



Asia Pacific Forum on Women, Law and Development

APWLD

NGO on the Roster in consultative status with the Economic and Social Council of the United Nations

RENEW MANDATE OF THE UN SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN

POSITION PAPER

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The UN Special Rapporteur on Violence Against Women, its causes and consequences, (UNSRVAW), has been a foundation stone of the UN for the further development, recognition and fulfillment of women's rights. The UNSRVAW has advanced the frameworks and standards for eliminating violence against women (e.g. in terms of due diligence, impunity of State and non-State actors). She has introduced strong guidelines for States to follow when providing redress for incidences of violence against women in the family, community and the State spheres. The UNSRVAW has also been an effective avenue for women's NGO's to raise concerns at the international level about individual and systemic incidents of violence against women.

Since the inception of the UNSRVAW in 1994 APWLD has held annual consultations for women's groups from Asia Pacific to directly engage with the UNSRVAW. APWLD, a regional NGO network, working for 18 years in Asia Pacific with over 1500 women's organisation has also advocated at the UNCHR on various issues of violence against women, including comfort women, military rapes in Indonesia and Burma, violence against migrant women workers, and violence against Dalit women, among others, resulting from these consultations. The inclusion in the UNSRVAW's reports of Asia Pacific concerns, such as the mass rape of Chinese women in Indonesia and the issue of comfort women, has essentially advanced national advocacy on violence against women in the international arena.

The UNSRVAW is but one example of the success of the special rapporteur mechanism. The special rapporteurs have provided a valuable avenue for NGO's to engage with the UN system, further the development of human rights standards and work towards their fulfillment. Since 1994 several new special rapporteur positions have been created to address specific issues or country situations, with the latest appointment being the Special Rapporteur on the Right to Health in 2002. The work and findings of the special rapporteurs have strengthened the accountability of States in the human rights system, and the UNSRVAW has made valuable contributions in this regard.

Violence against women in the family, community and by the State continues to occur with impunity in all parts of the world. Having assessed the developments since 1994, the outgoing UNSRVAW concludes "For the vast majority [of women] violence against women remains a taboo issue, invisible in society and shameful fact of life. Most cases of violence against women result in impunity for the perpetrators." (2003/75).



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Further, many of the recommendations made by the UNSRVAW since 1994, remain unimplemented by many States. The outgoing UNSRVAW says in her final report, "the next decade must ensure that the international, regional and national mechanisms set up during this decade are made accessible for women seeking redress." (2003/75)

In this context of persistent and blatant violence against women, the existence of mechanisms that focus on advancing women's rights continues to be a necessity. But instead of strengthening these mechanisms, lack of adequate mainstreaming of women's rights continues to plague the UN system. Even within major UN bodies such as the Committee of Status on Women, we have seen that member States cannot agree on what actions to take to address violence against women, thereby impeding victims of violence against women and women's groups in their attempts to seek redress and prevent further incidents of violence against women.

The UNSRVAW is the only one, out of 24 special rapporteurs, with a mandate that focuses specifically on women. This position is essential to retain to ensure that the UN has adequate mechanisms in place to eliminate violence against women and fulfill women's rights. It is therefore critical that the mandate of the UNSRVAW be renewed and strengthened to allow for monitoring of State compliance with international human rights standards and to meet the challenge of making *de jure* standards against violence against women a reality for all women.

To this end APWLD strongly urges the Commission to:

- ***Renew the mandate of the UNSRVAW;***
- ***Expand the scope of the UNSRVAW's mandate to enable greater monitoring of States' compliance with international human rights standards; and***
- ***Provide adequate resources for the UNSRVAW to implement the full scope of the mandate.***

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