**UN Special Rapporteur on violence against women: Report on rape as a grave and systematic human rights violation and gender-based violence against women - EGM**

**Panel: International Civil Society and Institutional Responses to Rape Today**

* Rape, as a form of violence against women and girls is one of the most pervasive and disturbing human rights violations. Like other forms of sexual violence against women, rape is rooted in patriarchal beliefs, entitlement, power and male domination, all of which foster an environment in which it is rampant and normalized. Country data shows that approximately one third of women globally have reported experiencing physical and/or sexual violence at some point in their lifetime, mainly by their partners[[1]](#footnote-1) and in some regions, such as the Pacific, up to 68 per cent of women have experienced violence at the hands of their partners.[[2]](#footnote-2)
* Exact numbers of rape and sexual assaults are notoriously difficult to substantiate due to the widespread culture of impunity and stigma towards survivors in communities, which results in their fear to report it and subsequent silence. Yet, available data estimates that approximately 15 million adolescent girls (aged 15 to 19) worldwide have experienced forced sex at some point in their life[[3]](#footnote-3). In many countries, adolescent girls are most at risk of forced sex by a current or former husband, partner or boyfriend; and based on data from 30 countries, only one per cent ever sought professional help.
* Rape may be further exacerbated and compounded by conflict, crises, post-conflict and displacement situations. Sexual violence and rape have been used against women and girls as a deliberate tool in conflicts in Bosnia and Herzegovina, and Rwanda. In Myanmar, where more than half a million Rohingya have fled the country, rape and other forms of sexual violence have been used as part of the efforts to displace populations. In Syria, sexual violence has been used to extract information from women, and to coerce surrender from male relatives.
* Additionally, it occurs on a continuum of violence against women and girls, and many times, during periods of conflict, families may marry off their daughters in order to protect them from the dishonour associated with being a victim or becoming pregnant as a result of rape. In these situations, families see harmful practices such as child, early and forced marriage, as a way of providing girls with a home and protecting them from additional sexual violence. There is little, if no accountability for those who facilitate these ‘marriages’ or perpetrate the violence within them, and even less recourse, including shelter and safe accommodation, for those wishing to escape.
* Despite recent worldwide mobilizations and various campaigns against sexual violence, including #MeToo, #TimesUp, #Niunamenos, #NotOneMore, #BalanceTonPorc and others, rape remains one of the gravest forms of VAW at the global, regional and national levels. This is primarily due to the lack of legislation criminalizing certain forms of rape, - or where legislation exists, poor enforcement -, underreporting of rape crimes and limited capacity of law enforcement officials to investigate.
* By 2018, for example, only 42 per cent of countries had legislation explicitly criminalizing marital rape and three billion women and girls still live in countries where rape within marriage is not explicitly criminalized[[4]](#footnote-4). Several countries continue to retain clauses exempting perpetrators of rape from prosecution where they subsequently marry the victim, which is highly discriminatory and in conflict with human rights standards. The fact that cases involving VAWG, including rape, are not rigorously investigated, leads to the escalation of violence and even to the most extreme forms of violence, namely gender-related killings/femicide.
* It is, therefore, important to have in place legislations criminalizing all forms of rape. Such laws must also tackle the issue of consent and the lack of emphasis and clarity around affirmative consent. To commemorate the 2019 International Day for Elimination of Violence Against Women, under the UN Secretary-General’s UNiTE by 2030 to End Violence against Women campaign (UNiTE campaign), UN Women called on all relevant actors to guarantee that woman and girls are protected from rape and all forms of sexual violence by ensuring that the absence of consent is the central component of the definition of the incriminated acts of sexual abuse - rape, marital rape, acquaintance/date rape, all forms of sexual harassment – as well as to take into account the power relationship between perpetrator and victim. Rape laws must be consent based and it is critical to highlight that consent should be required to be offered with free will, without being induced by fraud, coercion, violence or threat of violence, and in the person’s full capacity.
* As well as the enactment of appropriate laws and regulations, providing better access to justice for victims in cases of VAWG requires a range of complementary interventions, which include specialized services. Through our Joint Global Program on Essential Services,[[5]](#footnote-5) UN Women is ensuring that quality, accessible, coordinated and multi-sectoral support services are available in over 50 countries for survivors. Such services include immediate and long-term health care, psychological support, police and justice responses, as well as safe accommodation, all of which can help women and girls break recurrent cycles of violence and mitigate its consequences.
* Equally important are investments in substantial, long-term prevention programmes to address the drivers of violence – particularly the institutional and structural barriers, patriarchal systems and negative stereotyping around gender that are all too prevalent within our society. Prevention programmes must engage men and boys in challenging the gender inequalities in power that underpin male violence. Through the Spotlight initiative, UN Women in five municipalities in Honduras, is supporting social activism through art workshops with adolescents – especially boys – that uses creativity to engage them to challenge gender stereotypes that perpetuate violence.

In addition, with support from the UN Trust Fund, several school-based projects focused on changing mindsets and behaviors to end sexual VAW are being run in camps for internally displaced persons in South Sudan, who are at increased risk of violence.

* States have clear obligations to transform and implement laws, policies and programmes to prevent and eliminate all forms of violence against women and girls, including rape. Recent legislative progress includes the creation of laws on marital rape and the repeal of laws that exonerated rapists if they married their victims[[6]](#footnote-6). However, in addition, family laws should be reformed to uphold women’s rights in marriage, divorce and custody so that women are better able to leave abusive or violent situations. For the same reason, reform of migration regulations to ensure that migrant women have residency status that is independent of their partners is also critical.
* UN Women will continue to collaborate on the work on eradicating rape against girls and women, by continuing to support campaigns to repeal laws that are not in line with human rights standards; supporting dedicated sexual assault centers to ensure specialized responses, including with forensic exams and post exposure prophylaxis; as well as supporting the capacity building of national statistical offices and countries for data monitoring, among others.
* It is through removing the root causes such as systemic, gender-based discrimination and inequality of violence, as well as ending impunity for perpetrators and building a culture that promotes gender equality, including working with key male champions or ‘change agents’ that we will see a transformation of social norms, which is necessary to eliminate all forms of VAWG, including rape.
1. WHO (2013). [↑](#footnote-ref-1)
2. The World Health Organization, London School of Hygiene and Tropical Medicine and South African Medical Research Council (2013). ‘Global and regional estimates of violence against women: Prevalence and health effects of intimate partner violence and non-partner sexual violence’ ps. 16 and 20. [↑](#footnote-ref-2)
3. UNICEF (2017). [↑](#footnote-ref-3)
4. Progress of the World’s Women 2019-2020: Families in a Changing World, UN Women (2019). [↑](#footnote-ref-4)
5. UN Women, UNFPA, WHO, UNODC and UNDP [↑](#footnote-ref-5)
6. In Jordan, Lebanon, State of Palestine and Tunisia, public awareness campaigns and advocacy efforts by women’s rights organizations have led to the successful repeal of such laws. [↑](#footnote-ref-6)