

PRAVNI FAKULTET U ZAGREBU, 22. ožujak 2023.

75 godina UN Opće deklaracija o ljudskim pravima:
mandat i praksa UN Posebne izvjestiteljice protiv nasilja nad ženama (2015-2021)

75 godina UN Opće deklaracija o ljudskim pravima: mandat i praksa UN Posebne izvjestiteljice protiv nasilja nad ženama (2015-2021)

prepared by dr. Dubravka Šimonović, former SRVAW & CEDAW

+ 75 Opće Deklaracije o ljudskim pravima ,usvojena i proglašena od OS UN 10. 12. 1948

zajedničko mjerilo za zaštitu ljudskih prava i temeljnih urođeno dostojanstvo te jednaka i neotuđiva prava svih članova ljudske obitelji = temelj slobode prave i mira u svijetu

sva ljudska bića rađaju slobodna i jednaka u dostojanstvu i ljudskim pravima , ljudska prava su “urođena i neotuđiva “

jednaka prava muškaraca i žena

svatko ima pravo poštivanja ljudskih prava koja su u njoj utvrđena kako bi se time osigurala sloboda, pravda i mir u svijetu.

jednaka prava i nediskriminacija (rasa, spol itd)

UN Special Rapporteur on Violence Against Women, its causes and consequences established in 1994 - by the UN Commission on Human Rights- Human Rights Council (HRC)

HRC Special procedures: 45 thematic and 14 country mandates: Special Rapporteur, Independent Expert, Working group

Mandate holders serve in their personal capacities; they are not United Nations staff members.

Standing invitations, 128 Member States , Croatia 13 March 2003

Special rapporteur on violence against women, including its causes and its consequences

an independent thematic expert human rights mechanism on violence against women, its causes and consequences

VIOLENCE AGAINST WOMEN IS A HUMAN RIGHTS VIOLATION

CHR Resolution 1994/45. *Question of integrating the rights of women into the human rights mechanisms of the United Nations and the elimination of violence against women*

“Decides to appoint, for a three-year period, a Special rapporteur on violence against women, including its causes and its consequences.”

-renewable once, maximum 6 years

Former Special Rapporteurs

**Ms. Radhika Coomaraswamy
(Sri Lanka), 1994 - July 2003**

**Dr. Yakin Ertürk
(Turkey), August 2003 - July 2009**

**Ms. Rashida Manjoo
(South Africa), August 2009 - July 2015**

**Dr. Dubravka Šimonović
(Croatia) August 2015 - July 2021**

**Current Special Rapporteur
Reem Alsalem (Jordan) August 2021 -**

SRVAW MANDATE :

- universal mandate
- **seek and receive information** on violence against women, its causes and consequences from Governments, treaty bodies, specialized agencies, other special rapporteurs, and intergovernmental and non-governmental organizations, including women's organizations,
- **respond effectively to such information;**
- **to recommend measures, ways, and means** at the local, national, regional, and international levels **to eliminate all forms of violence against women and its causes, and to remedy its consequences;**
- operate under the human rights framework on women's rights and violence against women and other **international human rights instruments**
- **to hold States accountable**

SRVAW MANDATE :

- **Operate under international human rights instruments**
- **Universal Declaration on Human Rights (UNDHR)**
- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)1979**
- **Declaration on the Elimination of Violence Against Women (DEVAW) 1993**
- **other international human rights instruments**
 - CEDAW Committee GR No.19 on violence against women of 1992, GR 25 on GBVAW of 2017
 - **Beijing Platform for Action (BPA) of 1995**
 - **Belem do Para Inter-American Convention on the Prevention, Punishment and Eradication of VAW 1994**
 - **Maputo Protocol to the African Charter on Human and People's Rights of 1995**
 - **Istanbul Convention CoE Convention on preventing and combating VAW and domestic violence 2011**

SRVAW MANDATE :

SRVAW reports to the HRC, UNGA, and other organs:

- UN HRC - present two country visit reports and a thematic report , hold an interactive dialogue with States, NHRIs, NGOs
- UN General Assembly - present a thematic report and hold an interactive dialogue with States
- Commission on the Status of Women (CSW) in March - oral report
- Commission on Crime and Criminal Justice (CCPCJ) in May - oral report
- Participate at other conferences at the UN, regional (CoE, OSCE, AU, OAS), and national levels.

SRVAW working methods:

1. country visits and reports
2. thematic reports
3. individual complaints -press statement
4. initiatives:

Femicide watch SRVAW/OHCHR Database on Femicide watch initiative

EDVAW Platform

Framework for cooperation with the CEDAW Committee - CEDAW GR 35 on GBVAW

1. country visits and reports

two county visits per year

- **call for information** from all stakeholders
- **visit of 5 -10 days**, different provinces -regions,
- **meetings** with the State officials, judiciary, parliaments, ombudspersons, the academic community, NGOs working on women's rights, visit shelters, women's prisons
- **end of the mission statement** with preliminary findings
- **press conference**
- presents the country report with recommendations to the Human Rights Council and holds an interactive dialogue with the State concerned and others

SRVAW D. Šimonovic visited 11 States and presented reports to the HRC: **South Africa, Georgia, Israel, the Occupied Palestinian Territory / State of Palestine, Argentina, Australia, Bahamas, Canada, Nepal, Bulgaria, and Ecuador**

2. Thematic reports

SRVAW D. Simonovic prepared 11

2021 GA Taking stock of femicide prevention initiative A/76/132

2021 HRC Rape as a grave, systematic, and widespread human rights violation and Model law- A/HRC/47/26

2020 HRC Violence against women journalists A/HRC/44/52

2020 GA Intersection between the coronavirus and the pandemic of GBVAW with a focus on domestic violence -A/74/144

2019 HRC Twenty-five years of the SRVAW an analysis of its evolution, current challenges, and the way forward -A/HRC/41/42

2019 GA A human rights-based approach to obstetric violence against women- A/74/144

2018 HRC Online violence against women and girls- A/HRC/38/47

2018 GA Violence against women in politics -A/73/201

2017 HRC A human rights-based approach to integrated services with a focus on shelters and protection orders -A/HRC/35/30

2017 GA Adequacy of the international legal framework on violence against women -A/72/134

2016 HRC Vision-setting report -A/HRC/32/42

2015 GA Modalities for the establishment of femicides/gender-related killings watch- A/71/398

3. communications procedure: urgent appeals and allegation letters (communications)

joint

SRVAW,

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;

Working Group on discrimination against women and girls,

Special Rapporteur on freedom of religion or belief,

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Communications followed by Press Statement

21 June 2021

Iran: Jailed for defending women who opposed compulsory veiling, Nasrin Sotoudeh must be freed, say UN experts

GENEVA (21 June 2021) – UN human rights experts* today condemned the continued imprisonment of woman human rights defender and lawyer Nasrin Sotoudeh and called for her immediate release.

“Nasrin Sotoudeh has been systematically criminalized for her work in defense of human rights, particularly the rights of women who oppose compulsory veiling laws,” Dubravka Simonovic, UN Special Rapporteur on violence against women, said.

Ms. Sotoudeh has been detained since June 2018 and was sentenced to a combined 38 years imprisonment on nine charges, including “encouraging corruption and prostitution”, in connection to her work defending women arrested for peacefully protesting compulsory veiling laws. Under Iranian law, she will serve 12 years in prison, the longest of her sentences.

FEMICIDE WATCH INITIATIVE

In 2015, SRVAW on the International Day on the Elimination of Violence Against Women (IDEVAW)

call to all States to establish a “femicide watch” and/or observatories on gender-related killings of women,

1. collect and publish each year disaggregated administrative data on :

- 1) intimate partner femicide and**
- 2) family related femicide, with based on the determined relationship between the victim and the perpetrator,**
- 3) other femicides.**

2. analysis of femicide cases to determine shortcomings and prevent such cases from human rights perspective;

3. recommend measures for its prevention and remembrance initiatives for victims (based on emblematic cases)

Data collected through this initiative and the UN Office on Drugs and Crime: among the victims of all intentional killings involving intimate partners – in which there is an established relationship between perpetrator and victim) more than 80% of victims are women.

The EDVAW Platform initiative

2018 establishment of the EDVAW Platform composed of independent expert women's human rights mechanisms on the **e**limination of **d**iscrimination and **v**iolence against **w**omen and girls = the EDVAW Platform:

- UN Special Rapporteur on violence against women (SRVAW)
- UN Committee on the Elimination of Discrimination against Women (CEDAW),
- UN Working Group on discrimination against women and girls (WGDAW),
- Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI),
- Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)
- African Commission on Human and Peoples' Rights Special Rapporteur on the Rights of Women in Africa (A-SRWHR)
- Inter-American Commission on Human Rights Rapporteur on the Rights of Women (IA- RWHR)