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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report on creating and/or strengthening synergies and linkages on violence against women and girls

**Report of the Office of the United Nations High Commissioner for
Human Rights**

Summary

Pursuant to Human Rights Council resolution 20/12, the following is a set of recommendations on synergies and linkages between the mechanisms of the Human Rights Council, and with other relevant intergovernmental processes on the issue of violence against women and girls.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1–4	3
II. Synergies and linkages between mechanisms of the Human Rights Council	5–23	3
A. Human Rights Council resolutions	6–10	4
B. Commissions of inquiry/fact-finding missions	11	5
C. The Advisory Committee	12	5
D. Expert Mechanism on the Rights of Indigenous Peoples and the Forum on Minority Issues	13	6
E. Universal Periodic Review	14–18	6
F. Special procedures	19–23	7
III. Synergies and linkages between the Human Rights Council and other relevant intergovernmental process	24–50	9
A. General Assembly	25–31	10
B. Commission on the Status of Women	32–37	11
C. Commission on Crime Prevention and Criminal Justice	38–43	12
D. Security Council	44–50	14
IV. Recommendations	51–55	17

I. Introduction

1. In its resolution 20/12 on “accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence”, the Human Rights Council requested the Office of the High Commissioner for Human Rights (OHCHR), “to prepare, in consultation with relevant stakeholders, and to present to the Human Rights Council, at its twenty-third session, recommendations on how to create and/or strengthen linkages and synergies between the mechanisms of the Human Rights Council, and also with other relevant intergovernmental processes on the issue of violence against women and girls”.

2. In preparing the recommendations, OHCHR made an online call for submissions and consulted with the Special Rapporteur on violence against women, its causes and consequences, relevant United Nations entities¹ and other stakeholders.

3. The report first maps out how various intergovernmental bodies have addressed violence against women since 2009. It is divided into two sections. The first section addresses synergies and linkages between the mechanisms of the Human Rights Council on the issue of violence against women and girls. The second section addresses synergies and linkages between the Council and other intergovernmental processes, namely the General Assembly, the Security Council, and two of the functional commissions of the Economic and Social Council: the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice. It then presents some conclusions and recommendations.

4. In accordance with resolution 20/12, the review informing the recommendations focuses on the issue of violence against women. Gender-integration into the work of the Human Rights Council and other intergovernmental processes is not fully addressed in this report.²

II. Synergies and linkages between mechanisms of the Human Rights Council

5. The present section is based on a review of the scope and nature of the work on violence against women undertaken by the Human Rights Council and its mechanisms in the period 2009-2012. The review focuses on how the work of the Special Rapporteur on violence against women, its causes and consequences and other relevant thematic mandates

¹ Entities consulted included the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the Office of the Special Representative of the Secretary-General on sexual violence in conflict, the Team of Experts under Security Council resolution 1888 (2009), the Office of the Special Representative of the Secretary-General on children in armed conflict, the Office of the Special Representative of the Secretary-General on violence against children and the United Nations Organization on Drugs and Crime (UNODC).

² Gender integration in the work of the Human Rights Council is considered under follow-up reports on HRC resolution 6/30 and ensuing reports by OHCHR. UN Women submits an annual report to the General Assembly on gender-equality issues in the Secretary-General’s reports, and in resolutions of the Economic and Social Council and the General Assembly (most recent report A/67/185). In response to the findings and recommendations in these reports, the General Assembly has requested that: (1) a gender perspective be reflected in the reports of the Secretary General, and (2) intergovernmental bodies reflect a gender perspective in their work (see most recent resolution 67/148, paras. 14, 16, 19 and 20).

of the Council, such as the Special Rapporteur on trafficking in persons, especially women and children, and the Working Group on discrimination against women in law and practice contributes to the overall thematic and country-focused work of the Council and other intergovernmental processes.

A. Human Rights Council resolutions

6. From March 2009 to September 2012, the Human Rights Council held 12 regular sessions and adopted 312 resolutions on a wide range of issues. In addition to its annual resolutions on accelerating efforts to eliminate all forms of violence against women and girls,³ the issue of violence against women was also mentioned in resolutions on: preventable maternal mortality and morbidity;⁴ the fight against sexual violence against children;⁵ elimination of discrimination against women;⁶ trafficking in persons, especially women and children;⁷ migration and the human rights of the child⁸ and human rights and transitional justice.⁹ The resolutions called upon States to protect all human rights of trafficked women and children, in particular unaccompanied migrant children, and to ensure that the best interests of the child are a primary consideration. The Council also reiterated its concern at the large number of women and children trafficked within and between regions and States and called upon States to take action on violations committed against trafficked persons. In resolution 21/15 regarding human rights and transitional justice, the Council strongly condemned violence against women and girls committed in conflict and post-conflict situations and called for effective measures of accountability and redress where those acts amounted to violations of international human rights and humanitarian law.

7. The issue was also addressed in the resolution extending the following thematic mandates: the Special Rapporteur on violence against women, its causes and consequences;¹⁰ the Special Rapporteur on trafficking in persons, especially women and children;¹¹ and the Special Rapporteur on contemporary forms of slavery.¹² In renewing these mandates, the Council called on the mandate holders to adopt a comprehensive and universal approach to the issues at stake, including attention to the causes of violence against women related to the civil, cultural, economic, political and social spheres. The Special Rapporteur on slavery was requested “to take account of the gender and age dimensions of contemporary forms of slavery.”¹³

8. The Council has established seven new thematic mandates since 2009, including the working group on discrimination against women in law and practice.¹⁴ While the issue of violence against women and girls was not explicitly mentioned in any of the seven resolutions establishing the mandates, six mandates were requested to integrate a gender

³ A/HRC/RES/20/12; A/HRC/RES/17/11, A/HRC/RES/14/12 and A/HRC/RES/11/2.

⁴ At the fifteenth session (A/HRC/RES/15/17) and at the 21st session (A/HRC/RES/21/6).

⁵ A/HRC/RES/21/15.

⁶ A/HRC/RES/15/23.

⁷ A/HRC/RES/20/1; A/HRC/RES/17/1; A/HRC/RES/14/2; and A/HRC/RES/11/3.

⁸ A/HRC/RES/12/6.

⁹ A/HRC/RES/21/15.

¹⁰ A/HRC/RES/16/7.

¹¹ A/HRC/RES/17/1.

¹² A/HRC/RES/15/2.

¹³ A/HRC/RES/15/2, para. 5(b).

¹⁴ A/HRC/RES/15/23.

perspective into their work¹⁵ and one of the mandates was asked to “apply a gender perspective by, inter alia, considering the particular situation of women and girls in identifying gender specific discrimination and vulnerabilities”.¹⁶

9. Country-specific resolutions where the issue of sexual and gender-based violence was addressed included resolutions on: the Republic of Guinea, the Democratic Republic of the Congo, Cambodia, Somalia, the Syrian Arab Republic, Myanmar and a presidential statement on Haiti.¹⁷ The resolutions expressed concern regarding the prevalence of sexual and gender-based violence and called for preventive measures, investigation, punishment and redress for victims.

10. The Council held special sessions on the human rights situations in: the Libyan Arab Jamahiriya, Syria,¹⁸ the Occupied Palestinian Territories; Lebanon; Darfur; Côte d’Ivoire; the Democratic Republic of the Congo; Myanmar; and Sri Lanka. One session was devoted to support for the recovery process in Haiti and two thematic special sessions to the world food crisis and the economic and financial crisis. The resolutions resulting from these sessions did not explicitly discuss the issue of violence against women and girls.¹⁹

B. Commissions of inquiry/fact-finding missions

11. Since 2009, the Human Rights Council has mandated the establishment of 10 commissions of inquiry/fact-finding missions. Most of the commissions’ terms of reference called on them to investigate alleged violations of human rights and international humanitarian law. The resolutions establishing the commissions of inquiry on Côte d’Ivoire and Libya made specific reference to gender-based violence, including sexual violence. The recommendations of the commissions of inquiry/fact-finding missions have tended to be based on the mandating resolutions,²⁰ therefore issues related to sexual and gender-based violence appear more prominently in the reports and recommendations of commissions of inquiry that are expressly mandated to investigate these crimes.

C. The Advisory Committee

12. Since it took its current form, the Advisory Committee has been requested to identify key gaps in standard-setting or emerging areas on eight thematic issues pertaining

¹⁵ Independent Expert in the field of cultural rights (A/HRC/RES/10/23), Independent Expert on the promotion of a democratic and equitable international order (A/HRC/RES/18/6); Special Rapporteur on the right to food (A/HRC/RES/13/4); Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/HRC/RES/15/21); and Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence (A/HRC/RES/18/7) and Working Group on the issue of human rights and transnational corporations and other business enterprises (A/HRC/RES/17/4).

¹⁶ A/HRC/RES/19/10 Independent expert on the issue of human rights obligations relating to the employment of a safe, clean, healthy and sustainable environment, April 2012.

¹⁷ A/HRC/RES/16/36; A/HRC/RES/13/22; A/HRC/RES/15/20; A/HRC/RES/20/21; A/HRC/21/L.32, A/HRC/19/L.30; and A/HRC/PRST/15/1.

¹⁸ For Syria, the Council has held four special sessions: April 2011, August 2011, December 2011 and June 2012.

¹⁹ <http://www.ohchr.org/EN/HRBodies/HRC/Pages/Sessions.aspx>.

²⁰ Of the ten, five make reference to women in their overall conclusions and recommendations. Report of the independent, international commission of inquiry on Côte d’Ivoire (A/HRC/17/48). http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.48_Extract.pdf

to the mandate of the Council.²¹ The draft declaration on the right to peace²² calls on States to revise national laws and policies that are discriminatory against women, and to adopt legislation that addresses domestic violence, the trafficking of women and girls and gender-based violence. The draft declaration on human rights education and training²³ notes that education contributes to preventing violations, including violence against women.²⁴ The final study on traditional values dedicates a chapter to the impact of traditional values on vulnerable groups with a particular focus on women and minorities.²⁵ Similarly, the study on the promotion of human rights of the urban poor specifically analyses the situation of women and girls.²⁶ In its study on rural women and the right to food, the Committee analysed patterns of discrimination harming rural women, proposing strategies and policies for their legal protection and emphasizing good practices.²⁷

D. Expert Mechanism on the Rights of Indigenous Peoples and the Forum on Minority Issues

13. The Expert Mechanism on the Rights of Indigenous Peoples in its studies and reports to the Council has highlighted multiple discrimination faced by indigenous women and girls in several areas of life including the right to culture, education and the right to participate in decision-making.²⁸ For the first four sessions of the Forum on Minority Issues (2008-2011) the sole recommendation which made an explicit mention of the issue of violence against women emanated from the fourth session, on guaranteeing the rights of minority women, although each session included women's human rights language.²⁹

E. Universal Periodic Review

14. One of the 13 basic principles of the Universal Periodic Review (UPR) as set up in paragraph 3(k) of Human Rights Council resolution 5/1 is the full integration of a gender perspective in the process. This would entail a gender-sensitive consultation process when preparing the national report, as well as the consideration of all gender-related issues, including gender-based violence.

15. UPR has made a considerable number of recommendations to States on women's human rights and specifically on the issue of violence against women and girls. During the

²¹ The eight thematic issues are: human rights education and training; right to food; missing persons; leprosy-related discrimination; right to peace; human rights and issues related to terrorist hostage-taking; traditional values; and enhancement of international cooperation.

²² See Article 4 (5)(c) "Report of the Human Rights Council Advisory Committee on the right of peoples to peace, 2012 (A/HRC/20/31).

²³ A/HRC/WG.9/1/2.

²⁴ Report of the Advisory Committee on its fourth session, Geneva, 25-29 January 2010 (A/HRC/AC/4/4), para. 15.

²⁵ Study of the Human Rights Council Advisory Committee on promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind (A/HRC/22/71).

²⁶ Study of the Advisory Committee on the promotion of human rights of the urban poor: strategies and best practices (A/HRC/22/61).

²⁷ Final Study of the Human Rights Council Advisory Committee on rural women and the right to food (A/HRC/22/72).

²⁸ Expert Mechanism advice No. 1 (2009) on the rights of indigenous peoples to education is annexed to A/HRC/12/33.

²⁹ United Nations Forum on Minority Issues Compilation of Recommendations of the First Four Sessions 2008 to 2011, paras. 24 and 25, p. 50.

first review cycle, recommendations related to the issue of violence against women addressed a variety of issues, from ratification of international human rights instruments, such as the Convention on the Elimination of All Forms of Discrimination against Women, to removing reservations and fully incorporating international provisions into domestic law. A number of recommendations urged States to follow up on recommendations emanating from the human rights treaty bodies, including the Committee on the Elimination of Discrimination against Women, and by the Special Rapporteur on violence against women.

16. Overall the recommendations have focused primarily on: domestic violence; female genital mutilation (FGM); sexual violence, including marital and other forms of rape; and access to justice, including effective reparations for women who have been subjected to violence. Other emerging thematic issues include violence against women and girls with disabilities and political participation.

17. The UPR recommendations are to an extent in line with the thematic work undertaken by the Human Rights Council on the issue, particularly the recommendations on rape and sexual violence, which mirror those discussed in relevant thematic reports produced by OHCHR and the Special Rapporteur on violence against women,³⁰ as well as those addressed in the Council's annual discussions on women's human rights.³¹

18. However, there are some gaps between the thematic issues related to violence against women addressed by UPR and the Human Rights Council. For example, in the UPR recommendations there was little focus on prevention and responses as part of a holistic approach to eliminating violence against women. Furthermore, while a broad spectrum of UPR recommendations expressed concern about the causes of violence against women, they did not explicitly link those to patriarchal structures that reinforce discrimination against women and allow violence to be perpetrated against women, as highlighted by the Special Rapporteur and in the course of the Council's annual discussions on women's rights.

F. Special procedures

19. There are currently 36 thematic special procedures mandates, including the mandates on violence against women, trafficking and discrimination against women. The mandate of the Special Rapporteur on violence against women has studied the forms, prevalence, causes and consequences of violence against women and has provided key recommendations to Governments and to the international community. The mandate has urged States to comply with their due diligence obligation to address violence against women by tackling inequality and discrimination, which are root causes of such violence.

³⁰ For example, "Report of the Special Rapporteur on violence against women, its causes and consequences" (A/HRC/14/22), paras. 12-85 and the "Thematic study on the issue of violence against women and girls and disability: Report of the Office of the United Nations High Commissioner for Human Rights" (A/HRC/20/5).

³¹ From 2009 to 2012, OHCHR submitted two thematic reports to the Council on the issue of violence against women, on good practices in efforts aimed at preventing violence against women (A/HRC/17/23) and violence against women and girls and disabilities (A/HRC/20/5). Pursuant to Human Rights Council resolution 6/30 (2007), OHCHR has organized six Council panel discussions on the issue of violence against women, including conflict-related violence and discrimination against women both in law and practice.

20. In addition to these mandates, since 2009, just under half of the 35 mandates have undertaken studies on the women's human rights aspects of their mandates.³² These studies have often noted specific forms of violence against women. For example, the Special Rapporteur on torture in his 2010 report to the Council identified sexual violence as a distinct category of torture and dedicated a chapter in his report to domestic violence.³³ Since 2009, the issue has been raised by the Rapporteur in almost all of his country visits.³⁴ The Special Rapporteur on the rights of indigenous peoples has also addressed the issue of violence against indigenous women and girls.³⁵ Furthermore, the Special Rapporteur on the independence of judges and lawyers has raised the issue in her global thematic reports to the Council,³⁶ as has the Special Rapporteur on the situation of human rights defenders.³⁷ The Special Rapporteur in the field of cultural rights has addressed the different forms of violence experienced by women when they claim their cultural rights on an equal basis with men.³⁸ Other special procedures mandate holders, such as the Special Rapporteur on the human rights of internally displaced persons, and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence are currently reviewing the women's rights-specific aspects of their mandates.

21. The thematic mandates which have devoted attention to reviewing linkages between their work and violence against women have not systematically reflected this work in their country visits reports and recommendations. For example, from 2006 to 2012, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples undertook 22 country visits including follow-up missions: the issue of violence against women was specifically addressed in six of these mission reports.³⁹ The Special Rapporteur in the field of cultural rights has consistently addressed women's human rights in her thematic work and highlighted specific concerns related to violence against women

³² Independent Expert in the field of cultural rights (A/HRC/14/36), Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/13/39), Special Rapporteur on the independence of judges and lawyers (A/HRC/20/20 and A/HRC/17/30), Special Rapporteur/Independent Expert on extreme poverty and human rights (A/HRC/21/39 and A/HRC/15/41), Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context (A/HRC/19/53), Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (A/HRC/18/37), Special Rapporteur on the situation of human rights defenders (A/HRC/16/44), Special Rapporteur on the rights of indigenous peoples (A/HRC/21/47), Special Rapporteur on the human rights of migrants (A/HRC/20/24 and A/HRC/14/30) and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (A/HRC/14/23).

³³ A/HRC/13/39/Add.5.

³⁴ Papua New Guinea (A/HRC/16/52/Add.5); Jamaica (A/HRC/16/52/Add.3); Equatorial Guinea (A/HRC/13/39/Add.4); Uruguay (A/HRC/13/39/Add. 2); Kazakhstan (A/HRC/13/39/Add. 3); Denmark (A/HRC/10/44/Add.2); and Greece (A/HRC/16/52/Add.4).

³⁵ A/HRC/21/47.

³⁶ A/HRC/20/20. Other examples include the Special Rapporteur on extreme poverty and human rights (A/67/278) and the Special Rapporteur on freedom of religion or belief (E/CN.4/2002/73/Add.2).

³⁷ A/HRC/16/44.

³⁸ Special Rapporteur in the field of cultural rights (A/67/287). The Special Rapporteur also addressed the issue in her 2010 report (A/HRC/14/36), paras. 54-66, on "contribution to cultural life, without any discrimination".

³⁹ "The situation of indigenous peoples in the United States of America" (A/HRC/21/47/Add.1), "The situation of Kanak people in New Caledonia, France" (A/HRC/18/35/Add.6), "The situation of indigenous peoples in Colombia: follow-up to the recommendations made by the previous Special Rapporteur" (A/HRC/15/37/Add.3), "The situation of indigenous peoples in Australia" (A/HRC/15/37/Add.4) and "Report on the situation of human rights of indigenous peoples in Brazil" (A/HRC/12/34/Add.2).

in her visit to Morocco, undertaken in her capacity as Independent Expert in the field of cultural rights.⁴⁰ The Special Rapporteur on the independence of judges and lawyers has issued two country visit reports addressing violence against women.⁴¹

22. In March 2009, Human Rights Council mandated seven experts including the Special Rapporteur on violence against women to examine the human rights situation in the east of the Democratic Republic of the Congo.⁴² The experts have since submitted three reports to Council in which they assessed the response of the Government to recommendations made by, inter alia, the High Commissioner, human rights mechanisms and Government's commitments made in the course of the universal periodic review on sexual violence and impunity.⁴³ The Special Rapporteur was a member of the special procedures mandate holders tasked by the Council in 2009 "to urgently seek and gather information on violations of the human rights of the Palestinian people".⁴⁴ The Special Rapporteur was also among the group of experts, comprising seven mandate holders, established in March 2007 by the Council in its resolution 4/8 to follow up on the implementation of recommendations on Darfur.⁴⁵ The inclusion of the Special Rapporteur in these mandates ensured that attention was paid to violence against women and girls in the subsequent reports.

23. There are currently 12 geographic or country-specific mandates. There has been generally less emphasis on the issue in the country mandates; nonetheless, outside the context of technical assistance and capacity-building, country reports and press releases have occasionally highlighted the situation of women, including violence against women and girls. For example, in March 2012, during the Human Rights Council interactive dialogue, conflict-related sexual violence against women was raised in the discussion on Myanmar. The mandate holder for Haiti has mentioned the issue of violence against women in his interactive dialogue with the Council and also in his reports. In his reports the Independent Expert on the situation of human rights in Somalia has also highlighted sexual and gender-based violence, including rape and female genital mutilation, and forced child marriage.⁴⁶ The Special Rapporteur on violence against women and the Independent Expert on human rights in Somalia convened a joint side-event during the twentieth session of the Council to promote a discussion on follow-up to their recommendations.

III. Synergies and linkages between the Human Rights Council and other relevant intergovernmental processes

24. This section reviews existing synergies and linkages between the Human Rights Council and other intergovernmental processes in the area of violence against women. It focuses on the General Assembly, the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice and the Security Council. The

⁴⁰ A/HRC/20/26/Add.2.

⁴¹ A/HRC/20/20 and A/66/289.

⁴² In its resolution 10/33 on the situation of human rights in the Democratic Republic of the Congo and the strengthening of technical cooperation and consultative services, the Human Rights Council invited six special procedures mandate holders and the Special Representative of the Secretary-General for children and armed conflict to report on the development of the situation in the Democratic Republic.

⁴³ A/HRC/16/27 and Corr.1 and A/HRC/13/64 and Corr.1.

⁴⁴ A/HRC/10/22.

⁴⁵ A/HRC/6/19.

⁴⁶ A/HRC/15/48.

observations in this section are almost in their entirety based on a review of the work of these bodies during the period 2009-2012.

A. General Assembly

25. The General Assembly has considered violence against women under several agenda items, including advancement of women, human rights and crime prevention and criminal justice. Every second year, it receives reports from the Secretary-General on legislative, policy and other measures undertaken by Member States, and by bodies and entities of the United Nations to combat all forms of violence against women. Since 2009, under the item on the advancement of women, the General Assembly has received two reports on trafficking in women and girls; three on intensification of efforts to eliminate all forms of violence against women and two on violence against women migrant workers. All these reports refer to relevant Human Rights Council resolutions. Under the agenda item on human rights, the Assembly also receives reports from Council special procedures including the Special Rapporteur on violence against women.⁴⁷ Since 2009, it has received 103 reports from Human Rights Council special procedures. The Special Rapporteur and other special procedures mandate holders hold an interactive dialogue with the Third Committee of the General Assembly on an annual basis.

26. Following the Secretary-General's 2006 in-depth study on all forms of violence against women, the General Assembly has adopted annual – and since 2011 biannual – resolutions on the intensification of efforts to eliminate all forms of violence against women, as well as on, *inter alia*, issues related to violence against women migrant workers (biennial) and trafficking in women and girls (biennial).⁴⁸ During the period under review, the General Assembly adopted a total of 905 resolutions, 22 of which concerned women's human rights and six specifically referred to the issue of violence against women and girls.⁴⁹ Other resolutions have a specific focus on gender equality issues.⁵⁰

27. Resolutions originating from the General Assembly and the Human Rights Council use similar language and approaches for addressing violence against women and girls. Both bodies reference the other's respective resolutions on the issue. The General Assembly frequently commends the Council and its mechanisms' efforts on the issue including contributions made by the Special Rapporteur on violence against women and the Special Rapporteur on trafficking in persons, especially women and children. Since 2009, resolutions from the two bodies have called upon States to "exercise due diligence to prevent and investigate acts of violence against women and girls and punish the perpetrators",⁵¹ including by putting in place penal and criminal sanctions to punish perpetrators and by providing redress and justice mechanisms that victims can access effectively. The resolutions encourage States to formulate and implement training

⁴⁷ The Special Rapporteur submitted her first report to the General Assembly at its 66th session in accordance with General Assembly resolution 65/187.

⁴⁸ See for example, Intensification of efforts to eliminate all forms of violence against women (A/RES/64/137, A/RES/65/187 and A/RES/67/144), Violence against women migrant workers (A/RES/64/139 and A/RES/66/128), Trafficking in women and girls (A/RES/63/156), and Strengthening crime prevention and criminal justice responses to violence against women (A/RES/65/228).

⁴⁹ Three resolutions were on the subject of intensification of efforts to eliminate all forms of violence against women, two were on violence against women migrant workers and one was on strengthening crime prevention and criminal justice responses to violence against women.

⁵⁰ See document A/67/185, para. 11.

⁵¹ Resolutions A/RES/64/137 and A/RES/65/187.

programmes for law enforcement authorities, prosecutors and service providers. States are also urged to adopt policies and legal and other measures that reduce the vulnerability of women, including those subjected to intersectional discrimination such as migrants, indigenous, minorities, and women with disabilities.

28. In 1996, the General Assembly adopted resolution A/RES/51/77, which called for the Secretary-General to appoint a Special Representative for children and armed conflict. The Special Representative reports annually to the Human Rights Council, cooperate with the Council's Special Procedures and contributes to discussions under the universal periodic review process for those countries that fall within her mandate. The Special Representative regularly highlights violence to which girls are exposed in the context of conflict and has called on States to comply with the recommendations of the Committee on the Rights of the Child, including on the girl child as well as recommendations by special procedures and UPR.⁵²

29. In 2008, the General Assembly established the mandate of the Special Representative of the Secretary-General on violence against children.⁵³ The Special Representative reports annually to the Human Rights Council and the General Assembly. In addition to her regular reports, the Special Representative can issue thematic reports on key areas of concern.⁵⁴ In her work, the Special Representative has addressed the specificities of violence against girls such as harmful practices, including female genital mutilation or early and forced marriage, degrading initiation rites, breast ironing, son preference, forced feeding and witchcraft rituals.⁵⁵

30. In 2011, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on violence against children pursuant to Human Rights Council resolution 13/20 entitled "Rights of the child: the fight against sexual violence against children" submitted a joint report⁵⁶ to the Council. The report provided an overview of accessible and child-sensitive counselling, complaint and reporting mechanisms to address incidents of violence, including sexual violence and exploitation, against children, including girls.

31. The General Assembly by resolution 65/182 established an Open-Ended Working Group on Ageing in 2010, primarily to review existing international legal framework of the human rights of older persons and identify possible gaps and how best to address them. Since its inception, the Working Group has held three substantive sessions. All three of the reports of the sessions have addressed the issue of violence against older women.⁵⁷

B. Commission on the Status of Women

32. The Commission on the Status of Women meets annually to prepare recommendations on promoting women's rights in political, economic, civil, social and

⁵² See for example, Report of the Secretary General on children and armed conflict in Colombia (S/2012/171).

⁵³ A/RES/62/141.

⁵⁴ For more information on the mandate see <http://srsg.violenceagainstchildren.org/srsg/mandate>.

⁵⁵ See for example annual reports A/HRC/22/55; A/HRC/19/64; A/HRC/16/54; A/HRC/13/46 and Special Representative of the Secretary-General on violence against children and Plan International report "Protecting children from Harmful Practices in Plural Legal Systems" (New York, 2012).

⁵⁶ A/HRC/16/56.

⁵⁷ A/AC.278/2011/5, A/AC.278/2011/4 and Corr.1 and A/AC.278/2012/1.

<http://social.un.org/ageing-working-group/index.shtml>.

educational fields.⁵⁸ It plays a central role in monitoring the implementation of the Platform for Action adopted by the Fourth World Conference on Women.

33. As part of its mandate and methods of work, the Commission has considered the issue of violence against women and related issues several times as a priority theme (1998, 2003, 2007 and 2013). The Commission has also considered particular aspects of violence against women, for example in the context of discrimination and violence against the girl child, as the priority theme in 2007 and as the review theme in 2011. Generally, the Commission considers violence against women in relation to its recent priority themes⁵⁹ and reflects the issue in its agreed conclusions on those priority themes.

34. Since 2009, the Commission has also covered questions of violence against women in resolutions, including those on women, the girl child and HIV and AIDS (2009, 2010, 2011, 2012), ending FGM (2010), maternal mortality and morbidity (2010, 2012), women in natural disasters (2012), release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts (2010, 2012), and indigenous women (2012).

35. The priority theme of the fifty-seventh session of the Commission is “Elimination and prevention of all forms of violence against women and girls”. The Secretary-General’s reports prepared for the session focuses on prevention, and on multisectoral services and responses.⁶⁰ Among other sources, they reference the conclusions and recommendations of the Special Rapporteur on violence against women and other relevant special procedures.

36. As mandated by the Human Rights Council, the Special Rapporteur presents an oral report to the Commission and will serve as a panellist on one of the two panels of the Commission on the priority theme at its fifty-seventh session.

37. The Commission has a confidential complaint procedure which is designed to identify emerging trends and patterns of injustice and discriminatory practices against women, and which the Commission considers as part of its annual programme of work.⁶¹ Following consideration by the Commission, the report of the Working Group on communications on the status of women is included in its annual report to the Economic and Social Council. Violence against women, its causes, consequences and manifestations are regularly identified as a pattern by the Working Group.

C. Commission on Crime Prevention and Criminal Justice

38. The Commission on Crime Prevention and Criminal Justice is mandated by the Economic and Social Council and tasked with setting out global strategy to prevent crime and promote fair and effective criminal justice systems.⁶² It formulates international policies and recommends activities in the field of crime control. The Commission offers

⁵⁸ The Commission also prepares resolutions for consideration by the United Nations Economic and Social Council and the General Assembly on issues such as, inter alia, ending female genital mutilation. Also, during its fifty-sixth session, the Commission adopted resolutions on “release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts,” ECOSOC E/2012/27 E/CN.6/2012/16 and Corr.1.

⁵⁹ The priority themes were “Equal sharing of responsibilities between women and men including caregiving in the context of HIV/AIDS” (2009); and “Access and participation of women and girls in education, training and science and technology, including for the promotion of women’s equal access to full employment and decent work” (2011).

⁶⁰ See E/CN.6/2013/3 and E/CN.6/2013/4.

⁶¹ For additional information on this procedure:

http://www.un.org/womenwatch/daw/csw/communications_procedure.html.

⁶² <http://www.unodc.org/unodc/en/commissions/CCPCJ/index.html?ref=menuaside>.

Member States a forum to exchange expertise, experiences and information, to develop national and international strategies and to identify priorities for combating crime.

39. The Commission, under its priority area of promoting the use and application of United Nations standards and norms in crime prevention and criminal justice, has increasingly focused on the issue of violence against women. It has adopted thematic resolutions on the issue including on: strengthening crime prevention and criminal justice responses to violence against women, measures for achieving progress on the issue of trafficking in persons⁶³ and strengthening crime prevention and criminal justice responses to violence against women and girls.⁶⁴ Of particular interest are the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice adopted by the General Assembly in December 2010 upon recommendation of the Commission.⁶⁵

40. The Commission organizes annual thematic discussion. It has addressed violence against migrants, migrant workers and members of their families. In 2008, it held a thematic discussion on aspects of violence against women that pertain directly to the Commission.⁶⁶ The Special Rapporteur on trafficking has been invited to address the Commission during its annual thematic discussions.

41. The Commission assists the General Assembly in providing substantive and organizational direction for the quinquennial United Nations Congress on Crime Prevention and Criminal Justice. It also considers the outcome of the congresses and takes decisions on appropriate follow-up measures, including those related to the implementation of the commitments taken by Member States in the final declaration adopted at the end of each congress. In the Salvador Declaration⁶⁷ adopted by the 12th Crime Congress in 2010, member States expressed deep concern about the pervasiveness of violence against women in all its different forms and manifestations and urged States to enhance efforts to prevent, prosecute and punish violence against women. Although violence against women is not a standing item of the Crime Congresses, it continues to be addressed in its workshops. For example, the next Crime Congress scheduled for 2015 will focus on the role of existing United Nations standards and norms on crime prevention and criminal justice in addressing the unique needs of women and children.

42. In order to promote greater synergies and linkages between the Commission and Human Rights Council in the area of violence against women, the following recommendations may be considered:

- (a) Ensure the relevant thematic reports produced by the Special Rapporteur on violence against women, other relevant mandate holders, the Advisory Committee and OHCHR, as well as the summary of the annual full-day discussion on women's rights are brought to the attention of Commission sessions and discussions on priority themes.
- (b) Encourage the participation of the Special Rapporteur and other mandates, as appropriate and feasible, in the panel discussions and round tables on priority themes.
- (c) Encourage the Commission to invite relevant mandate holders to report to the Commission and hold an interactive dialogue with it.

⁶³ E/2010/30-E/CN.15/2010/20.

⁶⁴ E/2008/30-E/CN.15/2008/22.

⁶⁵ General Assembly resolution 65/228, annex.

⁶⁶ E/2008/30-E/CN.15/2008/22.

⁶⁷ General Assembly resolution 65/230, annex.

(d) Explore ways to ensure greater synergies between the Commission complaint procedures and Human Rights Council mechanisms. This could include inviting the Chair of the Commission to address the Council and to exchange views when the Council considers the question of violence against women.

(e) Encourage Human Rights Council geographic and thematic special procedures to follow up on, and incorporate into their work, the findings and recommendations in resolutions and agreed conclusions relevant to the Commission, as well as the patterns of injustice and discrimination against women identified by the Working Group on Communications.

(f) Ensure adequate consideration to findings and recommendations contained in Commission resolutions and agreed conclusions in the context of relevant Human Rights Council thematic and country-specific work and debates.

43. It is recommended that strengthened synergies and linkages are forged between the Human Rights Council and the Commission, so as to ensure that the human rights perspective, as it relates to violence against women, is integrated in United Nations discussions concerning the prevention of crime and the promotion of fair and effective criminal justice systems. The following recommendations may be considered in this regard:

(a) As appropriate and feasible, encourage invitations to the Special Rapporteur and other relevant mandates to address Commission and the Crime Congress.

(b) Promote close collaboration and consultation between Commission and the Special Rapporteur and other relevant procedures, including in the context of relevant Commission thematic discussions and open-ended working groups.

(c) Promote and encourage the exchange and distribution of relevant Human Rights Council reports to the Commission under the standing item on the “use and application of United Nations standards and norms on crime prevention and criminal justice”.

(d) Give adequate consideration to relevant Commission reports, studies and recommendations in the context of the thematic work of the Human Rights Council on violence against women.

D. Security Council

44. Following the adoption in 2000 of resolution 1325 on women, peace and security, efforts to integrate a gender dimension into the work of the Security Council and of the United Nations peacekeeping architecture have increased, including follow-up resolutions with specific focus on conflict-related sexual violence.⁶⁸ Notwithstanding the considerable progress made in integrating women’s rights in the context of peacemaking, peacekeeping and peacebuilding, observers have highlighted the need for continued efforts to ensure sustained and consistent attention by the Security Council to women, peace and security issues.⁶⁹

⁶⁸ Security Council resolutions 1820 (2008); 1888 (2009); 1960 (2010). Also, see resolution 1889 (2009) reiterating the key role of women in preventing conflict and in peacebuilding and urged participation of women in all phases of the peace process.

⁶⁹ See report of the NGO Working Group on Women, Peace and Security “Mapping Women, Peace and Security in the UN Security Council: Report of the NGOWG Monthly Action Points for 2011-2012”. The report provides an in-depth, qualitative analysis of the women, peace and security work from

45. The Secretary-General submits an annual report on women, peace and security and an annual report on conflict-related sexual violence⁷⁰ to the Security Council. These reports and ensuing recommendations and Presidential Statements have increasingly included calls on States and parties to conflict as well as the international community to take measures to prevent and stop gender-based violence and hold perpetrators accountable. Country reports submitted by peace missions and country recommendations have also increasingly referred to the situation of women and to gender-based violence, including conflict-related sexual violence.

46. The set of indicators proposed by the Secretary-General to monitor the implementation of resolution 1325,⁷¹ include an indicator on the “extent to which violations of women’s and girls’ human rights are reported, referred and investigated by human rights bodies” in countries on the agenda of the Security Council. Data for this indicator is drawn, inter alia, from the work of the mechanisms of the Human Rights Council.

47. Resolution 1888, inter alia, established the mandate of the Special Representative on conflict-related sexual violence to lead and coordinate efforts to end sexual violence in armed conflict. The resolution encourages cooperation between the Special Representative on conflict-related sexual violence, the High Commissioner for Human Rights and the Special Representative on conflict-related sexual violence among others, to provide additional briefings and documentation on sexual violence in armed conflict to the Council.⁷² Informal consultations have taken place regularly between the Special Rapporteur on violence against women and the Special Representative on conflict-related sexual violence. Also, through the secretariats of the two offices, regular exchanges of information are taking place on country situations, including in connection with visits, as well as the preparation of inputs into the Secretary-General’s reports.⁷³ The Special Representative participated as a panellist at the 2011 annual full day discussion on women’s rights at the Human Rights Council.

48. Paragraph 8 of resolution 1888 calls upon the Secretary-General to take measures to identify and deploy a Team of Experts “to situations of particular concern with respect to sexual violence in armed conflict” in order “to assist national authorities . . . to strengthen the rule of law.” The Team was established in early 2011⁷⁴ with the appointment of a Team

August 2011 to July 2012. The report finds that general trends in the Council show significant development, including in the language and expertise on women, peace and security in resolutions, more expertise available to deploy in terms of gender advisors and a more sophisticated understanding of the key issues at the root of this agenda. However, the report finds that there is still a significant disconnect between the content of reports received by the Council, meetings the Council holds, and resolutions it adopts: of 82 country situation reports analysed, 52, or 63%, address women, peace and security; concerning Security Council’s meetings, of the 97 relevant debates or briefings, 52 meetings, or 54%, contained reference to women, peace and security issues; of the 15 presidential statements on country situations, only 3, or 20%, addressed women, peace and security issues; and 30 out of 48, or 63%, of the relevant resolutions adopted by the Security Council referenced the women, peace and security agenda.

⁷⁰ A complete list of the annual reports submitted by the Secretary-General to the Security Council on women, peace and security and on sexual violence in conflict can be accessed at <http://www.un.org/sg/#>.

⁷¹ S/2010/498.

⁷² Security Council Resolution 1888 (2009), 30 September 2009, para. 24.

⁷³ The Special Representative has identified the following priority countries: Bosnia and Herzegovina, Central African Republic, Colombia, Côte d’Ivoire, the Democratic Republic of the Congo, Liberia, South Sudan and Sudan (Darfur).

⁷⁴ Within the broader objective of strengthening the rule of law, the Team of Experts: (a) works closely with national legal and judicial officials and other justice system personnel to address impunity; (b)

Leader, who is based in the Office of the Special Representative on conflict-related sexual violence, and team members from the Department of Peacekeeping Operations, OHCHR and the United Nations Development Programme (UNDP) (co-lead entities) who are located in their respective parent department/entity. The Team's assistance to governments complements existing efforts by the United Nations on the ground and results from thorough assessments conducted in consultation with the United Nations field presences, the Government and other relevant stakeholders, to determine areas of assistance to the Government where Team expertise might be beneficial. The Team consistently considers reports and recommendations by special procedures, commissions of inquiry/fact-finding missions, and UPR in preparation for its engagements.

49. While the focus of the Security Council is primarily political violence directly related to conflict, the Human Rights Council plays a crucial role in addressing other forms of violence to which women are increasingly exposed in situations of conflict, crisis and transition, including violence in the home and the community.

50. The Human Rights Council and its mechanisms may wish to continue to build on and reinforce the Security Council's work on women, peace and security and conflict-related sexual violence, including by:

(a) Ensuring that information gathered by the Human Rights Council mechanisms of relevance to the Women, Peace and Security Agenda, including regarding Security Council resolution 1325 and early warning indicators, be transmitted to the Security Council for consideration and follow-up action. This includes relevant information by commissions of inquiry, as well as relevant geographic and thematic special procedures. This can be done, *inter alia*, through Arria formula meetings and submission of updated and specific information in connection with the preparation of reports of the Secretary-General.

(b) Explore arrangements to ensure that Human Rights Council's country-specific work is informed by the Security Council's reports on women, peace and security and conflict-related sexual violence, as well as briefings and press-releases by the Special Representative of the Secretary-General on Sexual Violence in Conflict. The latter should also feed, as appropriate, into the universal periodic review process.

(c) As appropriate, draw on the expertise and knowledge of the Special Representative in the context of special sessions and encourage commissions of inquiry to coordinate as appropriate with the Special Representative in the conduct of their work.

(d) In line with Security Council resolution 1888 (2009), promote continued cooperation between the Special Representative and the Special Rapporteur on violence against women, including consultations and information sharing, as appropriate.

(e) Encouraging States, as appropriate, to rely on the services of, and cooperate with, the Team of Experts.

identifies gaps in national response and encourages a holistic national approach to addressing sexual violence in armed conflict, including by enhancing domestic criminal accountability, responsiveness to victims and judicial capacity; (c) makes recommendations to coordinate domestic and international efforts and resources to reinforce the Government's ability to address sexual violence; (d) works with a variety of United Nations mechanisms towards the full implementation of resolution 1820 (2008). In coordination with the Office of the SRSg SVC and UN Action, the Team identified the following priority countries for the current year: Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of Congo, Guinea, Somalia, Sudan (Darfur) and South Sudan.

- (f) Encourage relevant special procedures to engage with the Team and to take into account its role and engagements in formulating recommendations.

IV. Recommendations

51. The Human Rights Council has increasingly devoted attention to the issue of violence against women and girls. Because of the work of the Special Rapporteur on violence against women, as well as other thematic special procedures, the annual full day discussions on women's rights and ensuing resolutions, the work of the Advisory Committee and some of the thematic reports submitted by OHCHR, the Council has analysed in depth dimensions of violence against women and has elaborated on States obligations resulting from the due diligence standard, successful strategies as well as existing obstacles inhibiting progress towards the elimination of violence against women and girls.

52. It is important that the analysis and recommendations produced by the Human Rights Council's thematic work on violence against women and girls are fully embedded in the Council's efforts to promote States' accountability and full implementation of human rights obligations. To this end, the Council may wish to consider the following recommendations:

(a) Ensure that violence against women is adequately addressed in country-specific special sessions and ensuing resolutions, as well as other country-specific resolutions, including those renewing or establishing special procedures mandates.

(b) Explicitly address violence against women in resolutions establishing commissions of inquiry and fact-finding missions and encourage these bodies to devote specific attention to violence against women and gender-based violence in their reports and recommendations.

(c) Encourage consultations and collaboration between geographic special procedures and the Special Rapporteur on violence against women.

(d) Encourage all special procedure mandate holders, both thematic and geographic, to devote specific attention to women's rights and violence against women during their country-missions, including by ensuring regular meetings with women groups and women's rights defenders.

(e) Encourage greater focus on violence against women in inter-active dialogues with geographic mandate holders.

(f) If and when country-specific mandates are given to thematic procedures, give adequate consideration to the inclusion of the Special Rapporteur and other relevant mandates, as appropriate.

(g) Promote consistent and comprehensive attention to violence against women in the context of the universal periodic review, in line with the Human Rights Council's thematic work on the issue. In particular, beyond the manifestations of violence, it is recommended that its root causes and the responses provided by the State, be brought to the fore of the dialogue.

53. It is also crucial to continue to advance the analytical and thematic work of the Human Rights Council on violence against women. In this respect, the Council may consider the following recommendations:

(a) Encourage thematic special procedures, other than the Special Rapporteur, to continue to analyse the specific gender-dimensions of their mandates, including the issue of violence against women.

(b) Encourage the Advisory Committee and the Expert Mechanisms to continue to pay attention to the relevant dimension of violence against women in their work and recommendations, in cooperation with the Special Rapporteur and other relevant mandates.

(c) Continue to promote synergies and cooperation between the work of the Special Rapporteur and other thematic procedures, as well as the Advisory Committee and the Expert Mechanisms.

(d) Encourage adequate attention in the overall work of the Human Rights Council to multiple forms of discrimination exposing women to heightened risks of violence, including the intersection between sex and age, disability, ethnic origin and/or affiliation, religious beliefs, language, national or social origin, political or other opinion, property, birth, migratory status, family and marital status, sexual orientation, gender-identity or other status.

54. Arrangements should be envisaged to ensure that the Human Rights Council's thematic analysis and research on violence against women and girls continue to consistently inform relevant thematic work of the General Assembly and its mechanisms and vice-versa. To this end, the following recommendations may be considered:

(a) Encourage the General Assembly to involve, as appropriate, the Special Rapporteur and other mandates, such as the Working Group on discrimination against women in law and practice and the Special Rapporteur on trafficking in persons, in the relevant thematic work and debates, including, inter alia, on trafficking, ageing, violence against women migrant workers, improvement of the situation of women in rural areas, and women and political participation.

(b) Ensure adequate consideration is given to findings and recommendations contained in relevant reports submitted to the General Assembly in the context of relevant the Human Rights Council thematic and country-specific work and debates.

(c) Ensure that relevant Human Rights Council reports are brought to the attention of the General Assembly in connection with discussions under the agenda items on human rights and the advancement of women. This should include the outcome of the Council's annual full day discussion on women's rights.

(d) Encourage consultation and collaboration as appropriate between the Special Representative for children and armed conflict and Special Representative of the Secretary-General on violence against children with the Special Rapporteur and other relevant mechanisms of the Human Rights Council.

(e) Encourage the provision of an opportunity for other relevant special procedures, particularly the Working Group on discrimination against women in law and practice, to systematically report to, and engage in a dialogue with the General Assembly.

(f) Draw on the specific knowledge and expertise of the Special Representative for children and armed conflict and the Special Representative of the Secretary-General on violence against children in the context of special sessions of the Human Rights Council and other relevant country-specific and thematic work.

(g) Encourage cooperation between the Special Representative for children and armed conflict and commissions of inquiry/fact-finding missions, as feasible and relevant.

55. The Human Rights Council may wish to consider undertaking discussions with OHCHR, other relevant United Nations entities, the Special Rapporteur, other relevant mandates, and civil society organizations on the development of a strategy to facilitate the implementation of the above recommendations.
