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and consequences**

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Chairperson,
Excellencies,
Distinguished Delegates, Colleagues and Friends,

It is an honor for me to contribute to the discussions of the Commission on the Status of Women in this year's biennial theme, "the empowerment of rural women and their role in poverty eradication" which is an issue of utmost importance when aiming to tackle and eliminate the structural causes of violence against women. Through my work and the work of my colleagues, I have had the opportunity to highlight the need for States to support the social, economic and political empowerment of rural women.

This year's theme, *Women's Empowerment and Gender Equality*, under the Sustainable Development and reflects *inter alia* the unequal access of women to economic opportunities. Today's women are more likely than men to work in non-secure and family businesses or in precarious jobs, and to work in agriculture, especially in smaller firms and in less profitable sectors. As a result, women everywhere tend to earn less than men.¹

The current economic and financial crisis poses additional challenges to the economic empowerment of women. In addition to the impact of the crisis on export sectors such as manufacturing and agriculture, the drop in remittances from migrant workers and the tightened conditions of international trade for women business and entrepreneurs, also tend to adversely affect women's incomes and livelihoods. As more people are driven to poverty in developing countries, the achievement of the MDGs, which aim to eradicate poverty, hunger, infant and maternal mortality and illiteracy, become serious challenges. These worrisome conditions are likely to result in serious setbacks to the realization of gender equality and the elimination of violence against women.²

In the case of rural women, these risks are particularly high given the multiple forms of discrimination and inequality they face. Rural women often live in female-headed households in chronic poverty, are subject to spiralling levels of violence, as well as impacted by a disproportionately high prevalence of HIV. Women agricultural producers already suffer the most negative effects of trade liberalization and changes in agricultural markets. Although they make up the majority of agricultural workers in many of the developing countries, due to lack of access to resources, secure tenure, credit, services, training and market knowledge, rural women are further marginalized by trade liberalization and export cash crop production.³

The realization of women's economic rights, particularly those regarding land, property and inheritance, is a key element in the elimination of gender inequality and its effective contribution to the realization of the MDGs. It is also a key element in the realization of the economic, social and cultural rights of women among the agrarian economies of most developing countries. It is a key element in the realization of the right to work and to just and favourable conditions of work.⁴

¹ World Bank, *World Development Report 2012: Gender Equality and Development*, Washington D.C., 2012, p. xxi

² A/HRC/11/6, Political economy of women's human rights, report of the Special Rapporteur on violence against women, its causes and consequences, para. 26

³ A/HRC/11/6, para. 49

⁴ A/HRC/11, para. 49

income, but also security of tenure, including legal services and access to justice and opportunities to avoid situations where they are vulnerable to violence. It also means their bargaining power within the family and society at large.

Throughout my country missions, I have witnessed the limited access of rural women to productive resources such as land and support services such as credit facilities. This is sometimes coupled by women's lack of knowledge and/or understanding of the legal complexities that affect land matters, including how to register land, take ownership of land and know domestic law rights. Efforts to introduce affirmative action in allocating land to women can be limited by onerous requirements, including developing the landless in short tranches and persistent discrimination practices related to inheritance issues. Women's access to credit also remains limited due to requirements by commercial banks for collateral such as against loans - which rural women are usually unable to provide, due to not owning any land or property.⁶

Furthermore, in many countries a woman is dependent on her husband for her economic survival. When she separates from her husband or when he dies, she risks losing her home, household goods and other property. In many countries, the legal property rights upon separation or divorce discourages women from leaving violent marriages, as women may be forced to choose between violence and homelessness in their state. Women's difficulty in claiming their rights to property and land is often linked with other sex-discriminatory laws including marriage, divorce and inheritance laws, and with dispute bodies which are usually made up of men and which exclude women from the decision-making process.⁸

It is my hope that the Commission's decision to address this special will set a better understanding of the legal and institutional obstacles that limit the access of rural women to their social and economic rights, particularly to land and property. The Commission should not only ensure that women's participation in the rural economy fosters their own development, but also that their increased financial contribution to their families and communities translates into greater power and influence in decision-making within the private sphere.

I would like now to take this opportunity to brief the Commission about the work that the mandate has carried out in the past year.

2011 Thematic Report

In 2011, I prepared a thematic report on violence against women, which examines and analyzes multiple forms of discrimination suffered by women; highlights how these multiple and intersecting forms of discrimination have contributed to the exacerbated violence against women; and argues that the intersections between gender-based discrimination and other forms of discrimination, and the consequent inequalities are for men to be taken into account.

⁵ A/HRC/11/6, para. 48

⁶ A/HRC/17/26/Add.4, Mission to Zambia Report of the special rapporteur on violence against women, its causes and consequences, República Mónica, para. 44

⁷ A/HRC/17/10, para. 44

⁸ A/HRC/11/6, para. 44

⁹ A/HRC/17/26

My report questions the prevalent human rights discourse regarding violence, which regards real violence as not a responsibility of the State, and which often ignores with it the elements of context. This discourse has led to the marginalization and invisibility of violence perpetrated against women. In addition, how, more generally, ordinary violence that takes place within ostensibly private spaces, thought to be beyond the contraindication regulation of the State, does not receive enough attention.

Violence against women results from a complex interplay of individual, family, community and social factors, and even though women are at risk for violence in every society in the world, not all women are equally vulnerable to violence. I argue that a single-minded and unidimensional approach is insufficient for combating gender-based violence. Combating violence against women requires multiple approaches for its elimination. In adopting multiple approaches, preventing and combating violence must become localized, but also take into account differences within their community populations. In addition, multiple approaches require adequate human and material resources in order to assess and monitor how policies, laws and institutions impact violence and discrimination.

The report proposes a holistic approach which requires amongst others: 1) treating rights as universal, interconnected and indivisible; 2) analyzing violence as a continuum that spans individual and structural discrimination, including structural and institutional inequalities; and 4) analyzing social and economic inequalities that affect women, and between women and men, i.e. both intra-gender and inter-gender.

Treating rights as universal, interdependent and indivisible

Everyone is entitled to have their human rights recognized, protected and fulfilled regardless of their geographic location or social position, and this includes the right of women to be free from violence. Human rights are universal and do not preclude us from taking into consideration the specificities of violence against women and engaging at a local level to adequately recognize the diverse experiences of oppression faced by women. Human rights are universal, interdependent and indivisible. We should move beyond the erroneous focus that privileges civil and political rights and recognize how the denial of social, economic, and cultural rights restricts women from meaningfully exercising civil and political life.

Analysing violence as a continuum that spans interpersonal and structural violence

A holistic approach dealing with violence against women requires an understanding that such violence is situated along a continuum, both in terms of time and space. Some categorization of five different manifestations of violence against women might be useful in terms of the provision of services for victims, such as clinical, psychosocial or legal services. Not only the institutionalization of violence, but also the institutionalization of the economic, social, cultural and political violence against women are of concern to the State. We must not only reduce the violence against women, but also the structural violence that occurs because other forms of discrimination are allowed to flourish.

Accounting for both individual and structural discrimination, including structural and institutional inequalities

The holistic approach also requires us to recognize the existence of structural and institutional inequalities related to discrimination. Whether based on race, ethnicity, national origin, ability, socio-economic class, sexual orientation, gender identity, religion, culture, tradition or other realities, discrimination often intensifies acts of violence against women. The acknowledgement of structural aspects and factors of discrimination is necessary for achieving non-discrimination and equality. Efforts to end all forms of violence against women must consider not only how individual acts of violence and the immediate impact of abuse, but how structures of discrimination and inequality perpetuate and exacerbate a victim's experience. Interventions that fail to seek to only ameliorate the abuse, and which do not factor in women's realities, are not challenging the fundamental gender inequalities and discrimination that contribute to the abuse in the first place.

Analysing social and/or economic inequalities among women, both between women and men i.e. both intra-gender and inter-gender

Adopting a holistic model with regards to gender equality violence requires acknowledging the ways in which individual and structural inequalities perpetuate violence through multiple and intersecting forms of discrimination. Discrimination affects women in different ways, depending on how their position within the social, economic and cultural hierarchies that prohibit or further compromise certain women's ability to enjoy universal human rights. This approach also reveals critical aspects of intra-gender discrimination and inequality, which up until now have been invisible in efforts that treat all women indifferently in the responses to violence.

2012 Thematic Report

This year, my thematic report to the Human Rights Council, will address the issue of gender-motivated killings of women – also known as femicide and/or redaction in the exercise of office of my mandate. I have observed that gender-motivated killings of women have taken disturbing proportions in the last few years. I, along with my predecessors have expressed particular concern at the extremely violent murders of women and girls, including in the context of country visits. I have also noted a worrisome increase in the number of women and girls who are victims of violence against women.

Report to the General Assembly

In October 2011, I presented my first written report to the General Assembly¹⁰, which is an overview of the mandate's work and main findings, and the challenges it continues to

The report describes how the mandate has analysed violence against women in four main spheres: in the family, in the community, in the workplace and in the context of violence against women that occurs in the transnational sphere. It then analyses States' obligations, under international human rights law, to prevent, investigate, prosecute and

¹⁰ A/66/215

violence against women. States and non-state actors have a responsibility to: 1) prevent acts of violence against women, 2) investigate and prosecute acts of violence against women, 3) protect women against acts of violence, and 4) provide remedies, including reparations for victims of violence against women.

States must address the structural causes that lead to violence against women. In doing so, States should consider the multiple forms of violence suffered by women and the different types of discrimination they encounter, in order to adopt multifaceted strategies to effectively prevent and combat this violence. I conclude the report by presenting my proposal of a holistic approach to understanding, addressing, discrimination and violence against women.

Country Visits

Concerning country visits, I will be submitting to the 20th session of the Human Rights Council in June 2012 the reports on my official visits to Jordan, Somalia and Italy. I would like to take this opportunity to thank the Governments of these countries for their full cooperation and look forward to a fruitful and constructive dialogue on the implementation of my recommendations.

I have recently received a positive response to my request to visit Papua New Guinea and the Solomon Islands in March this year. I also hope that my request to visit Croatia and Bosnia and Herzegovina, and my requests to visit Nepal and Bangladesh, have to date remained unanswered. It is my hope that the Governments of these countries will respond positively in order to advance the promotion and protection of women's human rights.

Regional Consultations with Civil Society

In June 2011, I participated in consultations held in Brussels with European civil society organizations, including representatives of European observatories on violence against women.

Through these regional consultations, this mandate has kept abreast of regional and domestic trends pertaining to violence against women and has established direct contact with women's rights organizations, academics and victims in different parts of the world. Such consultations also offer an opportunity to continue my dialogue with civil society on the work of the mandate in particular, with a view to contributing to promoting and facilitating cooperation, including in relation to the communications procedure and country visits.

I continue valuing the exchanges during these consultations and hope that civil society organizations in all regions remain engaged and involved in such important endeavours.

Conclusion

Ensuring the human rights of women is a collective endeavour that requires joint action of States and non-State actors. The primary responsibility is with States, in line with their obligations to protect, respect and fulfil all human rights for all, without discrimination. However, non-State actors and local activists can work together to promote a holistic

response to identifying the "engine" and "multiplier engine" in terms of women. The UN and other agencies, organizations and mechanisms provide the institutional framework to facilitate such cooperation.

I remain fully committed to cooperate closely with the UN system and to assist States in their endeavours to make this a reality.

I thank you for attention.

