

Mandate of the Special Rapporteur on violence against women and girls

Statement by current and former Special Rapporteurs on violence against women, its causes and consequences*

Now is the time for an optional protocol to CEDAW on violence against women and girls

We, the undersigned current and former Special Rapporteurs on violence against women, its causes and consequences call on States to strongly consider the adoption of an optional protocol on violence against women to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

According to UN Women, globally, an estimated 736 million women—almost one in three—have been subjected to physical and/or sexual intimate partner violence, non-partner sexual violence, or both at least once in their life (30 per cent of women aged 15 and older). This figure does not include sexual harassment. The rates of depression, anxiety disorders, unplanned pregnancies, sexually transmitted infections, and HIV are higher in women who have experienced violence compared to women who have not, as well as many other health problems that endure after the violence has ended. In most instances, violence against women is perpetrated by current or former husbands or intimate partners.

Globally, women and girls continue to be subjected to femicide, or gender-related killings. According to the joint UN Office on Drugs and Crime and UN Women report on femicide, nearly 89,000 women were killed intentionally in 2022 – the highest yearly number recorded in the past two decades.

CEDAW and the committee monitoring its implementation (hereafter the CEDAW Committee) have played an important role in ensuring that the term discrimination against women implicitly covers violence against women. In its General Recommendation 19 of 1992, the CEDAW Committee first clearly framed violence against women as a form and manifestation of gender-based discrimination, that is used to subordinate and oppress women. It unequivocally brought such violence outside of the private sphere and into the realm of human rights. The mandate of the Special Rapporteur on violence against women, its causes and consequences (SRVAW) was established in the same vein. General Recommendation 19 was superseded by General Recommendation 35, which was developed in cooperation with the SRVAW mandate, and in which the Committee elaborated on gender-based violence, recognizing it clearly as a norm of international customary law. The committee has also examined the degree to which States have advanced in the prevention and response to gender-based violence against women. The CEDAW Committee updated its General Recommendations based on the need to establish measures for combatting and preventing violence against women, in line with its jurisprudence and monitoring. However, while the General Recommendations provide authoritative interpretations of CEDAW and guidance for States parties on the implementation of their obligations under the Convention, the much-needed improvements in law and in practice to address violence against women at the national level, have yet to take effect.

Similarly, we further acknowledge the importance and the impact of specific treaties that were adopted regionally with the objective of preventing and responding to violence against women and girls. Collectively, they have gone a long way in defining the different forms of violence that all women and girls may experience, as well as seek accountability and redress for women and girls who are

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survivors of violence. We call on States to ratify these treaties where applicable; and to apply their provisions robustly. Furthermore, regional human rights instruments and mechanisms that are tailored to the needs and realities of the region continue to be vital for advancing gender equality, non-discrimination and accountability.

Nevertheless, history has shown that the lack of a universally accepted legal framework that explicitly defines and spells out the various forms of violence against women, criminalizes it, sets out prevention and protection measures and entitles victims to reparations, continues to be a principal stumbling block that must be overcome. While women and girls have long faced discrimination, violence, persecution on intersecting grounds, including on the grounds of sex and gender, these realities have been aggravated by the onset of additional global challenges, including among others, the COVID-19 crisis, the proliferation of conflict, and climate change. Furthermore, women are being subjected to new and emerging forms of violence rooted in misogyny and patriarchy, exercised online and offline and negatively impacting all spheres of life thereby not only affecting their lives, safety, dignity, and freedom, but their equal and full participation in society as a whole.

We therefore believe that a global treaty dedicated to ending gender-based violence against women would constitute a timely and effective way of advancing gender equality and non-discrimination, ending violence and achieving greater accountability and justice for crimes committed against women and girls. To ensure that minimum global standards on women's rights are not further compromised, but are upheld and strengthened, it would be essential for this global treaty to be attached to CEDAW as an optional protocol, whereby it would provide an explicit legally binding roadmap on the measures needed to combat and prevent violence against women, and trigger much needed changes at the national level to secure every woman's right to live a life free from violence.

We welcome the interest expressed by some States in devising such a protocol, call on other States to follow suit, and invite United Nations Member States, together with the CEDAW Committee and other regional and international human rights mechanisms addressing discrimination and violence against women and girls ([EDVAW platform](#)), as well as other relevant actors, particularly women human rights defenders and women-led organizations, to embark on a formal process of reflection on the detailed content and objective of such a future treaty. We stand ready to support such a process with our expertise and drive.

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