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**Statement by Ms. Frances Raday,
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discrimination against women in law and in practice**

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Chairperson, Excellencies, Distinguished Delegates, Colleagues and Friends,

It is a great honour for me to be here, on behalf of the Working Group on discrimination against women in law and practice, to contribute to the discussions of the Commission on the Status of Women (CSW) on this year's priority theme, "The elimination and prevention of all forms of violence against women and girls". We look forward to the Agreed Conclusions of this 57th Session which will inform our future work.

The Working Group's mandate is to identify good practices in eliminating discrimination against women in law and practice and to make recommendations for the promotion of gender equality and the empowerment of women. Taking the view, which is reflected in the Draft Agreed Conclusions, that violence against women cannot be understood or addressed outside the context of the broader issues of gender-based discrimination and unequal power relationships, that groups of women and girls who face multiple and intersecting forms of discrimination are exposed to increased risk of violence and that no custom, tradition or religious consideration should be invoked to avoid State obligations with respect to its elimination, the Working Group is looking at violence against women as a cross-cutting issue in the four thematic areas it has established as its conceptual framework: public and political life; economic and social life; family and culture; health and safety. It regards elimination of gender-based violence against women in all these spheres as crucial for women's empowerment.

While noting, in agreement, the Draft Agreed Conclusions statement that intimate partner violence and domestic violence remain the most prevalent forms of violence, and while fully aware that domestic violence undermines the victims' ability to enjoy equal opportunity in each and every sphere of their lives, the Working Group wishes to add to the discussion the additional dimension of violence against women in the public sphere. The elimination of violence against women in the public sphere is a crucial prerequisite for achieving their equal access to the political and economic space and their equal participation in decision-making.

The Working Group will be presenting its first thematic report at the Human Rights Council in June 2013. This report will be on public and political life, with a focal point on political transitions, and the Group has been cognisant of the crucial importance of eliminating violence against women in these spheres. In addition to the persisting cultural stereotypes, traditionalist practices and patriarchal social institutions, which are root causes of violence against women in the private sphere, women are subjected to violence in the public and political space because they threaten the existing male power hierarchy and because they are often seen as challenging 'traditional' notions of family.

In some regions, women political leaders or candidates and women human rights defenders have been the target of gender-specific violence, such as verbal abuse based on their sex, sexual abuse, or rape; some are victims of intimidation, attacks, death threats or

murder; and, in some regimes, women experience police or judicial harassment. There are reports from various regions of violence against women professionals, including medical, legal and media professionals in the fulfilment of their public duties. Too often, there has been impunity for acts of violence by non-state actors against women in public and political life.

This phenomenon of violence against women activists has been evident also in the political transitions in North Africa and the Middle East. While the revolutions had been imbued with great hopes for equality and democracy, women who were key recognized players in the non-violent revolutions which triggered the transitions have been met with violence by both state and non-state actors. In this context, the General Assembly¹ issued a call for creating an environment of zero tolerance for violence against women elected officials and candidates for public office and called on States to investigate allegations of violence, assault or harassment of women elected officials and candidates for political office. The Working Group has issued communications and held country visits in the region, urging governments to protect women against violence in their public and political activities and to include special guarantees for women's equality in constitution building.

However, we should be encouraged by some good practices. There is an encouraging example of legislation in the Latin American region which prohibited gender-based harassment and violence or persecution directed against a woman candidate as well as pressure on a female candidate's family. In the new constitutions of the African region, there are many gender specific equality clauses and also a number of specific constitutional references to violence against women. Explicit constitutional provisions which establish that violence against women is a serious violation of women human rights is the expression of a strong political will. Belém do Para, the Inter-American Convention on the Prevention Punishment and Eradication of Violence against Women is a regional good practice. Adopting a cross-cutting approach to violence against women, it recognizes the connection between the right of women to be free from violence and their right to be free from discrimination and stereotypes and the impact that violence has on civil, political and economic, social and cultural rights. It expressly includes in the context of the right to be free from violence, a woman's right to equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.

The Working Group respectfully invites the Commission on the Status of Women to emphasise the due diligence obligation of States to prevent, investigate and prosecute violence against women in their public and political activities and to protect women from acts of violence. Through its communication procedure, the Working Group has been calling on states to fulfil their obligations, under the United Nations Declaration on the Elimination of Violence against Women and General Recommendation No. 19 (1992) of the CEDAW Committee, to prevent, investigate and prosecute violence against women in public and political life. The importance of securing women's capacity to participate, free

¹ A/RES/66/130

from violence or the threat of violence to themselves and their families, in decision-making processes, professional activities and civil society organisation is essential both for women's equality of opportunity and for the thriving of their states and communities.

A new public and political space has been created by information and communication technologies. These have indeed been regarded as agents of change enabling women to participate directly in political and public life and, as such, a good practice. However, sometimes these technologies have an unwelcome side effect of harassment, stalking, violence and even death. Therefore, states, inter-governmental institutions and other actors must address technology-related forms of violence against women. The Working Group invites the Commission on the Status of Women to take account of these emerging trends and to require states to make the information and communications space accessible and safe for women.

The Working Group's second thematic report to the Human Rights Council in June 2014 will be on women's economic and social life. Violence against women as a cross-cutting issue will involve consideration, amongst other things, of violence and sexual harassment in the workplace, in the professions, in educational institutions, in prostitution, or with regard to land or inheritance rights. The Working Group will address women's right to equality in public and private, governmental and international institutional frameworks. It will examine the way violence against women impacts their capacities in the economic and social spheres and deprives them of equal opportunities. The Working Group notes that this is mentioned in the Draft Agreed Conclusions and kindly requests that it be expanded and emphasised.

Our third thematic theme is family and culture and this will of course include examination of the ways to eliminate discrimination and violence against women and girls in the family, which is often condoned by patriarchal cultural stereotypes. This lies at the core of violence against women, as pointed out in the Draft Agreed Conclusions. Violence against women and girls in the family violates their health and safety and creates a primary barrier to their well-being and equality in all the spheres of their lives. Indeed private violence is also political, creating an environment of fear in which women live out their lives and constituting an instrument of patriarchal control over women.

In conclusion, relating to violence as a cross-cutting issue means both separate and integrated understanding of the impact of violence against women in all spheres of their lives. We see discrimination and violence against women as inter-connected phenomena, stemming from the same epistemology, and mutually reinforcing. The Working Group notes in full agreement the emphasis in the Draft Agreed Conclusions that the ending of violence against women and girls is not an option but must be a priority for the achievement of sustainable development, peace and security, human rights, economic growth and social cohesion and that the elimination of violence against women and girls must be reflected as a priority area in the post-2015 development framework.

I thank you for your attention and look forward to engaging in a constructive dialogue with the Commission.