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HUMAN RIGHTS COUNCIL

Eleventh session

Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,  
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,  
INCLUDING THE RIGHT TO DEVELOPMENT**

**Albania\*, Armenia\*, Australia\*, Austria\*, Belgium\*, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria\*, Burkina Faso, Canada, Chile, Colombia\*, Costa Rica\*, Croatia\*, Cyprus\*, Czech Republic\*, Denmark\*, Dominican Republic\*, Estonia\*, Finland\*, France, Germany, Greece\*, Guatemala\*, Honduras\*, Iceland\*, Ireland\*, Israel\*, Italy, Latvia\*, Liechtenstein\*, Lithuania\*, Luxembourg\*, Malta\*, Mexico, Monaco\*, Netherlands, New Zealand\*, Norway\*, Panama\*, Peru\*, Philippines, Poland\*, Portugal\*, Slovakia, Slovenia, Spain\*, Sweden\*, Switzerland, the former Yugoslav Republic of Macedonia\*, Turkey\*, United Kingdom of Great Britain and Northern Ireland, United States of America\*, Uruguay: draft resolution**

**11/... Accelerating efforts to eliminate all forms of violence against women**

*The Human Rights Council,*

*Reaffirming* the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention

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\* Non-member State of the Human Rights Council.

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 and girls,

*Reaffirming also* the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Cairo Programme of Action, 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”, and the Declaration adopted at the forty-ninth session of the Commission on the Status of Women,

*Reaffirming further* Council resolutions 6/30 of 14 December 2007 on integrating the human rights of women throughout the United Nations system, and 7/24 of 28 March 2008 on the elimination of violence against women, all resolutions of the Commission on Human Rights on the elimination of violence against women, General Assembly resolution 63/155 of 30 January 2009 on the intensification of efforts to eliminate all forms of violence against women and all other Assembly resolutions relevant to the elimination of all forms of violence against women, and Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women, peace and security,

*Deeply concerned* that all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance and multiple or aggravated forms of discrimination and disadvantage, can lead to the particular targeting or vulnerability to violence of girls and some groups of women, such as women belonging to minority groups, indigenous women, refugee and internally displaced women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, women with disabilities, elderly women, widows and women in situations of armed conflict, women who are otherwise discriminated against, including on the basis of HIV status, and victims of commercial sexual exploitation,

*Recalling* the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court, and the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

*Stressing* the importance of a comprehensive, well-coordinated, effective and adequately resourced response by the United Nations system to all forms of violence against women and girls,

*Stressing also* the need for renewed political will and enhanced efforts to overcome obstacles and challenges faced by States in addressing, preventing, investigating, prosecuting and punishing the perpetrators of all forms of violence against women and girls,

*Welcoming* the holding of the Council's panel discussion on 5 June 2008 on the theme "Violence against women: identification of priorities",

*Welcoming* the report of the Secretary-General on the intensification of efforts to eliminate all forms of violence against women (A/63/214),

1. *Stresses* that "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 private life;
2. *Strongly condemns* all acts of violence against women and girls, whether they be perpetrated by the State, private persons or non-State actors, and calls 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, in accordance with the Declaration on the Elimination of Violence against Women, and stresses the need to treat all forms of violence against women and girls as a criminal offence, punishable by law, and the duty to provide access to just and effective remedies and specialized assistance to victims, including medical and psychological assistance, as well as effective counselling;
3. *Stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls and should exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls and provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

4. *Calls upon* States to enact and, where necessary, reinforce or amend domestic legislation, including measures to enhance the protection of victims, to investigate, prosecute, 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 such legislation conforms with relevant international human rights instruments and international humanitarian law, to abolish existing laws, regulations, customs and practices which constitute discrimination against women, to remove gender bias in the administration of justice, and to take action to investigate and punish persons who perpetrate acts of violence against women and girls;

5. *Also calls upon* States to support initiatives undertaken by women's organizations and non-governmental organizations on the elimination of violence against women and girls and to establish and/or strengthen, at the national level, collaborative relationships with relevant non-governmental and community-based organizations, and public and private sector institutions, aimed at the development and effective implementation of provisions and policies relating to violence against women and girls, including in the area of support services, assistance redress and empowerment of victims;

6. *Urges* States and the United Nations system to give attention to, and encourages greater international cooperation in, systematic research and the collection, analysis and dissemination of data, including data disaggregated by sex, age and other relevant information, 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, in this context, welcomes the establishment of the Secretary-General's coordinated database on violence against women, and urges States and the United Nations system to regularly provide information for inclusion in the database;

7. *Notes* the need to develop effective indicators on violence against women and girls;

8. *Encourages* States to supply information on all forms of violence against women and girls in their reports submitted to the Committee on the Elimination of Discrimination Against Women and other relevant treaty bodies;

9. *Also encourages* States to implement Security Council resolutions 1325 (2000) and 1820 (2008) and to contribute to their efforts to eliminate all forms of violence against women and girls;

10. *Notes with appreciation* the work of the Special Rapporteur on violence against women, its causes and consequences, including her latest report (A/HRC/11/6) on the political economy of women's human rights;

11. *Encourages* the Special Rapporteur to consider in future reporting the needs of women who experience multiple forms of discrimination, and to examine effective measures to respond to those situations;

12. *Stresses* the importance of accelerating efforts to eliminate all forms of violence against women and girls, its causes and consequences throughout its work, and in this regard:

(a) Encourages States to ensure that eliminating violence against women and girls is given due attention in the work of the Council, including relevant Council processes and debates, including the universal periodic review;

(b) Requests that special procedures of the Council ensure that due consideration is given to violence against women and girls within their respective mandates;

(c) Encourages all relevant stakeholders to give due attention to all forms of violence against women and girls in their work with the Council and its mechanisms;

(d) Requests the Office of the United Nations High Commissioner for Human Rights to convene, in 2010, in cooperation with other relevant entities of the United Nations system, an expert workshop to discuss specific measures for overcoming obstacles and challenges that States may face in preventing, investigating, prosecuting and punishing the perpetrators of violence against women and girls, as well as measures for providing protection, support, assistance and redress for victims, and requests the Office to prepare, within existing resources, a summary report to be submitted to the Council;

(e) Invites the Office of the High Commissioner, in its reporting on integrating the human rights of women throughout the United Nations system, to summarize the extent to which the Council's mechanisms, including the special procedures, the universal periodic review, thematic working groups, and relevant special session outcomes and resolutions, have addressed violence against women and girls;

13. *Requests* United Nations organs and bodies, specialized agencies and intergovernmental organizations, and encourages the human rights treaty bodies, to continue to give consideration to violence against women and girls within their respective mandates;

14. *Calls upon* relevant United Nations entities within their respective mandates to support, upon request, the follow-up by States to relevant recommendations of special procedures, concluding observations of treaty bodies and outcomes of the universal periodic review to prevent violence against women and girls, protect victims of such violence and prosecute the perpetrators;

15. *Stresses* that challenges and obstacles remain in the implementation of international standards and norms to address the inequality between men and women, and violence against women in particular, and pledges to intensify action to ensure their full and accelerated implementation;

16. *Decides* to continue consideration of the issue of the elimination of all forms of violence against women, its causes and consequences, as a matter of high priority, in conformity with its annual programme of work.

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