

CHECK AGAINST DELIVERY

STATEMENT

**UNITED NATIONS SPECIAL RAPPORTEUR ON VIOLENCE
AGAINST WOMEN, ITS CAUSES AND CONSEQUENCES
DUBRAVKA SIMONOVIC**

27th session of the Commission on Crime Prevention and Criminal Justice

14-18 May 2018

Vienna, Austria



Chairperson,
Excellences,
Distinguished delegates,
Ladies and gentlemen,

Let me begin by congratulating you on your election, Chairperson; and thanking the UNODC for facilitating my participation in the 27th session of the Commission on Crime Prevention and Criminal Justice, pursuant to Human Rights Council resolution 32/19

Since I took up my function as UN Special Rapporteur on violence against women, its causes and consequences in August 2015, I have had the privilege to address this august body twice.

In light of the complementary role of my mandate and that of the CCPCJ in relation to violence against women and criminal justice, I firmly believe that close cooperation of my mandate with the Commission on areas of common interest can effectively contribute to identify suitable measures to prevent, investigate and prosecute perpetrators of violence against women and provide protection and remedies to women and girls victims, in line with States' obligations under international human rights law and especially the CEDAW convention, the UN Declaration on elimination of violence against women and regional instruments the Belen do Para convention, the Maputo Protocol and the Istanbul Convention. The Doha declaration is also referring to gender mainstreaming in criminal justice system with reference to the UN CEDAW Convention.

I would like to mention a new important instrument developed last year, by the CEDAW Committee - the General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 in which my mandate actively participated.

CEDAW General recommendation No. 35 provides a roadmap to States and other stakeholders in how to prevent and end violence against women and girls. IAs it elaborates on the due diligence obligation of States to prevent and protect women and girls from gender-based violence, General recommendation No. 35 is a particularly useful resource tool for updating laws including criminal laws and National action plans on gender based violence, as well as for civil society promoting gender equality and fighting deeply rooted gender-based discrimination.

In particular, General recommendation No. 35 calls all State parties to "Establish a system to regularly collect, analyze and publish statistical data on all forms of gender-based violence against women". The analysis of data should enable the identification of protection failures and serve to improve and further develop preventive measures. This should, if and where necessary, include the establishment or designation of gender-based killing of women observatories with information on gender related killings and attempted killings of women, also referred to as 'femicide' or 'feminicide'.

This is in line with General Assembly Resolution A/70/176 on gender-related killings of women and girls elaborated by this Commission that encourages Member States

to collect, disaggregate, analyse and report data on gender-related killing of women. This is also in line with my mandate's call for the establishment of "Femicide watch", or a "gender-related killing of women watch/observatories".

In October 2016, I presented a thematic report to the General Assembly ([A/71/398](#)) where I recommended modalities for the establishment of femicide watch and/or observatories on gender related killing of women, to collect and analyze data on femicide.

I proposed that, in general terms, States should collect data on intentional homicide and out of that data pull out gender related killings of women or femicide data. This should be done under two broad categories that could further include subcategories in line with national realities, namely:

- i) intimate partner femicide/ family related femicide;
- ii) other femicides.

Intimate partner and family related femicides as categories should be based on the relationship between the victim and the perpetrator; and for that reason the specific definition of femicide is not needed for this purpose.

In the CCPCJ report for this session under the agenda item 8 on trends in field of criminal justice system, E /CN/15/2018/10, there are data on femicide which covers these two categories. Those data for 14 EU countries show that when the perpetrator is an intimate partner nearly 8 out of 10 victims are women (79%).

I would like to encourage all States to collect such homicide/ femicide data, disaggregated by those categories and to establish femicide watches/ observatories for the analysis of cases. I hope that with joint efforts we will soon have more comparable homicide/ femicide data or femicide rates for all States with the aim to better understand trends, patterns and drives of such violence and to use data and its analysis as a basis for preventive actions.

There are some positive steps that I would like to flag out.

Last year, I attended a femicide conference in El Salvador at which the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) presented femicide data in a number of Latin American countries.

During country visits conducted by my mandate, I have seen positive steps in a number of States with regard to the collection of data on femicides and establishments of femicides observatories. For example in Argentina, Georgia and Croatia, Ombudspersons have decided to establish femicides watch, while in Australia homicide review panels are also expanding into femicides review panels.

Last month, I conducted an official country visit to Canada where I was informed about some important steps in some provinces for the establishment of observatories on violence against women and femicides.

I would also like to salute the launching, earlier this year, of the European Observatory on Femicide at the University of Malta Valetta Campus, which will aim

to monitor and supply data and advance research in this field. It is the first such observatory in Europe and is a very welcome step.

Lastly, I also participated in the International Judicial Colloquium on Women's Access to Justice in the Context of Sexual Violence, held at Bellagio on 7 and 8 December 2017, which adopted The Bellagio Declaration on States' obligations and role of the judiciary in ensuring access to justice for gender based violence, including sexual violence in an effective, competent manner and with a gender perspective. The participants recommended that mechanisms be put in place for the collection of judicial data on the number of cases of sexual violence and on related homicide cases or gender-related killing of women per year, disaggregated by the age and sex of the perpetrators, as well as the relationship between the perpetrator and the victim, type of violence, geographical location as well as other relevant factors. Information concerning the prosecution and punishment of perpetrators should also be collected and published.

As I previously stated, adopting and implementing such preventive measures is necessary to identify any shortcomings in legislation or practice and consequent misidentification, concealment and underreporting of gender-related killings.

I encourage every State to consider developing such tools to understand better this heinous crime and put an end to this most extreme form of gender-based violence against women. I would also like to encourage implementation of the GA resolution on gender related killing of women and reporting to this Commission each year under this agenda item. This implementation focus was yesterday mentioned by some delegations and based on experience of this mandate I would like to support this focus on the implementation of resolutions and other instruments relevant to this Commission.

Chairperson,

Since my last appearance before the Commission, I have presented two thematic reports to the Human Rights Council and the General Assembly: on a human rights-based approach to integrated services and protection measures on violence against women, with a focus on shelters and protection orders, and on the adequacy of the international legal framework on violence against women, respectively.

In a few days, I will address the Human Rights Council on the issue of information and communication technology facilitated violence against women, better known as online or cyber violence against women, which is a critical topic that is a new and emerging form of ICT facilitated forms of gender-based discrimination and violence against women and girls in the society. I will gladly inform the Commission on my findings during next year's session of the Commission, which will also allow bringing a gender perspective to its work on cybercrime.

I am also honoured to have contributed to the launching of the new Guidelines for Combating Sexual Violence and its Consequences in Africa, adopted by the African Commission on Human and Peoples' Rights in May 2017;

I have also contributed to the adoption of the Inter-American Model Law On the Prevention, Punishment and Eradication of Violence Against Women in Political Life, adopted by the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) last year.

Without doubt, greater collaboration and synergies between my mandate and that of the Commission can achieve a lot with regard to the prevention of violence against women in line with SDG 5 target 2.

I thank you for your attention.