



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



Elimination of violence against women

Commission on Human Rights resolution 2001/49

The Commission on Human Rights,

Reaffirming that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of violence against women,

Reaffirming the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23) and the Declaration on the Elimination of Violence against Women adopted by the General Assembly in its resolution 48/104 of 20 December 1993,

Recalling all its previous resolutions on the elimination of violence against women, in particular its resolution 1994/45 of 4 March 1994, in which it decided to appoint a special rapporteur on violence against women, its causes and consequences,

Welcoming the Beijing Declaration and Platform for Action adopted in September 1995 by the Fourth World Conference on Women (A/CONF.177/20, chap. I) and follow-up action such as the agreed conclusions adopted by the Commission on the Status of Women on violence against women, and welcoming also the outcome of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”,

Welcoming the resolve expressed at the highest levels to combat all forms of violence against women, as contained in the United Nations Millennium Declaration,

Noting the Agenda for War-Affected Children adopted on 17 September 2000 at the International Conference on War-Affected Children and the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (A/55/138-S/2000/693, annexes I and II),

Noting Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court (A/CONF.183/9), which affirms that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence constitute, in defined circumstances, a crime against humanity and/or a war crime, and reiterating that acts of sexual violence in situations of armed conflict can constitute serious violations or grave breaches of international humanitarian law,

Reaffirming the responsibility of all States to put an end to impunity and prosecute those responsible for genocide, crimes against humanity and war crimes,

Deeply concerned that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, the girl child, women with disabilities, elderly women and women in situations of armed conflict, are especially targeted and vulnerable to violence,

1. *Welcomes* the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note with appreciation of her report (E/CN.4/2001/73 and Add.1-2);

2. *Condemns* all acts of gender-based violence against women and in this regard calls, in accordance with the Declaration on the Elimination of Violence against Women, for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State, and emphasizes the duty of Governments to refrain from engaging in violence against women and to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women and to take appropriate and effective action concerning acts of violence against women, whether those acts are perpetrated by the State, by private persons or by armed groups or warring factions, and to provide access to just and effective remedies and specialized, including medical, assistance to victims;

3. *Affirms* that the term “violence against women” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and including domestic violence, crimes committed in the name of honour, crimes committed in the name of passion, traditional practices harmful to women, including female genital mutilation, and forced marriages;

4. *Also affirms* that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms;

5. *Strongly condemns* physical, sexual and psychological violence occurring in the family, which encompasses, but is not limited to, battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female infanticide, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

6. *Reminds* Governments that their obligations under the Convention on the Elimination of All Forms of Discrimination against Women must be implemented fully with regard to violence against women, taking into account general recommendation 19 adopted by the Committee on the Elimination of Discrimination against Women at its eleventh session, reaffirms the commitment to accelerate the achievement of universal ratification of the Convention, and urges all States that have not yet ratified or acceded to the Convention to do so;

7. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 22 December 2000;

8. *Urges* States parties to consider signing and ratifying the Optional Protocol to the Convention;

9. *Welcomes* the adoption by the General Assembly of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, and urges Governments to consider signing and ratifying or acceding to the Protocol;

10. *Stresses* the conclusions and recommendations of the Special Rapporteur that States have an affirmative duty to promote and protect the human rights of women and must exercise due diligence to prevent all forms of violence against women, and calls upon States:

(a) To apply international human rights norms and to ratify and implement fully international human rights instruments that relate to violence against women;

(b) To condemn violence against women and not invoke custom, tradition or practices in the name of religion to avoid their obligations to eliminate such violence;

(c) To enact and, where necessary, reinforce or amend penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls subjected to any form of violence, whether in the home, the workplace, the community or society, in custody or in situations of armed conflict, to ensure that they conform with relevant international human rights instruments and humanitarian law, and to take action to investigate and punish persons who perpetrate acts of violence against women;

(d) To support initiatives undertaken by women's organizations and non-governmental organizations on the elimination of violence against women, including awareness-raising campaigns, to establish and/or strengthen, at the national level, collaborative relationships with relevant non-governmental and community-based organizations, and with public and private sector institutions, aimed at the development and effective implementation of provisions and policies relating to violence against women, including in the area of support services to respond to the needs of women and girl survivors of violence and to assist them in their full recovery and reintegration into society;

(e) To consider undertaking comprehensive, objective and easily accessible information campaigns about violence against women;

(f) To create, improve or develop, as appropriate, and fund training programmes, taking into account, *inter alia*, sex-disaggregated data on the causes and effects of violence against women, for judicial, legal, medical, social, educational, police, correctional service, military, peacekeeping, humanitarian relief and immigration personnel, in order to avoid the abuse of power leading to violence against women and to sensitize such personnel to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be ensured;

(g) To sensitize all persons, men and women, to the causes and effects of violence against women and to highlight men's role in its prevention and elimination, to encourage and support men's initiatives to complement the efforts of women's organizations in this regard, and to encourage behavioural change by perpetrators of violence against women;

11. *Condemns* violence against women committed in situations of armed conflict, such as murder, rape, including systematic rape, sexual slavery and forced pregnancy, and calls for effective responses to these violations of international human rights and humanitarian law;

12. *Welcomes* efforts to eliminate impunity for violence against women in situations of armed conflict including by prosecuting gender-related crimes and crimes of sexual violence in the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda;

13. *Also welcomes* the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court and the finalized draft text of the Elements of Crimes, and urges States to consider ratifying or acceding to the Rome Statute of the International Criminal Court;

14. *Urges* the integration of a gender perspective in all future efforts to eliminate impunity;

15. *Urges* States to integrate a gender perspective into commissions of inquiry and commissions for achieving truth and reconciliation, and invites the Special Rapporteur to report, as appropriate, on these mechanisms;

16. *Also urges* States to provide gender-sensitive training to all actors, as appropriate, in peacekeeping missions in dealing with victims, particularly women and girls, of violence, including sexual violence, and in this regard acknowledges the important role of peace support operations personnel in eliminating violence against women, and calls upon States to promote, and relevant agencies of the United Nations system and regional organizations to ensure, implementation of the Ten Rules Code of Personal Conduct for Blue Helmets;

17. *Further urges* all States and the relevant organs, bodies and agencies of the United Nations system, and encourages regional organizations and humanitarian organizations, including the International Committee of the Red Cross, to ensure that a gender perspective is integrated into international humanitarian law awareness programmes;

18. *Calls upon* all parties to armed conflict to respect the civilian and humanitarian character of camps and settlements for refugees and internally displaced persons and to improve and strengthen the capacity of women affected by situations of armed conflict, including women refugees and displaced women, by, *inter alia*, involving them in the design and management of humanitarian activities so that they benefit from these activities on an equal basis with men;

19. *Urges* States to mainstream a gender perspective into national immigration and asylum policies, regulations and practices, as appropriate, in order to promote and protect the rights of all women, including the consideration of steps to recognize gender-related persecution and violence when assessing grounds for granting refugee status and asylum;

20. *Urges* Governments to include women in all peace, reconciliation and reconstruction activities and to ensure that all repatriation and resettlement programmes, as well as rehabilitation, reintegration and post-conflict reconstruction, address the special needs of women and take into account their specific, relevant experiences in formulating programmes;

21. *Stresses* the importance of mainstreaming a gender perspective into the preparations for and the work and the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and urges the inclusion of women in delegations to the Conference;

22. *Encourages* Governments and the United Nations system to ensure greater international cooperation in, and national attention to, acquiring data and developing indicators on the extent, nature and consequences of violence against women and girls, and on the impact and effectiveness of policies and programmes for combating this violence, and calls upon States to include in reports submitted in accordance with the provisions of relevant United Nations human rights instruments sex-disaggregated data and, whenever possible, information pertaining to violence against women and measures taken to implement the Declaration on the Elimination of Violence against Women and the Platform for Action adopted by the Fourth World Conference on Women;

23. *Requests* all Governments to cooperate with and assist the Special Rapporteur in the performance of her mandated tasks and duties, to supply all information requested and to respond to the Special Rapporteur's visits and communications;

24. *Welcomes* the efforts of the Special Rapporteur to seek information from Governments concerning specific cases of alleged violence in order to identify and investigate situations of violence against women, its causes and consequences, in particular, where appropriate, by sending joint urgent appeals and communications with other special rapporteurs;

25. *Invites* the Special Rapporteur to continue to cooperate with other special rapporteurs, special representatives, independent experts and chairpersons of the working groups of the special procedures of the Commission, including, where appropriate, undertaking joint missions and writing joint reports;

26. *Requests* special rapporteurs responsible for various human rights questions, United Nations organs and bodies, specialized agencies and intergovernmental organizations, and encourages human rights treaty bodies, to give consideration to violence against women within their respective mandates and to cooperate with and assist the Special Rapporteur in the performance of her mandated tasks and duties, and in particular to respond to her requests for information on violence against women, its causes and consequences;

27. *Renews* its request to the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

28. *Requests* the Secretary-General to ensure that the reports of the Special Rapporteur are brought to the attention of the Commission on the Status of Women at its forty-sixth session, as well as to the attention of the Committee on the Elimination of Discrimination against Women;

29. *Decides* to continue consideration of the question as a matter of high priority at its fifty-eighth session.

75th meeting
24 April 2001
[Adopted without a vote.]