

**Report of the Platform of independent international and regional mechanisms on
violence against women and women's rights
169th session of the Inter-American Commission on Human Rights,
Boulder, Colorado, 2 October 2018**

This meeting was the first meeting of the platform held in one of the regions and on the margins of one of the regional mechanisms' session, namely the 169th session of the Inter-American Commission on Human Rights.

The following participants:

- Ms. Dubravka Simonovic, the UN Special Rapporteur on violence against women its causes and consequences (SRVAW);
- Ms. Dailia Leinarte, Chair of the CEDAW Committee
- Ms. Alda Facio, member of the UN Working Group on discrimination against women in law and practice (WGDAW)
- Ms. Feride Acar, President of GREVIO
- Ms. Margarette May Macaulay, Chair of the IACHR and IACHR Special Rapporteur on women's rights (IACHR SR)
- Ms. Silvia Mesa, Chair of the MESEVCI
- and staff supporting them¹

updated each other on the major developments and work since the launch of the platform in March 2018 in NY on the margins of the Commission on the status of women.

The SRVAW informed that information about the platform is available on her webpage and the mechanisms should create links to that information on their respective websites.

She also mentioned her report on violence against women in politics to be presented to the UN GA. She recalled that the report was informed by an EGM where all mechanisms participated and how each mechanisms after contributing to this report should look at the report's recommendations particularly those addressed to the mechanisms. Follow up to these recommendations could be an agenda item for the next meeting in May in Strasbourg leading to a possible joint workplan. She encouraged all mechanisms to bring the recommendations in her reports to the attention of their members.

She also mentioned that she presented her report on online violence against women to the Human Rights Council which is the very first step for addressing these nascent issues; the mechanisms could also build on this report. She informed that her mandate was extended for another 3 years and that she is looking into topics for her next report so would welcome suggestions. The SRVAW mentioned that the platform should start discussing how to make such cooperation sustainable and to this end how to make it more visible to Member States.

The SRVAW mentioned that she visited the GREVIO Committee, during the meeting of States Parties and discussed the misinterpretation of the term "gender" as so called "gender ideology".

Since this was also discussed during the meeting in NY, it was acknowledged that a joint paper or statement on this would be helpful.

¹ Liri Kopaçi-Di Michele, Renata Pertulan, Federica Donati, Fernanda Vanegas, Luz Mejia.

The President of GREVIO mentioned that 33 countries have ratified the Istanbul Convention and 13 have signed it (including the EU which is working towards ratification). Only two member states have not signed or ratified: the Russian Federation and Azerbaijan. She also informed participants that with the election of an additional 5 new members, GREVIO's 15 membership is now complete. The President drew attention to positive progress to have a gender balanced membership: GREVIO has two male members (Sweden and Georgia). The baseline evaluation reports on Montenegro and Turkey will be published in October 2018 thus bringing the total number of evaluation reports published by GREVIO to six. She also explained that a positive development is the fact that the Committee of the States Parties, which adopts recommendations addressed to the states has started using the prioritization scale for the proposals and suggestions, issued by GREVIO to improve implementation of the Convention by the parties.

The Chair of MESEVCI informed that they have been working on a model law for the prevention and eradication of femicide; they held a meeting on this in Trinidad; in this context they realized that to fit civil law and common law systems is very challenging; there is a draft that they hope will be approved by the MESEVCI meeting in December and published at the beginning of 2019. She also explained the content of the model law. Next to this, a model law on violence against women in politics was also developed.

The IACHR SR mentioned that what is going on in the Americas in relation to women's rights is concerning: violence against black and indigenous and rural women has increased; cases of violence against women are very brutal: they recorded 16 beheadings of women in Guatemala; in Honduras the criminality rate has dropped but the rate of violence against women has been on the increase; between January and February 2018 in Peru there have been 43 femicides. She mentioned that the IACHR insists on States meeting their due diligence obligation in investigating and prosecuting violence against women cases. She also mentioned that Venezuela and Nicaragua continue to be under the watch of the IACHR but they have not managed to visit Venezuela which did not agree to a visit by her and the IACHR SR on children's rights.

The CEDAW Chair mentioned the two enquires conducted by the CEDAW Committee: on abduction and forced marriage in Kyrgyzstan; and on abortion in Northern Ireland; the Committee also adopted jointly with CRPD a general recommendation on guaranteeing sexual and reproductive health and rights for all women where it almost said that abortion should be granted upon request. This general recommendation represents a major step. The CEDAW Committee also signed a cooperation agreement with the Special Representative of the Secretary General on sexual violence in conflict. As it was agreed that treaty bodies will officially work on a general recommendation at a time, the Chair informed that the one the Committee decided to work on is on trafficking in the context of migration. It is expected that the concept note will be adopted in February 2019 and the general day of discussion to take place in July 2019. The CEDAW Committee also issued a joint statement with the CRC on the Rohingyas in Myanmar and had a meeting with the Ambassador to push for reporting.

The member of the WGDAW briefed on its main working methods that are the same of all special procedures, including thematic reports, position papers, amicus, cooperation with a number of other SRs and treaty bodies. She mentioned that it would be important that the mechanisms work together towards joint positions on critical and timely issues and put into plain language the reports they have prepared.

All mechanisms explained how they reference and review each other's reports when working on a specific country and/or theme, like the SRVAW prior to visiting Bahamas who reviewed MESEVCI reports on this country. She also mentioned that she visited Canada and the CEDAW Committee also reviewed Canada and so the regional mechanisms should make reference to this material.

The thematic discussion on femicide revolved primarily around the need to collect data at national level, data which are comparable in order to be able to shape appropriate measures to prevent femicide. The SRVAW recalled in this regard her call to establish femicide watches/observatories according to precise modalities that she explained in her report on femicide (A/HRC/38/47).

It is also important to analyze cases of femicide decided by national courts but also international monitoring bodies like the CEDAW Committees as these can provide a snapshot of the situation relating to femicide in a particular country. It was recalled that all international and regional mechanisms request data on femicide in their regular work whereas femicide is not included as one of the indicators under SDG Goal 5 leaving an important vacuum there.

There was agreement on the fact that femicide should be understood in a comprehensive and broad way. The status is that available data on femicide mostly refers to killings in the context of domestic violence. However, it is well known that sexual violence committed outside the domestic sphere may lead to femicide and the mechanisms should endeavour to shed light on this. In addition, FGM and forced abortion may lead to femicide, and victims of prohibition of abortion should be considered femicide cases. In the case of the Inter-American System on human rights, gender-based killings are understood as the most extreme form of violence against women within a structural discriminatory and violent context against women. On this regard, the Inter-American system has broadly approached the issues dealing with due diligence, investigation and reparation of femicides. No country collect data on femicide taking into consideration all these different factors leading to gender based killings of women or gender-based deprivation of life. No country collect data on femicide taking into consideration all these different factors leading to gender based killings of women or gender-based deprivation of life.

The difficulty of collecting comparable data stems from the fact that every country has a different legal framework governing femicide. MESEVCI for example receive two sets of data from Costa Rica; from Guatemala they receive a small number of cases because the state collects data only once the judicial proceedings are finished. For Peru the data comes from the prosecution office. MESEVCI is only able to use the data they receive though it is not comparable.

The SRVAW mentioned that the BBC is interested in producing a documentary on femicide but they are at loss on what data to use. Such a documentary would be useful in the regions too. She mentioned that she will issue a call to collect data on femicide and encouraged others to do the same. In Annex 1, you will find the SRVAW call that could be replicated by the regional mechanisms.

The thematic discussion on pushbacks on women's rights provided example of calls by certain forces to states to withdraw from the Istanbul Convention or refrain from ratifying it.

It was mentioned that even an NGO asked CEDAW to ask a country not to ratify the Istanbul Convention. The case of Bulgaria was also mentioned and the SRVAW and WGDAW could look into this for a possible communication. The NGOs could also be advised to ask for an opinion of the Venice Commission.

It was mentioned that the WGDAW has already started working on a paper on gender and so mechanisms could join that endeavour. Many of the mechanisms have pronouncements on gender and these should be used and disseminated and feed into the possible joint paper. The Council of Europe is also working on a Q & A booklet to address misconceptions and misinterpretation of certain provisions of the Istanbul Convention.

The President of GREVIO and Council of Europe Secretariat provided an update on the plans for the meeting of the Platform and the thematic event which will take place in Strasbourg on 23 and 24 May 2019. There will be a closed half-day meeting of the platform in the afternoon of 23rd of May and a one-day public event on the 24th of May.

The public event is organized in close cooperation and coordination with the Gender Equality Commission of the Council of Europe and so it has to accommodate the priorities of this inter-governmental body (composed of 47 Member States). This thematic event will be opened to representatives of the mechanisms, members of GREVIO, members of the Gender Equality Commission, members of the Committee of the Parties to the Istanbul Convention, representatives from national coordinating bodies on violence against women, permanent representations of the member states to the Council of Europe, representatives of the Parliamentary Assembly of the Council of Europe, the European Court on Human Rights, media representatives, experts, civil society and other regional/and or international organizations.

The draft agenda for the public event was also presented: there will be an opening session with the participation of the leadership of the Council of Europe, French authorities², and representatives of the regional mechanisms. Feedback from the closed meeting will be provided in that context. In addition, two thematic panels are envisaged:

1. Ending violence against women and girls: a condition and accelerator towards the achievement of sustainable development goals (SDGs) and the 2030 Agenda
2. Putting victims' safety first: Child custody and domestic violence in national and international jurisprudence.

Each thematic panel will have a keynote speech given by an expert followed by a panel discussions with the participation of representatives of the mechanisms and other relevant stakeholders.

The Council of Europe will pay for interpretation in the two official languages: English and French, has booked the meeting rooms for both events, and will print the programme and other relevant material as necessary. The Council of Europe will also pay for the two key note speakers/experts but will not be able to fund the participation of the representatives of the mechanisms, accompanying secretariat or other staff/representatives from these

² France holds the Presidency of the Committee of Ministers of the Council of Europe during the period when the event will take place

mechanisms. The SRVAW project will be able to fund the participation of the representatives of the mechanisms.

The underpinning idea is to use the Strasbourg meeting to showcase the platform and the importance of its activities, increase visibility, while at the same time calling for increased support for the mechanisms as well as their efforts to cooperate.

Action Points

Below the action points agreed at the meeting:

- **post on the SR webpage** related to the platform relevant material produced by the mechanisms like the MESEVCI Declaration on gender equality and others;
- issue a **joint statement on the international day on violence against women, 25 November 2018**, to reiterate the call for collection of data and jurisprudence and send a strong joint message that data is important for the prevention of femicide;
- review the **paper on gender** once finalized by the WGDW with a view to becoming a joint paper or providing the basis for a joint action on this issue;
- upon publication, **distribute widely the Council of Europe Q&A on the Istanbul Convention**;
- circulate and provide comments to the **draft agenda for the Strasbourg meeting**;
- work towards organising a **meeting of the platform in Africa** on the margins of the Fall 2019 session of the African Commission on Human and Peoples' Rights;
- consider the possibility of a **join short statement on women human rights defenders** on the occasion of the 5th anniversary of the UN General Assembly resolution on women human rights defenders, bearing in mind that a number of statements may also be in the pipeline for the 20th anniversary of the Declaration on human rights defenders;
- **exchange information and coordinate activities** that may take place **during the CSW 63**.

Call for femicide related data and information

Further to her report to the General Assembly **A/71/398**, of 23 September 2016 in which the Special Rapporteur on violence against women, its causes and consequences, called for the prevention of femicide, or gender killing of a woman and the establishment of femicide watches and/or observatories on violence against women in line with the modalities explained in the same report, the Special Rapporteur has since been working with other UN and regional mechanisms towards promoting measures aimed at analyzing and preventing femicide.

Since the 2016 report, some progress has been made in developing national observatories and collection of data with the aim of analyzing the causes of femicide. Over the course of the next two years, the Special Rapporteur aims to continue cooperating with national, regional and UN mechanisms and processes in order to pursue the implementation of the recommendations in her report to the General Assembly. Information provided by your organisation will be important to achieving this.

With this objective in mind, the Special Rapporteur kindly seeks your support in accelerating efforts to prevent gender related killings of women and respectfully requests information on:

- administrative data on gender related killings of women for 2016-2018;
- the number of women killed by their partners (intimate partner killings) or by family members or other killings by unrelated persons but gender related;
- Number of killings of children, disaggregated by sex, in the contexts of gender related violence against women;
- information on the existence of or progress in the creation of a national femicide watch and/or observatory on violence against women;
- Information on analysis of cases and actions undertaken in this respect;
- Information on related investigations, prosecutions and convictions of all cases of gender related killing.

The Special Rapporteur would be grateful to receive any of the above information and data by **15 November 2018**. Any submissions may be made through vaw@ohchr.org.