona, President, Supreme Electoral Tribunal, Plurinational State of Bolivia, described how the country's landmark advancements on addressing VAWP are closely linked to broader democratization and social inclusion movements, particularly for women and Bolivia's self-recognized indigenous population of more than 60 percent. The 2009 Constitution recognizes the equal civil, economic, social and political rights of women and indigenous persons in more than 36 articles. Bolivia also has adopted a legal system of "parity" in the composition of different State bodies and institutions, to be applied at all national, regional and local levels and across various sectors, including the national parliament. Both the Constitution and electoral law mandate that every candidate list submitted for election must include 50 percent women, with women and men evenly distributed on lists to prevent women from being placed only at the bottom. The legal framework also specifies that 50 percent of both the first and second candidates listed across a political party's tickets must be women to guarantee gender parity in electoral outcomes. Lists that do not

meet these requirements are rejected by the EMB. Ten years after these structural changes for women's rights and social inclusion began, Bolivia's proportion of women in parliament is the second largest in the world, and the first in the Americas.

BACKLASH AGAINST WOMEN IN POLITICS

These advancements enabled Bolivia to design an inclusive political system, but as Ms. Uriona explained, as the numbers of women entering political institutions increased, so too did violence and resistance against them. Legal reform did not change patriarchal systems or *machismo* culture overnight. The backlash against women in politics, now occupying 50 percent or more of positions that used to be held by men, was swift and widespread. Incidents of VAWP became especially apparent in local governments, adding impetus to ongoing efforts by the women's movement to address VAWP.¹⁰ Media attention and public awareness of the extent of VAWP in the country was heightened after the tragic assassination of Councilwoman Juana Quispe in 2012, sparking nationwide protests, and leading to the passage of Law 243 Against the Harassment of and Political Violence against Women – the world's only standalone law criminalizing VAWP. Bolivia's broader VAW legislation (Law No. 348) also includes VAWP as part of the definition of VAW.

¹⁰ A comprehensive history of Bolivia's efforts to address VAWP and Law 243's development can be found here: http://www.unwomen.org/mdgf/C/Bolivia_C.html

BOLIVIAN LAW NO. 243 ON POLITICAL HARASSMENT AND VIOLENCE

Political Harassment: An act or set of acts of pressure, persecution, harassment or threats committed by one person or a group of persons, directly or through third parties, against women who are candidates, elected, designated or exercising a public/political role or against their families, with the purpose of reducing, suspending, preventing or restricting the functions inherent to their positions, to induce or oblige them to carry out, against their will, an act or omission in the performance of their functions or in the exercise of their rights.

Political violence: Physical, psychological or sexual actions, conduct and/or aggression committed by one person or a group of persons, directly or through third parties, against women who are candidates, elected, designated or exercising a public/political role, or against their families, to reduce, suspend, prevent or restrict the exercise of their position or to induce or oblige them to carry out, against their will, an act or omission in the performance of their functions or in the exercise of their rights.

LAW 243 AGAINST THE HARASSMENT OF AND POLITICAL VIOLENCE AGAINST WOMEN

Law 243 recognizes violence and harassment against women in politics as a crime. It is not limited in its application to women in public office, but also extends to women appointed to or exercising any political or public role. It classifies acts of harassment and political violence, categorizing them as “slight,” “serious” and “very serious,” and establishes sanctions for each category. The Law is understood as covering any acts that shorten, impede or restrict a woman’s duty as a representative, including anything aimed to force or induce her to do something against her will. The Law differentiates between political harassment and political violence: harassment carries penalties of up to five years, while political violence five to eight years imprisonment.

The Law has been invaluable in bringing visibility to VAWP in Bolivia, though challenges remain in its implementation. Nonetheless, Ms. Uriona highlighted the important milestone of approving the Law’s regulatory decree in 2016, which clarified many aspects of implementation and the role of different actors. The Supreme Electoral Court works to ensure compliance with parity, and supports women who bring their cases forward.

NATIONAL OBSERVATORY FOR PARITY DEMOCRACY

An important development has been the creation of an Observatory for Parity Democracy, designed to monitor gender and intercultural parity and the political rights of women. It raises visibility and awareness about a range of issues related to women’s political participation, including violence, and generates data. The Observatory also accompanies victims to the Ministry of Justice, though not all are willing to file claims. Departmental courts have created mediation spaces to meet with aggressors to try and stop acts from escalating to the level of crime. They are also increasingly publishing cases to enable stakeholders to better identify, prove and record evidence of what VAWP means for women and society and to improve sanctioning mechanisms.

The Observatory, together with the Supreme Electoral Tribunal and other actors, are focused on developing indicators for political violence and harassment, a system for follow-up and protection, connecting all relevant authorities through technologies, as well as providing training and immediate support systems for survivors.

VAWP AND INTERNAL PARTY DEMOCRACY

The Observatory has also prepared gender profiles on political parties and institutions at national and local level to take stock of gaps and needs, leading to a draft law on political party internal democracy which will be presented to the legislative assembly. The draft law includes parity criteria for candidate nominations, and provisions for including specific budgets for supporting women candidates’ campaigns and gender equality and women’s rights in platforms and policy proposals. The Observatory has local offices across the country that interview women who have stepped down from office to determine whether VAWP was the cause. However, promoting the reporting of VAWP cases remains a challenge as the support system for survivors is not functional.

“ Women occupy 50 percent or more [of elected positions in Bolivia] now, and men cannot easily accept this. This has generated forms of violence against women never seen before in the political arena. ”

Ms. Katia Uriona, President, Supreme Electoral Tribunal, Bolivia

Ms. María del Carmen Alanís Figueroa, Visiting Scholar, Harvard Law School, is a former electoral court judge, and was Mexico’s first woman Chief Justice of the electoral court. She illustrated how Mexico also experienced an exponential increase in VAWP as parity laws and gender equality movements increased the number of women in political positions. Unlike Bolivia, Mexico does not have a special law on VAWP that details sanctions or gives authorities the mandate and competencies to act accordingly. Instead, ordinary justice, criminal sanctions and electoral processes and procedures have been used to prosecute VAWP cases. Twenty-eight local congresses have approved reforms to their local laws, providing formal recognition of VAWP at local level in criminal laws and existing laws on the elimination of VAW (EVAW laws). Without a federal law, however, federal authorities required guidance on how to respond to VAWP. Mexico’s Electoral Court, with authority equal to that of the Constitutional Court and a mandate to protect political rights as human rights, became the chief institution to address VAWP through legal means. In Mexico (as well as Costa Rica and in some cases, Columbia), the Electoral Court is the last public instance in national-level rulings, allowing it to provide swifter judgements and reparations on cases related to women’s political participation than through ordinary justice procedures.

MEXICAN PROTOCOL ON VAWP

In 2014, Mexico approved a judicial protocol on VAWP to be used at the national level, with the Electoral Court as the main authority. Making the case for a judicial protocol on VAWP was challenging: all relevant authorities and institutions had to be convinced of their compulsory duty to protect women’s rights, their administrative and judicial constitutional duties, and

their full alignment with international human rights treaties to which Mexico was party. If Mexico could be recognized as a good practice model, it would be a good thing for Mexico, Ms. Alanís Figueroa recalled: “no one wanted to be singled out for non-compliance and receive a recommendation from the CEDAW Committee.” Some opponents of the protocol were concerned about sanctions; by presenting the protocol as a non-binding instrument, but rather one based on national and international standards and principles, protocol advocates assuaged people’s fears about criminalization.

Developing the protocol involved the following steps:

- *Reaffirming normative frameworks*: international and regional treaties to which Mexico is a State Party, principles and standards (e.g. CEDAW, *Belém do Pará*, Inter-American Convention on Human Rights), and national frameworks (Mexican constitution, national and local laws). National case law on women’s rights, EVAW, political rights, access to justice and other indicative cases were shared with legal authorities to establish legal precedent.
- *Defining concepts*: many authorities had questions about what VAWP was and how acts of VAWP could be identified and proven. Having ready and diverse examples and stories about victims, who they were and what they experienced was key to clarifying the extent and gravity of the problem.
- *Designing a structure*: a flow chart was developed to define the structure of how the protocol would be applied and outline the responsibilities of all involved. It also determined which databases would

“ If ‘protection’ means taking the woman away from her job, then who wins? We must sanction the perpetrator, the party. But protection of women in politics doesn’t mean to take her away from politics. We must do something different - that’s reparation. ”

—Ms. Carmen Alanís Figueroa, Visiting -Scholar Harvard Law School

be used and how costs would be shared to show that implementing the protocol required few resources.

- *Presenting to the public*: advocates strategically launched the protocol in public prior to elections with all heads of involved authorities, political parties, NGOs and media present.
- *Applying principles*: in its application, the protocol acts as an “umbrella” instrument, sustained under constitutional and electoral law, to facilitate access to justice, due process of law and due diligence; this enables a formal classification of “victim” for survivors of VAWP, which is a requirement of the federal attorney general to provide survivors with protection.

APPLYING THE PROTOCOL

The application of the protocol still has its challenges. Chief among these are the difficulties of regulating political parties’ internal norms and practices and strengthening networks and programmes of support for victims. Strategic litigation is crucial for addressing VAWP, but if women are not supported in accessing justice or courts, it is impossible. Encouragingly, Mexican political parties are starting to approve their own protocols. Most recently, the Electoral Court approved a new protocol, having adapted and strengthened the original after its application in more than 20 elections, namely on provisions related to reparations and coordination among authorities. Ms. Alanís Figueroa emphasized that Mexico’s protocol was developed with authorities in mind, not victims. It tells authorities how to act, what to do and how to coordinate. It contains all relevant structures and legal frameworks that can be useful for ruling on issues related to VAWP. Regular and systematic collection of information and data and updated database and follow up is required, as is permanent follow up and training for all authorities involved.

Ms. Marina Schuster, Former Member of Parliament and Member of LI Human Rights Committee, Germany, emphasized the importance of political party involvement and coalition-building to address VAWP, and commended NDI and Liberal International (LI) for their successful cooperation on the #NotTheCost campaign. She argued that, as with other areas of gender equality and women’s empowerment, the more political parties and party leadership are involved, the easier it is to encourage a more open discussion on the issue. Broad coalitions involving civil society, international organizations, private sector and other stakeholders are also key.

Ms. Schuster noted that the Istanbul Convention was an important advancement for Germany in that it spurred reforms to criminal laws that strengthened legal protection against GBV, namely sexual violence and rape. Even a strong instrument like the Istanbul Convention, however, is insufficient for comprehensively dealing with VAWP at the national level, such as online VAWP. Currently, in cases where online aggressions do not squarely meet criminal criteria, some social media companies are reluctant to provide authorities with the names or addresses of perpetrators, even when identities are traceable.

A new law (Act to Improve Enforcement of the Law in Social Networks) forces Internet and social media providers to delete “unlawful content” (e.g. hate speech, defamation) within 24 hours/7 days. This, however, has ignited political debates over the clash between freedom of expression and freedom from hate speech. The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression asked the German Government to review the law. Among other things, he expressed his concerns about the lack of judicial oversight with respect to the responsibility placed upon private social networks to remove and delete content.

“ *I have been told ‘if you decide to be a woman in politics, you must have a thicker skin.’ I’ve been told ‘don’t be so picky, or so sensitive.’ No. [Gender-based] violence is not part of [the job]. Those who say things like this do it because they know they have lost the argument (or have none) and are using gendered threats as a very mean instrument against women.* **”**

—Ms. Marina Schuster, Former Member of Parliament, Germany

“It’s up to parties to start the process – to build coalitions and cross-party movements. If it’s only one party, it won’t make a significant change: a single party may fear a public relations crisis if they are the only one to denounce violence in their own ranks. But if it is a cross-party initiative, change is possible.”

—Ms. Marina Schuster, Former Member of Parliament, Germany

There are also lingering disagreements within the German political landscape over who has ultimate responsibility (e.g. social media companies, the judiciary), whether financial sanctions should be imposed, and whether such a law to protect victims from online violence could - even unintendedly - contribute to an overall trend of shrinking space for free speech and ethical journalism, as a number of the violations covered by the bill are highly dependent on the context.

Ms. Schuster suggested VAWP could also be integrated into preexisting diversity and antidiscrimination trainings for all employees and members of city councils, regional and national parliaments. This would provide a regular space in which the issue could be named outright and awareness be built; however, she added that awareness-raising needs to be combined with capacity-building and support for women who experience violence on how to respond and report incidents based on existing mechanisms within their political parties, police or courts.

Ms. Brigitte Filion, Consultant on VAW and VAWP, IPU, provided an overview of parliamentary responses to VAWP (particularly sexual forms), drawing on findings from the IPU study on VAW in parliament and ongoing VAWP prevention work. Parliaments are both workplaces and public institutions. Like many workplaces, they are predominantly masculine spaces, but unique in that they are the venue for “no holds barred” debates and working conditions that unfold at an unrelenting pace, often with late working hours. Additionally, a perception of exceptional power conferred by the parliamentary status of MPs cultivates a sense of impunity. The hierarchy between a parliamentarian and his or her staff is viewed as both special and familiar; it is not uncommon for professional and personal boundaries to blur.

In surveying more than 40 parliaments and 50 parliamentary chambers across five regions, the IPU found that few internal mechanisms against sexual harassment exist in parliaments and where they do, there is little awareness among MPs and staff. Levels of protection

differ depending on who the perpetrators or victims are, e.g. MPs, parliamentary employees, MP assistants, party or caucus staff. Complaints are typically handled by internal bodies in parliaments, but this does not exclude the necessity of national support, security and justice systems or services. In South Africa, Canada and in Thailand, parliamentary committees on ethics and conflicts of interest handle complaints; in the United Kingdom, it is the parliamentary Standards and Privileges Committee; in Peru, the Ethics Committee. In some cases, parliamentary immunity must first be lifted before prosecuting parliamentarians for sexual harassment.

TYPES OF PARLIAMENTARY RESPONSES

Ms. Filion provided a typology of parliamentary responses based on an assessment of the parliaments surveyed, providing several examples. Recognizing the existence of the problem of sexual harassment in

PERCENTAGE OF PARLIAMENTS WITH POLICIES OR PROCEDURES AGAINST SEXUAL HARASSMENT:

Policies on sexual harassment:

21.2% for parliamentarians

48.1% for parliamentary staff

Complaints procedures:

28.3% for parliamentarians

52.8% for parliamentary staff

Source: IPU Issues Brief, “Sexism, harassment and violence against women parliamentarians” (Inter-Parliamentary Union 2016).

parliament and the commitment to eliminating it by institutional leaders is the first step. Parliaments can also establish an internal body mandated to address the issue of sexual harassment in parliament. Disclosing and opening institutional investigations is essential to better understand the extent and scope of daily experiences of GBVAW in parliament. The necessary steps to solve the problems found through investigations should also be supported institutionally. Disseminating and communicating knowledge of MPs' and staff rights, and how to promote and protect them is crucial, as is the provision of training. Individuals and bodies who can be responsible for receiving and handling complaints (e.g. a body within parliament or parliamentary administration, or outside parliament) must be identified. Sanctions must also be imposed, though few are in practice, typically due to parliamentary immunity and concerns over media attention.

- In Canada, the House of Commons has a Policy on Preventing and Addressing Harassment (2014) and a Code of Conduct for MPs on sexual harassment (2015). All members of the House of Commons must sign a pledge committing to contribute to a work environment free of sexual harassment, and to respect the Code. Members and staff also receive in-person training on sexual harassment. An advisor under the House of Commons Harassment Prevention Programme is responsible for providing guidance on dealing with situations of harassment. Complaints can be handled by party whips (who are involved in proposing disciplinary measures), the House of Commons head of human resources and an outside investigator. Civil society is actively engaged and has pushed the parliament to institute these measures.
- In the European Parliament (EP), all MEPs receive the “Zero Harassment in the Workplace” guide. Survivors of sexual harassment have access to a doctor or psychological support. An advisory Committee for Harassment Complaints between assistants and MEPs is composed of representatives of both groups. In cases of harassment, the Committee forwards findings to the president of the EP with recommendations for sanctions according to the Rules of Procedure No. 166 on penalties.
- In France, there is an outstanding recommendation to formally include anti-sexual harassment efforts in the National Assembly's rules of procedure. A focal point

within the National Assembly provides legal aid and psychological support to victims and can refer them to the Assembly ethics officer. Posters about the provision of the Criminal Code on sexual harassment with emergency numbers and ethics officers' contacts are displayed in National Assembly halls and elevators. The National Assembly Intranet has a dedicated space for information on sexual harassment.

- In Switzerland, an independent specialized anti-mobbing and harassment body, which parliamentarians can approach anonymously, is currently operating on a 1-year trial basis upon approval from the Swiss Parliament.

DISCUSSION:

Experts observed that multiple entry points exist for addressing VAWP through national legal means. The Mexican case demonstrates how various legal instruments can be employed differently but coherently at federal and state levels. Discussions also centered on degrees of punishment. Not all agreed that every violent act should be punished with a prison sentence. VAWP prevention could be compromised if victims or perpetrators are afraid of heavy-handed prison sentences. It is therefore important to clearly communicate different degrees of sanctions and levels of severity for acts of violence to judges and magistrates, which will help them resolve cases more effectively and consistently. Criminal classifications in Bolivia and Mexico provide instructive examples.

The experts also raised the importance of providing survivors with immediate assistance and response where access to and delivery of justice through legal processes can be lengthy and discouraging. The experience of the Bolivian Observatory for Parity Democracy can be studied further to identify swifter solutions for access to justice support. Similarly, at parliamentary level, there need to be “safe spaces” alongside complaints and sanctions procedures to openly discuss the issue of VAWP, including sexual harassment. Lessons learned from the review of implementation of parliamentary mechanisms to address VAWP suggest that the process of resolving issues before legal action is taken is important. In a context where political careers are at stake, there is even greater impetus for clear communication and participatory training for members and staff and safe spaces for them to report and discuss these issues.

CONGRESSWOMAN JACKIE SPEIER (CA-14), U.S. HOUSE OF REPRESENTATIVES VIDEO MESSAGE EXCERPT:

“For too long, women have had to fight for just a modicum of respect in the workplace, while fending off physical assaults on our bodies. But [...] we have made it clear that we have had enough.

“I’ve been fighting this battle in the United States Congress for years. For decades, Members of Congress got away with truly egregious mistreatment of their staff. [...] And there was no place to turn. The system was rigged in favor of those in power and survivors were left to pick up their shattered lives by themselves. But I have good news!

“Last month, the House of Representatives passed the bipartisan Congressional Accountability Reform Act. Based on the ME TOO Congress Act that I introduced last fall, this bill will finally hold Members of Congress accountable for their misconduct and will help to empower survivors.

“We eliminated forced mediation, ‘cooling off’ periods, and confidentiality clauses. Survivors will get House-funded legal counsel. Instead of taxpayers footing the bill for Members’ misdeeds, Members will have to repay the U.S. Treasury for any settlements or awards – and if they won’t pay, their wages and pensions will be garnished.

“Though our work is far from over, I am confident this bill will serve as a blueprint for addressing sexual harassment and violence in all workplaces, from boardrooms to breakrooms.

“The fight against violence in politics and the rights of women will not be easy, and it will not be quick. But I know we will win because we have women, and men, [...] on our side. We will not back down, we will not take no for an answer, and we will not go back. Because women never give up, and because time’s up!

“Time’s up for those who abuse and harass women in politics, and in all fields.

“Time’s up for those who stand by and do nothing in the face of this abuse.

“And time’s up for anyone who stands in our way!”

NATIONAL LEGAL AND POLICY ADVANCES ON VAWP

KEY POINTS:

- Multiple entry points exist for addressing VAWP through national legal means, including through specific laws on VAWP (e.g. Bolivia), judicial protocols based on international and national laws (e.g. Mexico), or existing criminal or EVAW laws.
- Parliaments, EMBs and electoral courts are essential stakeholders in developing and implementing national legal and policy measures, which are made more effective by the involvement of civil society, international organizations and political parties.
- Parliaments are both workplaces and model institutions of democracy with a duty to set examples, uphold standards and exemplify zero tolerance for GBV in policy and practice. They should establish mechanisms for complaints against VAWP.
- Dedicated spaces are required for addressing VAWP over the long-term; the work of national observatories (e.g. as in Bolivia or Mexico) provides important examples other countries can follow.
- Coalitions are key for efficacy and sustainability of measures; these must involve multiple political parties, various levels of judicial institutions (including individual lawyers and judges), parliaments, NGOs and a coordinated agenda with other gender equality movements.

PRIORITY ACTIONS:

- Gather case law – at international, regional and national levels – and leverage State obligations to international human rights treaties to provide the legal basis for VAWP adjudication at national level even in the absence of specific laws against VAWP.
- Train administrative authorities, lawyers and judges, including on basic gender equality principles, rights and reparations for victims, so they are equipped to litigate and rule on VAWP cases.
- Establish support mechanisms for victims to help them access justice and accompany them throughout the process.
- Institute sustainable coordination mechanisms between courts, EMBs, civil society, security sector and other relevant stakeholders.
- Collect good practices and model legislation on dealing with online providers, which can provide examples for how to hold Internet providers to account and how freedoms of expression and from violence can coexist.
- Strengthen the role of EMBs in preventing, responding to and monitoring VAWP, especially where they play prominent roles in electoral regulation and electoral law enforcement.

SESSION 5:

Country programming for VAWP mitigation & response

SESSION OVERVIEW:

How are programmatic advances being put into practice? This session highlighted perspectives from the field, including advances on VAWP programming at local and national levels. The session also reviewed the different stakeholders involved in addressing VAWP across the electoral cycle. The session focused especially on violence against women in elections.

MODERATOR:

Mr. Charles Chauvel, Officer-in-Charge, Governance & Peacebuilding Cluster, Bureau of Policy & Programme Support, UNDP

INTERVENTIONS BY PANELISTS:

Mr. Maarten Halff, Head of Electoral Policy, Electoral Assistance Division, UN Department of Political Affairs (DPA), provided an overview of the UN electoral assistance framework which, based in international human rights norms, regulates and guides the UN's work on providing technical assistance on electoral processes. Linked to preventative diplomacy, UN electoral assistance often involves working with EMBs, electoral officials, leaders, and occasionally candidates and civil society to support the process. Based on key principles of sovereignty, coherence and coordination, UN electoral assistance is only provided in response to Member States' requests, which are centralized through the UN Focal Point on electoral assistance and followed by standardized assessments of Member States' needs. The UN's internal policy framework on electoral assistance has a strong focus on peaceful, credible elections, acceptance of results, preventing political violence (in terms of acceptance of results), inclusion, gender equality and strengthening women's political participation. Mr. Halff outlined the policy evolution within UN electoral assistance as it relates

to violence against women in elections (VAWE), noting that it remains a work in progress.

UN ELECTORAL ASSISTANCE POLICY EVOLUTION ON VAWE

- **2012:** The foundational policy document, which speaks about the need to fully mainstream a gender perspective into all aspects of UN Electoral Assistance and address barriers women face regarding security measures was adopted, but was silent on the matter of VAWP.
- **2013:** A policy promoting women's electoral participation was issued, explicitly committing UN personnel to understand risk analysis of women voters and candidates and promote measures for their security; while the effects of electoral violence on women and men were acknowledged, GBV was not yet recognized.
- **2016:** A policy on the prevention of electoral violence focused on forms of political violence, going beyond physical security for women candidates by addressing the need to adopt policies and legislation to protect women from harassment, as well as the imperative for authorities to take preventative measures, and EMBs to start collecting data.

- 2017: In a flagship report to Member States on electoral assistance, UN Secretary-General Guterres referred to VAW for the first time, noting relevant institutions and calling on Member States to understand and report on VAWP.
- 2018: For the first time, DPA incorporated a session on VAWP in its regular training session on electoral violence, in collaboration with UN Women and UNDP.

Ms. Sara Negrão, Policy Specialist, VAWP, UN Women, outlined UN Women’s programmatic approaches to eliminating VAWE and VAWP, including through mapping and measuring, legal and policy reform, preventing and mitigating VAWP through electoral arrangements, working with political parties and raising awareness and changing norms.

UN WOMEN’S PROGRAMME APPROACHES TO VAWP AND VAWE

- *Mapping and Measuring VAWP:* This may be quantitative or qualitative to ensure capturing cases of VAWE/VAWP that occur in spaces dominated by gendered power relations, e.g. domestic sphere or political parties. Efforts for data collection are fundamental to ensure relevant data is gathered on predominant types of violence, victims and perpetrators to design appropriate responses such as mitigation and preventative mechanisms. In Tanzania’s 2015 general elections, for example, UN Women provided: support to the Tanzania Women Cross Party Platform (TWCP) to deploy monitors to collect information and refer cases of VAWE; technical assistance to the Coalition on Election Monitoring and Observation in Tanzania (CEMOT) to mainstream gender dimensions into their efforts; and support to the police in registering cases. In Sierra Leone, UN Women supported the West Africa Network for Peacebuilding (WANEP) to integrate gender-sensitive data collection tools and collect incidents of VAWE.
- *Legal and Policy Reform:* To ensure the regulatory framework specifically addresses VAWP so that perpetrators are held to account, technical assistance is required for aspects such as law review, applying a gender perspective in electoral arrangements, or supporting national women’s movements to conduct advocacy, sensitization and grassroots training. In Bolivia, where a specific law on VAWP is in place,

UN Women supports the Parliament in monitoring and addressing VAWP. Other approaches used are reviews of election laws or political party laws to integrate VAWP (e.g. Tanzania, Haiti, Kenya) or to include VAWP into parity laws (e.g. Guinea-Bissau). Support for the adoption of legislated codes of conduct to prohibit behaviors contributing to violence among political parties, independent candidates, coalitions, and movements, or members of the media can also be provided.

- *Preventing and Mitigating VAWP through Electoral Arrangements:* This includes technical support for the adoption of specific measures to prevent and mitigate VAWP. UN Women supports EMBs, as their decisions can significantly impact on women’s political participation and exposure to violence. Procedures for candidate registration, for example, should create an accessible environment, without introducing additional obstacles for women aspirants. Training and guidance can be provided to poll workers and security forces to protect vulnerable populations against specific threats or a climate of insecurity and manipulation for voters. In various settings, UN Women (mostly in partnership with UNDP-coordinated electoral support projects) has provided technical assistance to revise electoral policies, laws and operational procedures to ensure greater accessibility and protection.
- *Training Police and Security Forces:* Training on gender and human rights in electoral processes is a common approach used by UN Women in partnership with UNDP. In Tanzania and Sierra Leone, trainings for police and security forces ensured that police officers were well-informed about how to act when faced with VAWE, including available services for GBV response, such as Gender and Children Desks.
- *Working with Political Parties:* Women seem to face most threats and violence when becoming candidates and campaigning for election, so political parties must be supported to raise awareness, adopt preventative measures and promote women’s leadership. In Tanzania, UN Women worked with umbrella organizations that encompass and oversee all political parties (or at least those represented in parliament) with training and advocacy on VAWE and inclusive nomination processes. Specific sup-

port is provided to women within political parties through cross party platforms to ensure they are aware of their rights and the laws that protect them and feel empowered to speak up against the violence to which they may be subjected.

- *Raising Awareness and Changing Norms:* This reinforces the objectives of the previous action points by contributing to a common, comprehensive understanding and action to raise awareness and promote intolerance towards VAWP. The main actors targeted are the media, community, political and religious leaders. Interventions include raising awareness through campaigns (e.g. HeforShe); working with the media to raise awareness and train on gender-responsive reporting and specific reporting on VAWP; engaging legislators and parliamentary networks through trainings and campaigns; and including men in the efforts to prevent and respond to VAWP.

Mr. Niall McCann, Lead Electoral Advisor, UNDP, highlighted a recently-published Guidebook on Preventing Violence Against Women in Elections, jointly produced with UN Women. It represents a culmination of election support programming experiences and a response to major gaps in programming research and guidance to date. The guide was developed by UN Women and UNDP over several years and brings to light the scourge of VAWP, with examples from more than 40 countries. It furthermore identifies specific components of VAWP, including types, tactics, victims and perpetrators and offers electoral assistance providers, human rights defenders, CSOs, gender equality advocates, EMBs, political parties and international organizations and other electoral stakeholders programming options based on current good practices.

Reflecting on lessons learned on GBV from implementing electoral assistance programming, Mr. McCann noted that more efforts are especially needed on legal reform and working with political parties. In several states, UNDP has supported electoral appeals or tribunals where specific courts are established to analyze, address, adjudicate, or sanction electoral crimes that occur within the context of a campaign. With codes of conduct, e.g. for electoral campaigns and parties who register to run in elections and put a list of candidates together to run for office, it is possible to work with the Member State and establish codes of conduct

within electoral processes to set specific benchmarks to adopt and adhere to if they're going to run. This includes mandating all parties registered to have specific wings set to monitor VAWP perpetrated by their own party supporters.

Acknowledging the need to evolve programming responses on VAWP, Mr. McCann described the importance of the personal journey of electoral assistance providers towards understanding that every aspect of electoral processes – from procurement to polling station design – is gendered and therefore subject to forms of GBV.

Ms. Caroline Hubbard, Senior Advisor for Gender, Women & Democracy, NDI, presented the suite of manuals, tools and guidance currently in development by NDI to accompany its #NotTheCost campaign and provide individual women, political actors, institutions and practitioners with the ability to act against VAWP in elections, political parties and civil society and online harassment. The #NotTheCost campaign builds upon NDI's Call to Action and Program Guidance to address VAWP.

NDI TOOLS AND GUIDANCE ON VAWP AND VAWP

- *Violence Against Women in Elections:* The “Votes without Violence” toolkit responds to the demand for systematic data collection on VAWP at global and country level. It builds the ability of international and domestic election observers to identify, prevent and record violence as it occurs so that it can be mitigated during an electoral cycle. It has been applied in several countries, including in 2015 in *Guatemala*, where 36 percent of VAWP incidents reported before and on election day were economic. A companion website to the toolkit helps store and make data available online.
- *Violence Against Women in Political Parties:* The “No Party to Violence” assessment tool helps respond to recognition that parties act as ‘protected’ public spaces, allowing and enabling VAWP within their ranks. It provides an analytical framework for ongoing assessment and data collection inside and across political parties and increases the ability of political parties and activists to document incidents and identify key actions to counter VAWP at various levels. To date, the tool has been applied to 22 parties

in four countries (Cote d'Ivoire, Honduras, Tanzania and Tunisia).

- *Violence Against Women in Civil Society*: The “360 Individual Risk Assessment Tool” responds to the fact that women are not born into politics, but often take their first steps into political life in civil society without the support of a political party or their family. It is a tool for individual women in politics across all sectors to run a self-evaluation of risk levels and be given a corresponding safety plan. This tool aims to help increase women’s ability to securely participate in politics. NDI has also developed an online incident report form, and all received submissions are sent directly to the office of the UN SRVAW.
- *Countering Online Harassment*: In collaboration with IFES, a lexicon of key words and phrases in *Bahasa* is in development to help identify incidents of online VAWP in Indonesia. The lexicon will help document the prevalence and impact of online violence on women’s willingness to engage in political discourse online, and build tools and strategies for measuring and countering online VAWP. This and future lexicons can also help increase the evidence base necessary for successful advocacy efforts towards more responsive digital platforms and gender-sensitive online policies.

Dr. Gabrielle Bardall, Senior Gender Specialist, IFES, shared IFES’s work to collect data and research to measure VAWE/VAWP. Recognizing that VAWE is a highly complex issue, with no single methodological way of approaching it, IFES has developed a collection of tools to help document VAWE/P through both quantitative and qualitative analysis and the use of information communication technologies (ICTs). As an electoral assistance provider, IFES uses this research to provide technical guidance to EMBs and stakeholders on integrating VAWE into their gender policies, operational and logistical management plans and supporting their implementation. They also train gender focal points on these issues.

The 2011 report “Breaking the Mold: Understanding Gender and Electoral Violence” reviewed 2,000 electoral violence incidents across six different countries, disaggregated by sex of victims and perpetrators. Its findings, which continue to guide IFES’s work,

confirmed the different types of violence and ways women experience violence compared to men. In 2016, IFES launched a “Framework for Assessment, Monitoring, and Response” to VAWE, which includes a quantitative approach by integrating the findings of the 2011 report into data collection efforts on VAWE and provides technical guidance to national organizations on how to collect data in a gender-sensitive manner. The tool, which has been applied in several countries (e.g. Haiti, Kenya, Nepal, Sri Lanka), also includes a qualitative assessment based on field research and focus groups.

Since VAWE/VAWP cannot be captured only by quantitative measures, GBVAW is often unreported and diffuse and harder to capture in tangible ways. In coordination with NDI, IFES is examining how ICTs facilitate VAWP by the volume of attacks involved, the speed with which they proliferate (e.g. via retweets, shares, likes), their lack of regulation and the impunity with which online attacks are perpetrated. IFES is applying an opinion-mining tool (sentiment analysis) to take a structured sample across various social media platforms to better understand online VAWE and how and where it is expressed. Focus groups are helping to collect harmful words and phrases in local languages and specific types of violence that occur online.

DISCUSSION:

Experts acknowledged the importance of the information collected through the various tools and means presented by the panelists, noting that more VAWE incidents need to be integrated into the reporting processes of UN Special Procedures, e.g. CEDAW or regional mechanisms. Because VAWP occurs beyond electoral processes, monitoring systems must not focus only on electoral periods. That being said, as one expert noted, it is often the case that incidents of VAWP increase during electoral periods when competition and tension levels are at their highest.

Although experts recognized the value of creating safe spaces for women to share their experiences of violence with each other, they raised concern that self-reporting could end there and never reach police or other institutions that can handle claims. An illustrative example was shared from Tanzania, where men were twice as likely as women to report incidents of

violence to the police, and more than ten times as likely to report it to the media or go to hospitals. Panelists replied that in these cases, the importance of community involvement, including religious and opinion

leaders, cannot be overemphasized; it takes courage to speak publicly about experiences of violence and women must feel confident that they are operating in a system that will support them.

COUNTRY PROGRAMMING FOR VAWP MITIGATION & RESPONSE

KEY POINTS:

- Every aspect of electoral processes is gendered and VAWP occurs often during electoral processes; it is crucial that electoral assistance providers and national electoral stakeholders are aware and equipped to respond to it.
- Global policy documents and declarations are important because they are the basis for election stakeholder action and advocacy.
- A variety of practical tools are available and in development to collect information and assist duty-bearers in VAWP prevention and response.
- A growing number of country case studies exist to demonstrate the breadth of VAWP and document the experience of applying prevention and monitoring frameworks.
- VAW in civil society is a concern; women are “not born into electoral politics” through political dynasties or party affiliation, but rather arrive to political careers via civic activism.
- There are gendered impacts of online violence and disinformation campaigns, and standards and norms for an inclusive, open Internet must be gender-sensitive.

PRIORITY ACTIONS:

- Electoral assistance providers, including UN Agencies and Country Teams, can share more information and data available on VAWE with UN Special Procedures, the CEDAW Committee and regional mechanisms.
- Address VAWE through several means, e.g. mapping and measuring, legal and policy reform, gender-sensitive electoral arrangements, training police and security forces, working with political parties and raising awareness and changing norms.
- Involve whole communities in the effort to end VAWP; when religious and opinion leaders are part of the solutions, women will feel safer to come forward and report incidents.
- Consider sensitization programmes for male allies and spouses of women in politics, not only to build their support, but to learn from their experiences of witnessing their partners face violence.
- Examine further the role political finance plays in VAWP.

SESSION 6:

Measuring and monitoring VAWP

SESSION OVERVIEW:

What type of information is needed to fully understand VAWP, its magnitude, causes and consequences? What aspects should be measured and how? Although VAWP is emerging in policy, prevention and research fields, data is largely unavailable and standard indicators and data collection methods are nonexistent. This session explored challenges of and opportunities for measuring VAWP, drawing on lessons learned from the history of measuring VAW.

MODERATOR:

Ms. Julie Ballington, Policy Advisor on Political Participation, UN Women

INTERVENTIONS BY PANELISTS:

Ms. Juncal Plazaola Castaño, Policy Specialist on VAW & Data, UN Women, described the evolution of global research, data collection and compilation of statistics on VAW. These statistics stem from components of normative frameworks on gender equality and women's empowerment, subsequent agreements, and the adoption of global, commonly agreed upon indicators, and could inform current and future efforts to measure VAWP.

HISTORY OF EFAW AND DATA

The 1993 Declaration on the Elimination of Violence against Women, Article 4(K), started the promotion of research, data collection and compilation of statistics (especially on domestic violence) relating to the prevalence of different forms of VAW. It furthermore encouraged research on the causes, nature, seriousness and consequences of VAW and on the effectiveness of measures implemented to prevent and redress VAW. The 1995 Beijing Platform for Action strategic objective D.2 highlighted the need to study the causes and consequences of VAW and the effectiveness of preventive measures. A 2006 UN Secretary-General's

in-depth study on all forms of VAW contained a full chapter on data collection and called for strengthening the knowledge base on all forms of VAW to inform policy and strategy development. In 2008, the UNiTE Campaign was launched, with one out of five goals dedicated to establishing data collection and analysis systems on the prevalence of VAW and girls. In the same year, the Special Rapporteur presented a report to the HRC on VAW indicators and State response. In 2013, the CSW57 Agreed Conclusions Recommendation D referred to improving the VAW evidence base. In 2015, the Special Rapporteur called on States to establish a "femicide watch," and in 2017, CEDAW issued its General Recommendation No. 35 on GBVAW, updating General Recommendation No. 19 and highlighting the need for data collection.

GLOBAL VAW MEASUREMENT STANDARDS

Global VAW measurement standards were first conceived through the 2005 World Health Organisation's (WHO) landmark Multi Country Study on women's health and domestic VAW, which enabled significant developments in measurement standards, involving quantitative and qualitative data collection. Covering 10 countries and a sample of 24,000 women, data collected between 2000-2003 focused on physical and sexual intimate partner violence and non-partner sexual violence, while also exploring acts of emotional abuse and controlling behavior by a partner. Specifi-

cally, the study examined: prevalence, health outcomes, risk and protective factors and help-seeking behaviors. Data was collected through a quantitative household survey and qualitative research with survivors and key informants. Important aspects of the data collection process included: *standardized questionnaires* on violence, which are “act based” and agreed upon during expert group discussions; *standardized training for interviewers* to ensure a common approach and good rapport with interviewees; and *ethical standards* to ensure, among other issues, questionnaires were only applied when there was a way for women to report and be protected.

VAW data has mostly focused on measuring domestic violence and its prevalence, but this is changing with increasing recognition that the whole continuum of VAW needs to be captured, from harassment to femicide. The WHO methodology and the domestic violence optional module of national demographic and health surveys (DHS) – the main sources of prevalence VAW data globally – focus largely on VAW as a public health concern. The European Union-wide Survey on VAW by the European Union Agency for Fundamental Rights (FRA) approaches it from a broader perspective by including questions about stalking (e.g. through SMS, letters, Internet, property damage) and sexual harassment (e.g. comments about physical appearance, inappropriate advances, online approaches). Currently, these are the questions in existing VAW surveys that could probably be considered most relevant for the measurement of VAWP.

GLOBAL VAW INDICATORS

In 2006, UN General Assembly Resolution 61/143 requested the UN Statistical Commission to develop a set of possible indicators on VAW, leading to the establishment of a Friends of the Chair Group in 2008, charged with conducting an in-depth technical review of proposed indicators to measure VAW. In a 2011 report, the Group presented to the UN Statistical Commission a set of nine core indicators, which were later approved. In 2013, the UN Statistical Commission agreed to a Minimum Set of Gender Indicators, which includes 52 quantitative and 11 qualitative indicators, some of them related to VAW. The SDG monitoring framework includes indicators on VAW, aligned with the Minimum Set and with the 9 core indicators. While VAWP is not addressed specifically, there may be scope

for highlighting specific issues on VAWP within the SDG annual reports. For example, there is a possibility to collect information distinctive of intimate partner violence and non-intimate partner violence, access to safe public spaces and homicide disaggregated by sex.

Ms. Juliana Restrepo, Rutgers University, imparted lessons learned from her research on VAWP in Latin America, emphasizing that all data collected on VAWP must be accurate; capture the experience of all women, not only women at the highest levels of political status; capture different forms of violence; and reflect intersectionality by including the experiences and perspectives of marginalized groups.

PUTTING VAWP IN CONTEXT

VAWP, she contended, needs to be understood as a “continuum of actions.” Some manifestations of VAWP are extreme – from assassination to rape or kidnapping

A GLOBAL TIMELINE OF DATA AND EVAW:

- 1993** Declaration on the Elimination of Violence against Women (Article 4(k))
- 1994** Special Rapporteur appointed
- 1995** Beijing Platform for Action (strategic objective D.2 of VAW area of concern)
- 2006** UN SG’s in-depth study on all forms of VAW (full chapter on data collection)
- 2008** UNiTE Campaign (1 out of 5 goals)
- 2008** Special Rapporteur Report to Human Rights Council on indicators (A/HRC/7/6)
- 2013** CSW 57 agreed conclusions (recommendation D)
- 2015** Special Rapporteur’s call on States to establish a “femicide watch”
- 2017** CEDAW GR 35 on GBVAW, updating GR 1

9 CORE INDICATORS TO MEASURE VAW IDENTIFIED BY THE FRIENDS OF THE CHAIR

1. Total and age specific rate of women subjected to *physical violence in the last 12 months by severity of violence, relationship to the perpetrator and frequency*;
2. Total and age specific rate of women subjected to *physical violence during lifetime by severity of violence, relationship to the perpetrator and frequency*;
3. Total and age specific rate of women subjected to *sexual violence in the last 12 months by severity of violence, relationship to the perpetrator and frequency*;
4. Total and age specific rate of women subjected to *sexual violence during lifetime by severity of violence, relationship to the perpetrator and frequency*;
5. Total and age specific rate of ever-partnered women subjected to *sexual and/or physical violence by current or former intimate partner in the last 12 months by frequency*;
6. Total and age specific rate of ever-partnered women subjected to *sexual and/or physical violence by current or former intimate partner during lifetime by frequency*;
7. Total and age specific rate of women subjected to *psychological violence in the past 12 months by the intimate partner*;
8. Total and age specific rate of women subjected to *economic violence in the past 12 months by the intimate partner*;
9. Total and age specific rate of women subjected to *female genital mutilation*.

– but most women face less extreme, more systematic and continuous forms of harassment through small, seemingly non-violent acts that undermine their authority and silence them. These acts are easily dis-

regarded as unimportant, but they perpetuate gender inequality and provide the foundation from which more violent attacks occur. Cases of VAWP that ended in death typically involved a history of threats and less extreme acts. It is crucial to account for the full spectrum of violence, from the subtlest to the most overt forms. This makes measurement and data collection challenging, because violence begins before women decide to become candidates and register their candidacy and does not stop after they are elected. Thus, data should not only focus on elections or individual incidents, but rather capture the wide range of behaviors used to “discipline” women. Although acts of violence such as “devaluing, humiliating, degrading, emotional blackmail or sexist publicity” are difficult to measure, they also need to be captured by indicators.

VAWP AT THE LOCAL LEVEL

Women in local-level politics are particularly vulnerable. They are less protected by state institutions, which often do not have local offices, and are more exposed as they are more likely to know their perpetrators personally. Perpetrators are also more likely to know their victims’ families and have easy access to their contact information. Local campaigns and politics seldom receive national attention, which shields them from scrutiny. Data on women’s participation at local level is especially scarce and incomplete, which inhibits explanations for why women stay in or leave political office.

MULTI-METHOD APPROACHES TO MEASURING VAWP

Multimethod approaches should be applied to measuring VAWP. Data is not only numbers, and surveys may only cover certain representations of violence while omitting others. Information can be collected in different ways, incorporating contextual information and various “micro violence” acts. Focus groups can help facilitate open and honest discussions among women. Likewise, interviews can be effective if they are confidential, structured in a way that is centered on the woman and her experience, and explicit about the fact that talking about the issues will bring results; in other words, there needs to be action beyond data collection.

Ms. Avery Davis-Roberts, Associate Director, Democracy Program, The Carter Center, offered perspectives on collecting data on VAWP through election observation, drawing on discussions from a recently-held workshop for academics and election practitioners.

COLLECTING DATA ON VAWP THROUGH ELECTION OBSERVATION

Jointly, international and domestic election observation missions can play complementary roles in the collection and analysis of what is happening to women during elections. International election observation missions have access to high level political stakeholders, resources for quantitative and qualitative data collection by international long-term (LTOs) and short-term observers (STOs), and the benefit of access to data gathered by domestic observers. Domestic election observation missions have in-depth knowledge of the national political context and culture and the possibility to deploy thousands of people to gather information on VAWE. To date, however, while election observation missions have considered women's political participation generally, they have not considered VAWP. It is highly likely that election observation missions are already gathering data relevant to VAWP, but it is not labeled as such. Capacity-building could help election observers identify a common language for collecting and analyzing data. This would ensure consistent use of human rights-focused approaches across observation missions.

The Carter Center is committed to sharing relevant data collected through election observation missions with human rights mechanisms, e.g. HRC, Universal Periodic Review Process and Special Rapporteurs. Once there is a better understanding of VAWE and how to stop it, there is a need to engage with the CEDAW committee. The Carter Center intends to publish a handbook on how to translate election language into human rights language to facilitate interaction with human rights mechanisms.

Ms. Ionica Berevoescu, Policy Specialist and Statistician, UN Women, suggested that arriving at global baselines of VAWP would require leveraging good practices of data collection and research from the organizations present at the meeting and aligning measurement guidelines to inform official statistics.

“ *What statisticians would like to know from experts is what are the key areas of measurement, and what are the priorities? Who should we survey? And what should we survey first? Each approach comes with a cost. What are the priorities – electoral officials, candidates, aspirants? Forms of violence, perpetrator, type?* ”

—Ms. Ionica Berevoescu, Policy Specialist and Statistician, UN Women

WAYS ELECTION OBSERVATION INSTITUTIONS CAN INTEGRATE VAWP MONITORING INTO THEIR WORK:

- Add questions on VAWE to existing election observation data collection checklists.
- Specifically instruct LTOs (typically engaged 6 weeks-many months in advance of an election) to speak to women candidates, their staff, women political party members and EMB officials.
- Interview women who have withdrawn from electoral processes to understand why they did so.
- Disaggregate all data by sex to identify potential gender impacts of all election aspects.
- Use existing tools to collect data on VAWE (e.g. International IDEA's Electoral Risk Management Tool, Carter Center's Election Standards) to integrate VAWE questions.

There is a need to distinguish between statistics for advocacy purposes and to inform human rights mechanisms purposes and those to measure levels of violence in a society that enable trends monitoring and help determine whether programmes and strategies to end VAWP are making a difference.

OFFICIAL STATISTICS AND VAWP MEASUREMENT

Official Statistics are country-owned data produced by National Statistical Systems. These are usually produced through representative studies with national coverage, as opposed to small-scale studies, research projects or observation missions. All are important but have different purposes. National studies and official statistics help produce data and are often trusted by

governments for planning and monitoring purposes, while small-scale studies can provide much-needed analysis by diving deeper into an issue.

Producing official statistics that are comparable across countries requires standardized measurement methodologies. UN methodological guidelines must typically be aligned with previous data collection methodologies, including, in the case of VAWP, conceptual frameworks and data collection tools used in measuring VAW and the use of ethical standards. Applying these standards ensures comparability between countries. Arriving at global statistics on issues like VAW – for example, that “1 in 3 of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime” – requires comparable methods and comparable data to calculate global averages accounting for 193 countries. Comparability, however, requires systematic and regular data collection, which can be costly. The imperative, therefore, is to maintain pressure on Member States and the international statistical community to prioritize VAWP as a human rights violation, while identifying relatively low-cost, quality data sources.

SEVERAL OPTIONS AND KEY QUESTIONS FOR MEASURING VAWP

- *Purpose:* For what purpose are statistics on VAWP needed, e.g. monitoring policies and programmes, monitoring its impact on women’s representation in politics?
- *Data collection standards:* Can instruments that already exist on official VAW statistics be used to measure VAWP, e.g. household surveys? Can or should VAWP be treated as a subset of VAW? Does it work from the point of view of generating statistics, or is a different methodology necessary?
- *Data collection methods:* Due to their relatively small sample sizes, household surveys that measure VAW would only be able to include questions on violence against voters (out of a sample size of 1,500 women surveyed in a country, for example, it is unlikely that any MPs or a reliable number of local government members would be among them). Therefore, comprehensive surveys or data collection tools to measure VAWP may also need to target specific

populations at risk of VAWP, such as women MPs. Another consideration is whether the ethical and security issues on VAW are the same when applied to VAWP. Emerging data sources that the UN statistical community is exploring include the application of “big data” analytics, for which online violence might be a good candidate.

If official statistics are pursued to measure VAWP, comparability would have to be ensured, meaning that all countries would have to measure the same thing and use the same conceptual framework with clear definitions and terms, aligned with existing standards, such as those for agreed VAW measurement methods. This remains a long process. What works in a research context may or may not work for official statistical purposes.

DISCUSSION:

Discussions revealed general agreement about the need for data, indicators and measurement on VAWP as a specific form of GBVAW, as well as several challenges such as underreporting, the unquantifiable political nature of VAWP, and the tradeoffs between collecting comparable data through official statistics versus small-scale research. It was acknowledged that official statistics is just one way of collecting data and does not invalidate other methods. Research data can explore issues beyond what is in official surveys and researchers are important innovators. National Statistics Offices, whose mandates are to produce national data, may be hesitant to rely on small-scale research. Official statistics are insufficient to fully measure and monitor VAWP, but they are important because when governments own data they are more likely to be held accountable. Without systematic data collection practices, countries may argue that VAWP is not a relevant issue. Thus, all have different roles in measuring and monitoring VAWP, and this needs to be acknowledged.

The emotional toll of collecting data on GBVAW for both surveyors and those surveyed was noted, reconfirming the importance of guaranteeing privacy and providing assurance that the information collected would be used towards addressing the issue. Thorough training of interviewers may also address the issue of underreporting. Experts suggested that while diversity of context and roles of data producers and collectors need

to be considered, it is important to arrive at a stage where, globally, a minimum set of common issues and indicators are being used to track VAWP, its causes and consequences. Several ideas were proposed about ways of using existing data collection efforts to include VAWP. Highlighting an overall lack of data on GBVAW – from femicide to domestic violence – it was suggested that

administrative data, collected by both governments and NGOs, be considered as a data source. International election observation missions enable quick data collection (unlike surveys), documenting that VAWE occurred, but they cannot produce comparable data in terms of prevalence of VAWE in a population over time, to show whether it increases or decreases.

MEASURING AND MONITORING VAWP

KEY POINTS:

- There is ample evidence that the availability of sound, global data is critical to end all forms of GBVAW.
- Data on VAWP is lacking, and a roadmap is needed to fully measure and address the issue.
- Many lessons can be drawn from VAW measurement in terms of process, normative frameworks, stakeholders and standards.
- There is a need for both country-owned, official statistics on VAWP, and other types of data on VAWP, e.g. research data, “big data analytics,” and administrative data.
- It is important to define the purpose of types of VAWP data being sought, e.g. advocacy, policy development or national monitoring, as it may impact on design and approach of methods.
- Official statistics and research data are equally important and complementary.
- Domestic and international election observers are important sources of information on VAWE.

PRIORITY ACTIONS:

- Situate the quest for indicators and measurement on VAWP into a global context by identifying potential entry points for measuring VAWP through existing GBVAW monitoring frameworks.
- Include in election observation reports full information on women’s participation in electoral processes, including on their right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies. Collect lessons learned and recommendations from national observatories (e.g. Bolivia, Mexico) as instruments that can collect nationwide quantitative and qualitative VAWP data.
- The election observation community should identify and agree to a minimum set of standards of VAWE indicators to insure against presenting a fragmented picture of the GBV in an electoral process.
- Examine the possibility of using outcome and process indicators to measure VAWP (e.g. number of women who report to the police) or ‘structural’ indicators (e.g. legislation).
- Explore the possibility of addressing VAWP in existing DHS surveys, election observation reporting and in SDG reporting (e.g. Indicator 11.7.2 on safety in public spaces on which UNODC is leading methodological development).
- UN Women to organize a separate workshop as a follow-up to this session, specifically on improving coordination among organizations to develop common standards and synchronize existing data collection systems on VAWP.
- NDI and Carter Center to continue to work with CSOs and domestic observers on harmonizing indicators and collecting data on VAWP through election observation.

SESSION 7:

The ‘big push’ to end VAWP

SESSION OVERVIEW:

Considering earlier presentations and discussions, this session identified action-oriented recommendations to support stakeholders’ role in preventing VAWP. It also considered the specific role of SRVAW and other independent mechanisms in seeking, receiving and responding to information on VAWP.

PRESENTER:

Dr. Dubravka Šimonović, Special Rapporteur on violence against women, its causes and consequences

Dr. Šimonović expressed her assurance that this EGM marked the beginning of long-term partnerships in the global fight against VAWP. She acknowledged the support for the SRVAW mandate demonstrated by the UN System – namely UN Women, UNDP and UN DPA – as well as the first-time involvement of global and regional mechanisms among an array of important stakeholders. Collectively, those present made it clear that it is time to put VAWP on the agenda of the UN and global and regional mandates on VAW and women’s rights. She expressed her gratitude to the women politicians who shared their stories, suggesting that witness reports must continue to be shared to break the silence on VAWP and demonstrate the reality women are living.

She noted that several tools already exist to pursue national, legal and policy reforms, such as the Model Law on VAWP developed by MESECVI and recent CEDAW recommendations to Member States. Good practices should furthermore be documented, such as new laws and policies being enacted in parliaments around the world. Research like that of the IPU on VAW MPs is both powerful and usable, so it should be expanded. Data is important not just for data’s sake, but for overcoming the “normalization of violence,” especially when information on VAWP as a phenomenon is discredited.

Pursuing and making ambitious calls for gender parity in decision-making and the equal political participation of women and men is also part of the solution to VAWP. Electoral processes supported by different agencies, UN, Carter Center, OSCE, the EU and others, and both international and domestic observation, will benefit from closer coordination to identify basic data that should be collected consistently across all efforts. While official statistics on VAWP may be “out of our hands,” experts should have a voice in their development. Good data collection is important, and it should be a thorough process based on agreed standards; until then, available data should be included whenever and wherever possible, published through research and incident reports and administrative data compilation.

The SRVAW and WGDRAW can, through their mandates, send out action reports on VAWP cases, framing it as a

“Now is the time for us to use our mandates and respective treaties jointly to focus on key issues at the national level. How are we connecting different reports and actors to go back to cases of individuals and victims? If court cases or judicial procedures are not available options, how can regional mechanisms step in and support?”

—Dr. Dubravka Šimonović, Special Rapporteur on violence against women, its causes and consequences

human rights violation and noting the responsibility of the government in absence of a specific law on VAWP. The SRVAW can also send communications to States to elaborate a process for considering VAWP and issue global press releases. All other global and regional mandate-holders have possibilities to take on VAWP cases through inquiries and individual communications.

As Special Rapporteur, Dr. Šimonović will submit a thematic report on VAWP, on which a call for submissions will be announced in 2018. Recognizing that one report is insufficient to make change, she appealed to the other mechanisms and organizations present to “challenge” themselves by supporting the global effort to produce and widely distribute reports, data, recommendations and testimonies on VAWP wherever possible, and better integrate these efforts.

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