**National Coordinator,**

**Coalition on Domestic Violence Legislation in Ghana**

**Regarding:** Call for submissions to all stakeholders regarding the gap in incorporating and implementing the international and regional standards related to violence against women

***1.    Do you consider that there is a need for a separate legally binding treaty on violence against women with its separate monitoring body?***

Yes.

Reasons:

1. Presently, attempts to address gross violation of the rights women and girls (i.e. violence against women and girl) lack international legally binding document
2. There is also the absence of a distinct monitoring mechanism focused on violence against women and girls. Such a body can subject all countries to the same accountability framework in terms of upholding countries to strict due diligence and a high global standard for protection and prevention of violence against women and girls.

***2.    Do you consider that there is an incorporation gap of the international or regional human rights norms and standards?***

Yes.

Reasons:

1. No specific legislation or ‘hard law’ on violence against women and girls; any response attempts by countries is at the discretion of individual governments. For example, the incorporation of international ‘soft laws’ such as CEDAW General Recommendation 19 into domestic policies is at the behest of governments.
2. Regional mechanisms such as the Belem do Para in the Americas, The Maputo Protocol in Africa and the Istanbul convention in Europe may have legally binding provisions for those countries who have signed on, but there are no regional mechanisms in Oceania, Asia or the Middle East

***3.    Do you believe that there is a lack of implementation of the international and regional legislation into the domestic law?***

Yes.

Reasons:

1. “There is no automaticity about incorporating ‘soft laws’ into domestic legal frameworks or policies”. In the absence of political will and drive to do so therefore, women and girls lose their citizenship and entitlement to protection from the State. General recommendations and comments, no matter how self-evident they may be in terms of seeking the good of women and girls, remain inspirational and not obligatory.
2. The lack of global standards ensuring effective and meaningful implementation of domestic law across countries represents a significant gap in the protection of women and prevention of violence
3. Implementation of domestic policies could be greatly strengthened by a legally binding document holding all governments to a specific level of account

***4.    Do you think that there is a fragmentation of policies and legislation to address gender-based violence?***

Yes

Reasons:

1. There is no single, comprehensive legal definition of violence against women within the articles of any of the United Nations human rights treaties
2. Countries must be progressive enough or driven by a strong civil society to enact strong domestic law on violence against women and girls
3. Without a strong international legal framework addressing violence against women, a country’s domestic policies may be strongly influenced by religion, tradition and socio-cultural practices that may prevent effective protection of women

***5.    Could you also provide your views on measures needed to address this normative and implementation gap and to accelerate prevention and elimination of violence against women?***

Measures are urgently needed prevent and protect women and girls from the egregious violations of their rights particularly from their experience of gender-based violence. Some of these measures are listed below:

1. Development of a Global Treaty on Violence against Women and Girls, with its own monitoring body, and working in conjunction with CEDAW and other established international and regional mechanisms
2. Global recognition that violence against women and girls is a gross, endemic and systematic violation of the rights of women and girls to bodily integrity and life
3. Full, effective and enforceable legislation that supports incorporation of strong domestic policies and education programs addressing violence against women at a family and community level