



PARLIAMENTS
TAKE ACTION ON VIOLENCE
AGAINST WOMEN

PRIORITY ACTIONS **FOR** **PARLIAMENTS**

Parliaments Take Action
on Violence against Women

PRIORITY ACTIONS FOR PARLIAMENTS

“The challenge that all parliaments and all governments face is that we have not done enough, despite the existence of well-documented international instruments to end violence against women.

We must adopt laws that specifically tackle violence against women and must have the courage to enforce them.”

Dr. Theo-Ben Gurirab,

President of the
Inter-Parliamentary Union
and Speaker of the National
Assembly of Namibia



The statistics on violence against women are alarming. One out of every two women in the world is the victim of violence inflicted by her partner and one out of five is assaulted or threatened with sexual assault. Rife in both the public and the private spheres, violence jeopardizes the rights, liberty, health, quality of life, and in some cases the lives of women, irrespective of their nationality, age or social status. How can we put an end to the most widespread violation of human rights in the world? How can we combat this scourge, the consequences and cost of which hamper the development of society and prevent the full participation of women? These questions force us to examine the power imbalance between men and women present in all spheres of society, and to challenge the underlying social conventions and stereotypes with a view to bringing about fundamental attitudinal changes.

Violence against women stems from gender-based discrimination and gender inequality. Addressing this problem without taking into account the wider context in which women live and the need to secure respect for women's fundamental human rights is meaningless. All policies, laws, budget decisions, etc., impact in one way or another on women and have the potential to increase their vulnerability to violence.

Parliament - and the men and women who legislate in it - is strategically placed to drive the changes at the national level that can help put an end to violence against women and girls. In 2006, the Member Parliaments of the Inter-Parliamentary Union (IPU) adopted a resolution in which they undertook to adopt concrete measures to combat violence against women*. Since then, the IPU has been supporting their efforts in this regard, convinced that the efforts of parliaments can yield tangible results.

No single solution will attain the ultimate goal of putting an end to violence against women. However, there are a number of measures that reflect the diversity of national situations and experiences which could go a long way to achieving it.

The following six priorities constitute a non-exhaustive list of practices recommended for parliaments. They were identified as the principal elements and strategies likely to effectively address violence against women by participants attending an international conference entitled *A Parliamentary Response to Violence against Women*, held in Geneva in December 2008 under the auspices of the IPU.

* *How parliaments can and must promote effective ways of combating violence against women in all fields, resolution adopted by the 114th IPU Assembly, Nairobi, 12 May 2006.*
www.ipu.org/conf-e/114/114-3.htm



Adopt laws that work

To address violence against women, parliamentarians must begin by building a comprehensive legal framework.

This is a basic foundation for which they have responsibility.

■ The first step is to **assess** how violence against women is addressed within the national legal framework in order to identify the gaps and define the legislative goal for the adoption or the revision of legislation on violence against women.

■ Many countries have already passed legislation on violence against women. Some have one omnibus law whereas others address violence through a variety of laws. In the latter case, parliamentarians need to ensure that there is **harmonization** among the different laws.

■ National legislation must meet the **international standards** and benchmarks to which countries have committed. Particular attention should be placed on international human rights instruments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the concluding comments of the

UN Committee on the Elimination of Discrimination against Women; Security Council resolutions 1325 and 1820; and regional legal instruments on violence against women.

■ To be most effective, legislation on violence against women needs to address, at a minimum, the following:

- It must acknowledge violence against women as a form of

gender-based discrimination;

- It must recognize that violence may affect different groups of women differently;
- It should be comprehensive and include provisions regarding prevention of violence against women, protection and support for the complainant/survivor, and prosecution and punishment of the perpetrator;
- It should ensure that it covers prevention.



An example of a comprehensive approach to legislation:
The Spanish Organic Act on Gender Violence

The Spanish Organic Act on Integrated Protection Measures against Gender Violence (2004) is an example of a comprehensive legislative approach to violence against women. It deals with all aspects - preventive (education, training of all professionals who may be involved during any part of the process,

medical prevention); legal (criminal and procedural law) and political and social (health care, housing, schooling for children, etc.). The Act sets up various organs such as the National Gender-based Violence Watch, a government agency overseeing activities to eliminate gender-based violence, specialized judges, and a special Office of the

■ Legislation should be **evidence-based**. It must address national realities and serve the interests of all citizens, including rural women and marginalized women. Women in vulnerable and crisis situations (situations of conflict, migrant women, trafficked women, victims of sex trade, etc.) should receive special attention.

■ Legislation should also provide for **implementation mechanisms** such as budgetary support, the creation of specific institutional mechanisms to monitor implementation and for the collection of statistical data.

■ Legislation should be regularly **monitored** and amended in order to respond to new realities, address gaps and correct inadequacies.

Prosecutor for Gender-based Violence, which provides data and monitors the implementation and effectiveness of the law. Under the legislation, the government is required to evaluate the Act in a single assessment to be undertaken after a three-year period and presented it to the Parliament.



Addressing national realities:

The Philippines Anti-Violence against Women and Their Children Act (2004)

This Act covers different forms of domestic violence, including physical, sexual, psychological and economic violence, and deprivation of support for the lawful wife and minor children. It also provides for protection orders, which can be issued within 24 hours by a judge and are aimed at protecting women from

the immediate threat of violence. They are used to restrain the perpetrator from contacting the victim/survivor and to remove the offender from the home. The Act also addresses the national realities of rural women by introducing a special protection order that can be issued by village officials.



Legislative provisions requiring budgetary allocation and collection of statistical data

The Violence against Women Act (1994) in the USA, and its reauthorizations, is an example of legislation that provides a significant source of funding for non-governmental organizations working on violence against women. The Mexican Act on Women's Access to a Life Free of Violence (2007) is another example of legislation which requires the states and municipalities to

take budgetary measures and also mandates the creation of a national data and statistics bank on cases of violence against women. The Act against Femicide and other Forms of Violence against Women, adopted in Guatemala in 2008, established the obligation for the national statistics office to compile data and develop indicators on violence against women.



Make sure laws are implemented

While legislation is necessary, it is not sufficient, as there are often gaps between de jure and de facto equality and between legislation and effective implementation. Responsibility for bridging these gaps also lies with parliamentarians, as they can oversee the implementation of policies and programmes to ensure that they meet the standards and goals that have been set.

■ It is critical that parliamentarians ensure, through parliament's budgetary powers, that allocated **resources** match the requirements of legislative priorities and national policies on violence against women. The development of gender-sensitive budgeting can help in this regard. Cost assessments of legislation can also be carried out to identify needs for effective implementation.

■ Parliamentarians must have access to comprehensive, **sex-disaggregated data** and use indicators and targets to assess the impact of laws on women. They need to build national statistical capacities and should not hesitate to make use of tools and instruments developed by the international community



South Africa:

Joint Monitoring Committee on the Improvement of Quality of Life and Status of Women

This parliamentary committee includes members from both the National Assembly and the National Council of Provinces of South Africa. It has played a critical role in formulating and overseeing legislation and policy on gender issues such as the Domestic Violence Act 116 (1998) and the Sexual Harassment Code included in the Labour Relations Act 66 (1995). The Committee succeeds in putting these issues onto the parliamentary agenda through its engagement with civil society

organizations, women's groups and women in rural communities. It supplies the parliament and the government with findings and recommendations emanating from meetings or public hearings, or from monitoring visits to and hearings in provinces. The Committee also works intensively on promoting a gender perspective to the country's macro economic policy and national budget. It has examined closely how the country's budget is allocated, especially in terms of spending on gender-based violence, HIV/AIDS and poverty.

in this field, such as the report of the United Nations expert group meeting on indicators to measure violence against women, held in Geneva (2007), and the report of the Special Rapporteur on violence against women, its causes and consequences, entitled “Indicators on violence against women and State response” (A/HRC/7/6).

■ Parliamentarians should use existing parliamentary mechanisms (such as parliamentary committees) or set up new parliamentary bodies specifically mandated to **oversee** the implementation of relevant legislation. These bodies should have sufficient resources and support, and also the power to influence the work of parliament.

■ The creation of specific **inter-institutional mechanisms** should also be promoted. Members of parliament should be included in such bodies with a view to enhancing political follow-up.

■ Parliamentarians must use their oversight powers to monitor violence against women



The parliamentary Subcommittee to Follow up the Gender Violence Act in Spain

In 2008, the members of the Spanish Congress of Deputies decided to create a subcommittee of the Equality Committee, charged with monitoring the enforcement of the Organic Act on Integrated Protection Measures against Gender Violence (2004).

The Subcommittee is authorized to conduct hearings with various persons, including the representatives of different law enforcement agencies, who can provide quantitative and qualitative data based on their own experiences. The following hearings were approved: 14 representatives of jurists, four representatives of

academia, 15 representatives of associations, 16 representatives of administrations, five representatives of the media, three representatives of trade unions and four experts.

A total of 61 persons were heard, all of whom have been conveying their proposals since February 2009. The Subcommittee meets once a week for a four-hour session. The work was concluded in approximately two months. The Subcommittee will draw up its conclusions which, if adopted, will be used to instruct the government on new measures to be taken, including amendments to enhance the Act.

in their countries. They must ask the difficult questions and hold governments to account regularly on implementation. They can also engage with independent bodies such as the audit office or the office of the ombudsman.

■ Parliamentarians must encourage and support civil society actors to play an active role in putting an end to violence against women.



Educate and sensitize

Progress requires a change in attitudinal and social patterns, and a growing awareness of women's rights issues and violence against women. As opinion leaders and policymakers, parliamentarians must take the lead.

■ Change starts at birth. From a very early age, children - girls and boys - should be **educated** about human rights and gender equality. Teaching and learning materials that are used in schools must also be reviewed to address stereotypes. Families should be encouraged to raise their own awareness about women's rights and challenging social stereotypes. Parental education on women's rights should also be developed.



Changing socio-cultural behavioural patterns among men and women:

The Mexican Act on Women's Access to a Life Free of Violence (2007)

This law includes several key elements which require the State to take preventive measures that promote gender equality and a life free of violence for women and girls. It initiates a process of change in mentality through a review of school curricula and the elaboration of social studies programmes. It also seeks to raise awareness and sensitize the public via the media. The law promotes the removal of stereotypes in public and private spheres,

and identifies measures for the protection and empowerment of victims/survivors, such as shelters, free specialized counselling, and protection orders. Under the law, aggressors are provided with free and specialized holistic rehabilitation services with a view to eliminating violent behaviour through education that eliminates stereotypes of male supremacy and the macho behavioural patterns that generate violence in the first place.



The Swedish men's parliamentary network

Men from all political parties are represented in this network, which has been operating since 2004. Its aim is to encourage men to engage in the debate about men's value, prejudices and the equal value of all human beings. The network has

worked on the prevention of human trafficking and violence against women. It seeks to influence civil society by encouraging men to participate in the dialogue, not only in the parliament, but also on a regional level and in cooperation with

organizations. It organizes meetings with the participation of police officers, lawyers, judges, soldiers, sports coaches, schools and trade unions on values and attitude that need changing.

■ For laws to be effective and make an impact, they must be known and understood. Legislative reform must therefore be accompanied by campaigns **to raise awareness and educate women about their rights**. Boys and men should also be targeted. Parliamentarians should speak up, explain the laws, and challenge the media, civil society associations, the private sector and others to join in public education programmes. Laws must also be easily accessible and translated into local languages.

■ Training and education programmes should be designed to target those in the **judicial sector**, including judges and law enforcement agents such as the police. Parliamentarians should ensure that specific programmes are designed to that end and receive sufficient funding.

■ **Sensitization campaigns** should be launched to make violence against women visible and raise awareness. Parliamentarians are encouraged to support or lead national campaigns on violence

against women, and make use of existing campaigns, such as the White Ribbon campaign (www.whiteribbon.com) or the United Nations Secretary-General's Campaign to End Violence against Women (<http://endviolence.un.org>).



Build partnerships

Progress will only result from the combined efforts of all stakeholders to achieve equality and put an end to violence against women. Parliamentarians need to build a united front. It is important to maintain open channels of communication and forge alliances between the various actors, from the local to the international levels.

■ **Partnership between men and women** is central to progress. Specific programmes and initiatives to engage men in the fight against violence against women should be developed and adequately supported. Men should also be encouraged to champion efforts to put an end to violence against women, reach out to other men and contribute to transforming attitudes and societal roles. The participation of men should be valued and made visible. Discussions on masculinity and the role of men in society should be carried out.



Working with men in the development of the Gender-based Violence Act in Rwanda

The process that led to the adoption of the Act on the Prevention, Protection and Punishment of all Gender-Based Violence (2009) in Rwanda is a key example of the importance of involving men in the fight against gender-based violence. Women parliamentarians, who initiated the draft bill, succeeded in involving their male colleagues in the development of the legislation at every step of the process. Men and women parliamentarians were also involved in extensive public consultation and dialogue not limited to women constituents. This markedly participatory process helped

them to identify the problem of gender-based violence in society, to raise awareness and to change attitudes among men and women about the issue.

Moreover, the law was drafted with the help of men and women consultants and in close consultation with women and men parliamentarians. The introduction of the law in Parliament by four women and four men sponsors further contributed to ensuring that gender-based violence was addressed not only as a women's issue, but as a social problem that impedes development.

■ Parliamentarians must **help forge national consensus** on the need to address violence against women as a priority. They can begin within their own parliaments building cross-party alliances to support action for this cause. They must also cooperate with other stakeholders, especially civil society and grass-root organizations.

■ Parliamentarians need to coordinate efforts and work together, women and men parliamentarians, civil society, central and local government, international and national organizations, and ordinary citizens. “Together” is the key word.



The Caucus of Women Parliamentarians in Pakistan

Created at the beginning of 2009 under the leadership of the first woman Speaker of the National Assembly in Pakistan, the bipartisan Caucus of Women Parliamentarians enables its members to rise above differences and party politics and to work jointly for the cause of women in Pakistan. The Caucus has focused its

efforts on policy and services for women, especially for women survivors of violence. On its advice, the government is introducing a special hotline service to ensure medical, legal and security assistance for victims/survivors in one phone call. The Caucus is also bringing to light the misery of acid and kerosene oil burn victims

and their treatment and rehabilitation, while more and more women parliamentarians are dedicating their development funds to the construction of burn treatment centres in the underdeveloped and remote areas of the country and campaigning for the economic empowerment of women survivors.



Show strong political will

Violence against women is a political issue requiring a strong political will in order to be addressed as a matter of priority.

“We need to show political will and ensure that our institutions are more involved in this battle.”

Ms. Barbara Prammer

Speaker of the Austrian National Council and host of the Fifth Meeting of Women Speakers of Parliament (Vienna, 13-14 July 2009)

■ To garner political will, parliamentarians need to give visibility to the question, have access to accurate data, and know about violence against

women in order to inform and engage others. Information about the cost of violence against women can serve as a strong mobilization instrument.



Parliaments and UNIFEM's Say NO to Violence against Women campaign

More than 200 members of parliament from over 70 countries signed up to UNIFEM's Say NO to Violence against Women campaign during the 119th IPU Assembly held in Geneva in October 2008. All the members of the IPU's Coordinating Committee of Women Parliamentarians have lent their support and have agreed to be IPU spokespersons for the issue in their respective parliaments and among the public at large.

In July 2009 in Vienna, during the Fifth Annual Meeting of Women Speakers of Parliament, which addressed the two key questions of violence against women and the global economic crisis, the President of the IPU and women Speakers of 15 national parliaments as well as the Arab Transitional Parliament, signed up to the UNIFEM campaign and agreed to make the issue a priority in their work.

■ Parliamentarians need to continuously **exert pressure** on their governments to honour their commitments or to commit to ending violence against women. They are urged to question the government and hold ministers to account, and organize briefings and hearings in parliament to convince and engage members of parliament and political leaders.



The parliamentary dimension of the Council of Europe campaign to stop violence against women

From 2006-2008, the Parliamentary Assembly of the Council of Europe, together with the national parliaments, joined forces throughout Europe to combat domestic violence against women. A network of 56 members of parliament was set up and over 200 parliamentary events were organized in Europe as a result.

At the final conference of the parliamentary dimension of the campaign held in April 2008 in Vienna, parliamentarians adopted a declaration in which they invited the Council of Europe to draw-up a

framework convention to combat violence against women, including domestic violence. This instrument will take into account the link between violence against women and equality between women and men, and will be designed to protect victims, punish perpetrators and prevent this human rights violation. Now that the Council of Europe campaign has come to an end, these parliamentarians remain committed at the national level and through their involvement in the drafting process of the future convention on combating violence against women.



Establish a sound institutional framework

Effective change requires a strong institutional framework and national bodies that have the power and the capacity to take action.

■ Parliamentarians must **build their parliament's capacities** to take action to put an end to violence against women. They should look at what parliamentary mechanisms can be developed to support work on violence against women. The establishment of a specific parliamentary committee on violence against women is one option.

■ Parliamentarians should **build their capacities** to address violence against women through the exchange of experiences with parliaments from the same region or at the global level. They may seek support from international or national organizations that can facilitate training or provide expertise.

A PARLIAMENTARY CAMPAIGN

Recognizing that the efforts to eliminate violence against women require systematic and sustained action, the IPU launched in 2008 a campaign and a programme of work to support parliaments in their efforts to end violence against women. The commitment also serves to promote and shed light on a parliamentary contribution to the current unprecedented international efforts to end violence against women, in particular the UN Secretary-General's UNite Campaign (2008-2015).

The IPU strategy includes men and women parliamentarians and builds on parliaments' and parliamentarians' political leadership to drive change. It focuses on all forms of violence against women at the international, regional and national levels, and aims to respond to the particular concerns and needs of parliaments and parliamentarians. It targets three main areas: building a strong and effective legal framework, securing effective implementation of legislation, and reinforcing awareness, sensitization and visibility of violence against women.

■ It is crucial that more women be represented in all decision-making bodies and State institutions. Parliamentarians need to develop strategies to promote women's access to parliament, government, national courts, etc.

■ National strategies to **mainstream gender** should be developed and supported to secure a coordinated approach and response to violence against women.

■ All efforts to address violence against women

Activities include the organization of regional and national seminars and technical assistance programmes for parliaments on violence against women. The IPU also encourages parliaments and parliamentarians to participate in public activities and campaigns, including by marking the **International Day for the Elimination of Violence against Women - 25 November**.

For further information please visit the sub-section of the IPU website dedicated to this campaign:

www.ipu.org/vaw

should be taken into account and implemented at **all levels of government**: national, subnational and local. Specific attention should be placed on building the capacity of rural bodies which often lack support despite the important needs of rural populations.

Mark the International Day for the Elimination of Violence against Women on 25 November

“The Inter-Parliamentary Union calls upon governments, parliaments and non-governmental organizations to organize activities to promote public awareness of the problem of violence against women, including on the International Day for the Elimination of Violence against Women, which is observed on 25 November each year”

IPU resolution, 114th Assembly, 12 May 2006

OBJECTIVES

Parliaments could celebrate the International Day by:

- *Advocating for violence against women to be made a priority issue at the national level and taking action in this fight;*
- *Identifying what steps they can take to strengthen their effectiveness in combating violence against women;*
- *Sensitizing, building partnerships and contributing to the UN Secretary-General's UNite Campaign to End Violence against Women (2008-2015).*

PROPOSED ACTIVITIES

Parliaments could organize events on or around 25 November such as:

- *Hold a special debate in parliament on violence against women, including on legislation and policies to end this human rights violation;*
- *Adopt a parliamentary resolution or declaration marking the International Day for the Elimination of Violence against Women;*
- *Conduct a national review of progress made and remaining challenges in the area of the eliminating discrimination against women, in particular gender-based violence;*
- *Distribute petitions to its members for action on violence against women;*
- *Hold consultations and public hearings on violence against women and on national solutions to eliminate it;*
- *Organize a conference or seminar to address all forms of violence against women or a prevalent form of this type of violence at the national level.*



For more information

INTERNATIONAL LEGAL FRAMEWORKS

The UN Secretary-General's database on violence against women, available at:
<http://webapps01.un.org/vawdatabase/home.action>

Handbook for legislation on violence against women,
from the UN Department of Economic and Social Affairs,
Division for the Advancement of Women, available at:
www.un.org/womenwatch/daw/vaw/v-handbook.htm#handbook

Handbook for Parliamentarians «The Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol», IPU, UN, (2003), available at:
www.ipu.org/english/handbks.htm#wom-protocol

Declaration on the Elimination of Violence against Women,
UN General Assembly resolution 48/104 of 20 December 1993

Convention on the Elimination of All Forms of Discrimination against Women (1979) and its Optional Protocol (1999), and the CEDAW Committee Recommendation No. 19 on violence against women (1992)

UN Security Council Resolution 1325 on Women and peace and security (2000)

UN Security Council Resolution 1820 on Women and peace and security (2008)

IPU database on legislation on Female Genital Mutilation, available at:
www.ipu.org/wmn-e/fgm-prov.htm

REGIONAL LEGAL FRAMEWORKS

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, “Convention Belém do Pará”, adopted in Belém do Pará, Brasil, on June 9, 1994, at the 24 regular session of the OAS General Assembly

Organization of American States Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, “Convention Belém do Pará”, available at: www.oas.org/cim/english/MESECVI.Index.htm

Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, adopted by the 2nd Ordinary Session of the Assembly of the African Union in Maputo, 11 July 2003

BUDGET

Handbook: Parliament, the Budget and Gender, IPU, UNDP, World Bank Institute, UNIFEM (2004), available at: www.ipu.org/english/handbks.htm#budget

The Gender Responsive Budgeting website at: www.gender-budgets.org/

UNIFEM Trust Fund in Support of Actions to Eliminate Violence against Women at: www.unifem.org/gender_issues/violence_against_women/trust_fund.php

INDICATORS

Indicators to measure violence against women, Report of the United Nations Expert Group, Geneva (Switzerland), 8-10 October 2007, available at: www.un.org/womenwatch/daw/egm/IndicatorsVAW/IndicatorsVAW_EGM_report.pdf

Indicators on violence against women and State response, Report of the Special Rapporteur on violence against women, its causes and consequences, A/HRC/7/6, 29 January 2008

CAMPAIGN TO STOP VIOLENCE AGAINST WOMEN

United Nations Secretary-General's UNite Campaign to End Violence against Women,
<http://endviolence.un.org>

The Parliamentary Dimension of the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence (2006 to 2008),
<http://assembly.coe.int/stopviolence>

UNIFEM's Say NO to Violence against Women Campaign,
www.unifem.org/campaigns/vaw

16 days of activism to end violence against women (UNFPA),
www.unfpa.org/16days

16 days of activism against gender violence,
www.cwgl.rutgers.edu/16days/about.html

The White Ribbon Campaign,
www.whiteribbon.com

UN Action against Sexual Violence in Conflict,
www.stoprapenow.org

WOMEN IN POLITICS

Women in Parliaments, information available at:
www.ipu.org/wmn-e/world.htm

Women in politics and gender partnership, information available at:
www.ipu.org/iss-e/women.htm

iKNOW Politics, International Knowledge Network of Women in Politics,
www.iknowpolitics.org/en

Global Database of Quotas for Women, information available at:
www.quotaproject.org

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INTER-PARLIAMENTARY UNION

Created in 1889, the Inter-Parliamentary Union (IPU) is the international organization that brings together the representatives of parliaments. The IPU is the focal point for worldwide parliamentary dialogue and works for peace and cooperation among peoples with a view to strengthening representative institutions.