



General Assembly

Sixty-ninth session

Official Records

Distr.: General
17 December 2014

Original: English

Third Committee

Summary record of the 28th meeting

Held at Headquarters, New York, on Friday, 24 October 2014, at 3 p.m.

Chair: Ms. Mesquita Borges (Timor-Leste)

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14-63278 (E)



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The meeting was called to order at 3.05 p.m.

Agenda item 68: Promotion and protection of human rights (*continued*) (A/69/383-S/2014/668)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/69/97, A/69/99,

A/69/121, A/69/214, A/69/259, A/69/261, A/69/263, A/69/265, A/69/266, A/69/268, A/69/269, A/69/272, A/69/273, A/69/274, A/69/275, A/69/276, A/69/277, A/69/286, A/69/287, A/69/288, A/69/293, A/69/294, A/69/295, A/69/297, A/69/299, A/69/302, A/69/333, A/69/335, A/69/336, A/69/365, A/69/366, A/69/397, A/69/402 and A/69/518)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(A/69/301, A/69/306, A/69/307, A/69/356, A/69/362 and A/69/398; A/C.3/69/2, A/C.3/69/3, A/C.3/69/4 and A/C.3/69/5; A/HRC/26/38)

1. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) said that he had dedicated his report (A/69/295) to durable solutions for internally displaced persons (IDPs) in urban settings, who were often invisible and tended to live among the urban poor. Continued efforts were needed to identify those IDPs and conduct needs assessments in line with the 1998 Guiding Principles on Internal Displacement and, where applicable, the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons.

2. The achievement of durable solutions needed to be addressed as a matter of priority by States, authorities, development and humanitarian actors, urban planners and donors. Transitional solutions were often mistaken for durable solutions. A durable solution could only be achieved once IDPs no longer had specific assistance and protection needs and could enjoy their human rights without discrimination on account of their displacement. It could be achieved through sustainable and secure return to the place of origin, sustainable local integration in the economic, social and public life of the places where IDPs had taken refuge or sustainable integration in another part of the country. Distorted views on durable solutions highlighted the importance of advocacy and awareness-raising to increase understanding of the Inter-Agency

Standing Committee framework of durable solutions. A comprehensive understanding of the durable solutions framework encompassing the broader context of vulnerability or poverty and displacement-affected communities was vital.

3. It was critical to develop national frameworks, structures and policies on internal displacement and ensure that durable solution options were included in national laws and policies for IDPs. It was imperative that authorities at all levels ensured full participation of IDPs in processes addressing durable solutions for them. He strongly encouraged donor States to allocate sufficient funding to respond effectively and sustainably to internal displacement in urban contexts. They should devote part of their funding to profiling exercises in areas affected by both conflict and natural disasters so as to better grasp the complexity of achieving durable solutions for IDPs in urban settings. The needs and aspirations of IDPs were truly taken into account as an integral part of sustainable development. IDPs must be able to benefit from and contribute to sustainable development.

4. **Ms. Vasquez Islame** (Chile) said that her country fully supported the work of the Special Rapporteur and was particularly concerned by the situation of displaced persons, who were often women and children. Chile and Australia had recently organized an Arria Formula meeting in the Security Council on the protection of internally displaced persons, who had numbered around 33.3 million at the end of 2013. In that context, she would be glad to hear the Special Rapporteur's views on what States could do to comprehensively deal with the issue of internally displaced persons, which was often linked to other human rights violations such as human trafficking or gender-based violence.

5. **Mr. Hajnoczi** (Austria) asked what could be done to improve and strengthen the response of the United Nations system to the worrying trend of the constantly increasing global IDP figure. His country joined the Special Rapporteur's call to States affected by displacement to continue to work to identify and locate IDPs in urban settings in line with the Guiding Principles on Internal Displacement and to initiate dialogue with communities living in the poorest urban areas to discuss urgent needs and address their concerns with regard to the local integration of IDPs.

6. **Mr. Richter** (International Organization for Migration (IOM)) said that the International Organization for Migration in partnership with the Brookings-LSE Project on Internal Displacement was pursuing the objective of measuring progress in achieving durable solutions for IDPs in Haiti and planned to do so in the Philippines in the following year. IOM was interested in being closely associated with the Special Rapporteur's initiative in order to link up their respective competencies and efforts. Forced evictions and arbitrary displacement of IDPs should be avoided, and IDPs must be provided with alternative housing and legal remedies where their rights had been violated. He urged affected States to grant the right to recover possessions and properties left behind for IDPs who decided to return home. The principle of non-discrimination should be applied at all stages of protection. All individuals, irrespective of their gender, were entitled to the full range of rights necessary to recover from displacement with dignity and benefit fully from durable solutions.

7. **Ms. Malley** (United States of America) said that her country noted with concern the growing number of IDPs and the lack of sufficient Member-State and United Nations attention and resources directed towards that population globally. The primary responsibility for the protection of IDPs lay with States, but the United Nations had an essential role to play. Her country called on the United Nations to re-examine the way IDP issues were addressed by the Organization's leadership and individual agencies with humanitarian, human rights and development mandates.

8. Her delegation urged all Member-States to highlight more regularly the particular protection and assistance problems faced by IDPs in conflicts and natural disasters throughout the world in the General Assembly, Security Council and Human Rights Council as appropriate. She asked what major obstacles were facing the Special Rapporteur in elevating the IDP issues with Governments and within the United Nations system and how Member-States could be more helpful in drawing attention to and helping address those issues.

9. **Ms. Schmidt** (Switzerland) asked how the international community could contribute to strengthening the capacity of States concerned to analyse the situation in an appropriate manner in order to take appropriate steps to provide assistance to

displaced persons and host societies and ensure respect for the human rights and protection of displaced persons. How could urban planning strategies be developed through participatory processes that took into account the needs and human rights of displaced persons, enabling the promotion of their socioeconomic and political integration? Were there any best practices in relation to land tenure issues? She called on Member States and United Nations agencies to strengthen their collaboration with the Special Rapporteur in order to improve displaced persons' enjoyment of human rights in their own countries.

10. **Ms. Tschampa** (Observer for the European Union) asked whether the Special Rapporteur could recommend some good practices to ensure a participatory approach, where the rights and perspectives of IDPs and local communities were adequately integrated into programming and urban planning. Given that IDPs residing in urban makeshift shelters were exposed to a greater risk of sexual and gender-based violence, could the Special Rapporteur share some best practices to protect the rights of internally displaced women and girls and address their specific needs for access to protection and assistance in urban areas?

11. The European Union was continuing with its assistance efforts in many crises in various regions and remained deeply concerned about the continually worsening situation in the Syrian Arab Republic, which had become the largest humanitarian and security disaster in the world with more than 6.4 million IDPs. To a large extent, the international community's efforts were contingent on a national dialogue and political solution.

12. She asked how the United Nations could help to ensure the protection of IDPs in the Syrian Arab Republic and other unfolding crises. With regard to Syrian IDPs were there any indications that increased cross-border assistance might negatively affect assistance from within that country? Finally, she asked what the main remaining challenges were to adopting a more effective and coordinated approach to preventing internal displacement crises and achieving durable solutions for IDPs in terms of the United Nations' institutional structure.

13. **Mr. Kihwaga** (Kenya) said that, despite the fact that internal displacement remained a regular occurrence, his country had only very recently been

able to put in place a comprehensive IDP policy. The policy adopted in 2010 covered all causes of displacement and sought to prevent displacement, mitigate its consequences and facilitate all aspects of resettlement and reparation. Kenya had been a party to the Protocol on the Protection of and Assistance to Internally Displaced Persons since 2008 and had a Ministry for IDP matters. The 2010 Constitution contained a comprehensive Bill of Rights serving as a guarantor of the rights of all persons, including IDPs. Kenya hoped to continue to engage with the Special Rapporteur and other related mandate holders in order to overcome any challenges to the successful implementation of IDP-related measures.

14. **Mr. Holbach** (Liechtenstein) said that internal displacement was not a short-term problem. His delegation was concerned that, when dealing with displacement, the focus had shifted from protection to assistance, which was not a sustainable solution. An effective long-term response and investment were needed. Early investment in development would help IDPs rebuild their livelihoods. Rapid provision of identification documents and fair and equal access to asylum and education should be treated as priorities. He asked whether the Special Rapporteur agreed with his country's assessment and what remedies could be used to address the situation successfully and sustainably.

15. **Ms. Rahimova** (Azerbaijan) said that durable solutions required political will on the part of IDP hosting States and long-lasting financial commitment to meet the immediate and long-term development needs of IDPs. Nevertheless, the responsibility and commitment of IDP hosting States to finding durable solutions to displacement should not absolve those responsible for the root causes of displacement and human right violations. It was necessary to continue advocacy for strengthening the international response to displacement and supporting efforts employed on the ground in a timely manner.

16. It was also critical to maintain focus on protracted displacement as a result of unresolved armed conflicts. Conflict resolution and ensuring the right to return were still the most effective long-term solutions to displacement. In that regard, her country invited the Special Rapporteur to continue his advocacy efforts within the United Nations system and the wider humanitarian and human rights community to enable IDPs to fully enjoy those rights.

17. **Ms. Alsaleh** (Syrian Arab Republic) said that citizens of her country had had to leave their homes because terrorist groups imposed a forced migration policy. Her Government had deployed every possible effort to deploy assistance to IDPs and set up temporary shelter for them, especially women and children. In spite of international efforts, the Syrian Arab Republic would not be able to meet its goals, because the United States of America and some countries in the European Union were imposing illegal unilateral measures that had negatively affected the lives of its citizens, whether displaced or not. It would have liked the Special Rapporteur to have mentioned that major challenge to the sustainable resolution of the issue in his report. Her country would also have liked to have seen the issues of forced displacement due to religious or ethnic origin, abduction, intimidation and murder addressed in the report.

18. **Ms. Klemetsdal** (Norway) said that it was essential to link humanitarian assistance to IDPs to development issues, such as urban planning or reduction of urban poverty, as highlighted in the report. Local integration of IDPs could put a stress on services, capacities and resources. Cities must be supported to increase their absorption capacity in order to make that solution durable and sustainable. She asked the Special Rapporteur what more the international community, including United Nations agencies, could do to address the development needs of displacement-affected societies within urban contexts.

19. **Ms. Salman** (Iraq) said that, owing to aggression from the Islamic State in Iraq and Sham (ISIS) in various regions in her country, her Government, in collaboration with United Nations agencies, had undertaken to provide assistance to IDPs. Iraq wished to thank all international stakeholders that had helped IDPs and invited the international community to continue to provide support.

20. **Ms. Burgess** (Canada) said that her country played an active role at the international level to promote the rights and well-being of displaced persons and to meet the needs of those vulnerable to abuse and sexual violence, particularly displaced women. Too often the international community focused on short-term assistance, instead of a solution-based approach. Through its development assistance, Canada was pleased to be supporting programmes addressing solutions for IDPs in Colombia and Haiti and agreed

with the Special Rapporteur's emphasis on self-reliance, including income-generating activities.

21. Her delegation wished to know whether there were plans to share the experiences of the Governments of Afghanistan and Colombia, which had taken positive measures on IDPs, in order to replicate such experience elsewhere. She also enquired as to the Special Rapporteur's thoughts on how to ensure the full participation of IDPs in drafting laws and policies addressing durable solutions for them.

22. **Ms. Ribeiro** (Brazil) asked for the Special Rapporteur's views on cash transfers, the local procurement of food and services, and safety nets in terms of their potential to bridge the gap between development and humanitarian assistance. She wondered if the Special Rapporteur could elaborate on the potential of those instruments in addressing durable solutions for IDPs.

23. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) thanked Chile and Australia for having organized an Arria Formula meeting on the issue of displacement and threats to international peace and security. He acknowledged the link between the phenomenon of IDPs and trafficking. Since the ineffective IDP protection system left women and young girls vulnerable to trafficking, an effective system that foreclosed trafficking and slavery of IDP women and children needed to be established.

24. The focus on durable solutions was aimed not just at reducing the global IDP figure, but also at addressing the problem more effectively. The architecture for the protection of IDPs within the United Nations system must be re-examined and strengthened. Measures related to peace building, conflict resolution and durable solutions involving development and humanitarian actors should all be coordinated. He had been interacting with development actors, particularly the United Nations Development Programme (UNDP) and the World Bank, and humanitarian actors, such as the Office of the United Nations High Commissioner for Refugees (OHCHR), to achieve a combined response.

25. It was important to ensure that IDPs were included by municipal authorities in urban planning and development. Peripheral areas must be targeted more comprehensively in order to improve the situation in those areas and locate IDPs in more secure areas in urban settings without resorting to eviction. He

welcomed the partnership with the International Organization for Migration (IOM) in that regard and noted that he had referred to IOM best practices in urban planning projects involving IDPs in his report.

26. Lack of access to areas and territories with IDPs was one of the obstacles faced in his work. Such access was essential in order to make appropriate needs assessments and thereby determine the solutions that were necessary. Effective coordination between States and the United Nations system was also very important. The international community needed to raise the visibility of and take proactive steps on IDP issues. It was also important to raise the profile of IDPs within the United Nations system. He called upon States to cooperate more effectively with certain humanitarian agencies to ensure that they had budget lines dedicated to IDPs and deployed resources to tackle the issue of IDPs.

27. In terms of how the international community could contribute more to helping States to develop capacity, there was clearly a lack of awareness in terms of specific IDP protection measures. While States bore the primary responsibility of establishing policies and coordination mechanisms, such policies and mechanisms often did not reach out to either international partners or IDPs. It was vital to establish capacity in terms of coordination, and it was also essential to ensure a state of preparedness at all times, since internal displacement could arise from natural or man-made disasters. He, therefore, called upon all States to ensure they had sufficient structures and effective response systems in place to deal with emergencies.

28. With regard to resources, Member States were unable to cope alone and were assisted by international partners at the level of the United Nations. He frequently engaged with bilateral partners within States while on mission and brought to light specific problems in relation to them. Most of the problems in the context of durable solutions related to housing needs and also to government structures for facilitating the transition from humanitarian assistance to development and to strengthening them in a way that was inclusive and participatory.

29. There were no best practices linked to land tenure, which always surfaced as a problem during displacement crises. It was vital to have an effective land tenure system to ensure that IDPs were able to

trace back their title to land. With regard to good practices in terms of participatory approaches, the experiences of Colombia, Somali and Haiti were shared and replicated in the specific context of each country.

30. **Ms. Elver** (Special Rapporteur on the right to food), introducing her report (A/69/275), said that eradicating hunger and ensuring access to adequate food had not been universally achieved in spite of considerable legislative and judicial progress in many countries since 2004. More than 800 million people still went to bed hungry, and 2 billion were nutrient deficient, most of them living in Africa and South Asia. As global food security was constantly changing and affected by many issues, she had identified a tentative description of the priorities that she expected would evolve over the course of her mandate.

31. It was necessary to implement the right to food and ensure access to justice. States were responsible for respecting, protecting and fulfilling the right to adequate food for their citizens. However, many countries had failed to develop a judicial culture of recognition in practice. In order to eradicate hunger and promote the right to adequate food, she intended to work closely with civil society to promote the ratification and observance of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and bring human rights violations to the attention of the Committee on Economic, Social and Cultural Rights.

32. Although women were responsible for food production and preparation in many countries and regions, they continued to be disproportionately affected by poverty, malnutrition and significant difficulties in accessing resources, such as land, water and financial and technical assistance. The empowerment of women and the protection of their rights should be placed at the centre of policy-making processes regarding the right to food in both rural and urban areas. Such empowerment should be extended to women from indigenous communities, those living in refugee camps, undocumented migrants and ethnic, racial and religious minorities.

33. The first five years of a child's life were the most important in terms of human development, and focus must be placed on encouraging investment in future generations by providing adequate nutritious food for all young children. Globally, 51 million children under

five years suffered from acute malnutrition, which put them at immediate risk of death. Chronic malnutrition led to stunting, which affected everything from school performance to future earnings. Stunting could be reduced by improving women's nutrition, early and exclusive breastfeeding and appropriate micronutrient interventions. By contrast, developed and middle-income countries, as well as the poorest countries of the world, were facing rising levels of chronic diseases related to obesity. Dietary changes associated with processed food and the excessive consumption of sugar, fat and salt were largely to blame in that regard.

34. Climate change was already having a significant impact on approximately 1 billion of the world's poor. Throughout her mandate, she would focus on the adverse effects of climate change on the effective enjoyment of human rights, particularly the right to food, as a cross-cutting theme. Before the 2015 Conference of Parties to the United Nations Framework Convention on Climate Change in Paris, human rights defenders and civil society organizations should make every effort to cooperate in order to ensure that a human rights-based approach to climate change was adopted and that there was a clear commitment on the part of all relevant parties to ensuring climate justice for all.

35. Global food loss and food waste was also an important issue. More than one billion tonnes of food, almost one third of the world's total production for human consumption, was wasted per year. In addition, ongoing humanitarian crises and armed conflicts were having a devastating impact on the lives of millions of people around the globe. The international community must take greater responsibility for emergency food crises and comply with international human rights standards and humanitarian law in doing so.

36. She noted that her mandate encompassed issues relating to corporate responsibility with respect to global food policy and practices, and linkages between private sector behaviour, trade policies, and regulatory frameworks at the domestic and international level. As the Millennium Development Goals (MDGs) approached their target date of 2015, it was not possible to develop a successful sustainable policy framework to eradicate hunger and provide adequate and nutritious food to all without considering the specific requirements of women and children or focusing on the adverse impact of climate change on food security.

37. **Ms. Verøyvik** (Norway) said that the thematic priorities set forth in the report were in line with her country's understanding of the principal issues and drew attention to the key role of women in ensuring food security. She asked the Special Rapporteur for examples of lessons learned from countries that had achieved food security and would also be interested to know what expectations the Special Rapporteur had with regard to the upcoming Second International Conference on Nutrition.

38. **Ms. Mkhwanazi** (South Africa) said that the right to food was linked to human dignity and central to the right to life. Her Government recognized that the realization of economic, social and cultural rights had to take place progressively in accordance with the capacity of the State to generate the necessary resources, but its national development plan included a number of steps to improve access to food and nutrition. She would be glad to hear the Special Rapporteur's insight into how developing countries could make practical use of Millennium Development Goal 8, to develop a global partnership for development. Noting the report's reference to non-discriminatory access to seeds, fertilizers and technical knowledge at the local level, she asked how the Special Rapporteur's mandate could help developing countries benefit from research on high-yield seed varieties held by developed countries.

39. **Mr. Rodríguez Hernández** (Cuba) reiterated his country's support for the Special Rapporteur's mandate and agreed that the rights-based approach to the post-2015 development agenda should be founded on the right to development and the right to food. He asked what the main challenges were in realizing the right to food with regard to non-discriminatory access to resources and how coordination with the Food and Agriculture Organization of the United Nations (FAO), the World Health Organization (WHO) and other relevant forums could be improved under the mandate of the Special Rapporteur in order for that right to be duly taken into account in the post-2015 development agenda, particularly in light of the upcoming Second International Conference on Nutrition.

40. **Ms. Ribeiro** (Brazil) commended the priorities outlined in the report and assured the Special Rapporteur of her delegation's full support for her mandate. It particularly agreed with paragraph 13 of the report. In her country's experience, government procurement programmes such as its national school

feeding programmes were a key factor in granting citizens their constitutional right to food. As the previous Special Rapporteur had noted, government procurement and institutional purchases were being used in a number of countries and were increasingly supported by United Nations agencies and philanthropic organizations. For that reason, Brazil strongly encouraged the Special Rapporteur to further explore the potential of that instrument to contribute to the progressive realization of the human right to adequate food. Her country would also like to highlight the importance of agricultural insurance as a tool to manage risk and would encourage the Special Rapporteur to ensure that there were further studies and pilot projects to explore the potential of that instrument as well.

41. **Ms. Schmidt** (Switzerland) said that her country welcomed the report's emphasis on the fundamental role of women in food security and the need to improve gender equality. Action by States must be guided by the Convention on the Elimination of All Forms of Discrimination against Women, given that improving women's access to property, water and seeds, particularly through credit and loans, would significantly increase food production in some rural areas. Improvement in that area would be a significant step towards achieving the objectives of the post-2015 development agenda. Her country supported the Special Rapporteur's efforts to ensure that human rights were integral to the post-2015 sustainable development agenda.

42. Combatting food waste was another important challenge. Switzerland had been making efforts to promote food sustainability and reduce waste since 2013, and she called on all States to do likewise. Her country also welcomed the emphasis on nutrition for children and supported ensuring universal access to high-quality food by promoting sustainable agro-food systems. She asked the Special Rapporteur what measures should be taken to strengthen private sector engagement so that food security would become a reality for all under the post-2015 sustainable development agenda.

43. **Ms. Tschampa** (European Union), noting that the report stated that many challenges remained despite the considerable legislative and judicial progress that many countries had made since the adoption of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National

Food Security in 2004, asked the Special Rapporteur about the best way to disseminate and share best practices for ensuring the progressive realization of the right to food at the domestic level.

44. Since many countries had not yet developed measures in support of the International Covenant on Economic, Social and Cultural Rights, she would also be glad to hear suggestions on how to improve States' promotion of the right to food. Lastly, she requested further information on best practices to ensure that the existing human rights framework was used to ensure that equality was at the centre of the policy-making processes, particularly to ensure that women had equal access to resources and assistance. The European Union continued to support the mandate and work of the Special Rapporteur.

45. **Ms. Al-Temimi** (Qatar) said that her country was committed to cooperating with the Special Rapporteur and believed in the importance of guaranteeing the right to food in a systematic, ongoing and unhindered manner, in accordance with the relevant international instruments. Qatar also affirmed its commitment to continue efforts to improve food security and to participate effectively in strengthening ways to address the issue of agricultural development at all levels, as it was an integral part of the post-2015 development agenda.

46. **Ms. Vadiati** (Islamic Republic of Iran) said that her country welcomed the report and asked the Special Rapporteur what the impact of international sanctions on the exercise of the right to food was and whether that issue would be given any attention in her next report. She also wished to know whether the Special Rapporteur planned to seek to ensure that the right to food was included in the post-2015 development agenda.

47. **Ms. Elver** (Special Rapporteur on the right to food) said that she was pleased that there was such great support for her mandate, as action would require cooperation. With regard to positive examples since the introduction of the Voluntary Guidelines, twenty-eight countries had enshrined the right to food in their constitutions and several others had laws and regulations in place to protect that right, whether directly or indirectly through the protection of the right to life. However, such provisions were extremely difficult to implement. Unlike some economic and social rights that could be progressively realized in

developing countries, guaranteeing the right to food should be seen as an obligation of the international community. Legal remedies were in place, but they were not enough to overcome a lack of political will or international trade regulations and hurdles related to free-market economies. A certain degree of policy coherence was needed, not only in the area of food and agriculture but also on trade and the global economy.

48. The issue of nutrition could not be excluded from work on the right to food. United Nations bodies such as the World Health Organization and the Food and Agriculture Organization should work together to develop more robust nutrition policies, and the Committee on World Food Security should be part of that system. Her understanding was that later that year there would be a new kind of institutional setting at FAO bringing all of the United Nations bodies together, as well as civil society and private sector stakeholders.

49. That new kind of governance, which had been seen in the Committee on World Food Security, had been very successful, as the voices of civil society and the private sector were as important as those of Governments. However, caution was needed with regard to responsibilities, especially in the private sector, because a human rights-based approach was not possible without accountability. Nevertheless, including a human rights-based approach in the post-2015 sustainable development agenda could bring policy coherence and accountability into the document and make it much more human-rights friendly.

50. She thanked the Cuban delegation, which had been instrumental in instituting the mandate, for its consistent support. Responding to its questions, she said that trade relationships and trade rules were a global challenge to the realization of the right to food and needed to be re-examined. The right to food was more important than trade, and food-related issues might need to be excluded from the global economic order. Regulations could be put in place to protect that right, especially if countries were trying to make rules to protect their vulnerable people, as India and Brazil were doing very successfully. Trade rules might be a hurdle, but the World Trade Organization (WTO) should consider food a human rights issue and give countries more freedom from the constraints of free market principles.

51. Women were central to right-to-food issues. Seventy per cent of the world's food was produced through small-scale farming, and many of those farms were run by women in practice, if not in the eyes of the law. Laws and customs often prevented women from owning land or accessing other resources. Therefore, women's empowerment should be increased through legislation and, in some cases, social protection, so that they could access those resources. The means of making women's empowerment a significant issue in right-to-food agendas should be handled with Governments on a case-by-case basis.

52. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights) affirmed his commitment to raising the visibility, within the context of the human rights agenda, of the scandal that over 2.2 billion people were living in or near a state of multidimensional poverty. First, he wished to discuss the concept of a social protection floor. That was a concept that aimed to ensure guaranteed basic income security and access to essential social services for all citizens. It had originated in initiatives in countries of the global South that were later reflected in ideas developed by the International Labour Organization (ILO) and other United Nations agencies, culminating in the endorsement of the Social Protection Floor Initiative by the United Nations System Chief Executives Board for Coordination.

53. In 2014 the Human Rights Council had explicitly underlined the importance of the Initiative for the realization of economic, social and cultural rights. The Initiative sought to implement existing international human rights law, called for States to define their own approach consistent with human rights principles and through consultation, was universal, envisaged a right which was to be guaranteed under national law and was affordable by all States, provided that international cooperation was available where necessary. The Third Committee could make a major contribution by endorsing the Initiative, which represented a unique opportunity to make a universal commitment to guaranteeing a minimum floor of economic and social rights for all, and calling for it to be reflected in the post-2015 development goals. Regrettably, the World Bank, consistent with its refusal to engage meaningfully with human rights, had not seriously backed the Social Protection Floor Initiative and continued to promote the much more limited notion of social safety nets.

54. On the matter of the post-2015 sustainable development goals, the fact that a range of human rights issues were addressed in some way in the current draft was a significant achievement, following several years of intensive negotiations. However, it was regrettable that there were only two explicit references to human rights in the entire document, and neither represented an endorsement of the concept in the overall context of development. Accountability mechanisms were also sorely lacking.

55. He also wished to explore the consequences of the systematic avoidance of human rights language in some of the key forums addressing development issues. Even the UNDP Human Development Report, which was a true thought-leader in the field and had previously strongly endorsed the centrality of human rights, had that year gone to great lengths to minimize references to "human rights" in favour of generic terms such as "needs and rights" and "basic rights" that gave the illusion of referring to human rights but were not in fact grounded in any particular content.

56. While some might argue that the language used was irrelevant as long as results were being achieved, using human rights language was important because it provided a context and a detailed and balanced framework, invoked the specific legal obligations that States had agreed upon in the various human rights treaties, supplied a degree of normative certainty and brought into the discussion the carefully negotiated definitions of specific rights that had emerged from decades of reflection, discussion and adjudication. Even more importantly, rights language recognized the dignity and agency of all individuals and was intentionally empowering. Where rights were ignored or violated, there must be accountability.

57. Therefore, calling for the realization of an agreed human right was different from merely making a request or demand. Recognition of the human rights of those living in extreme poverty, who continued to be marginalized, stigmatized and subjected to condescension and charity, did not guarantee them food, education or health care, but it did acknowledge their dignity and agency, empower them and their advocates and provide a starting point for a meaningful debate over the allocation of societal resources in contexts in which their interests had been systematically ignored. Therefore, the extent to which Governments and the international community were intentionally avoiding the language of human rights in

the development debates needed to be acknowledged and the reasons for that examined, especially since it could be precisely to avoid the consequences of rights-based language.

58. **Ms. Mkhwanazi** (South Africa) said that the right to access to social protection was enshrined in her country's constitution, as it had a positive impact on the right to an adequate standard of living. Her Government's national development plan had identified poverty, unemployment and inequality as the main challenges to development and was seeking to address them. She asked the Special Rapporteur to share his advice or best practices that he was aware of for countries that provided social protection benefits but were now seeing those benefits abused or misused, putting a strain on State resources and ultimately leading to more poverty and unemployment.

59. **Mr. Waheed** (Maldives) said that poverty eradication was a matter of human rights and that his country, which had been among the first countries to participate in the Social Protection Floor Initiative, supported the call of the Special Rapporteur for universal implementation of a social protection floor and supported the inclusion of social protection floors in the post-2015 development agenda. His country had now eradicated extreme poverty and had passed a social protection law in 2013 providing universal health insurance and pensions, as well as additional benefits for those who were extremely vulnerable or living in poverty.

60. However, climate change continued to push vulnerable Maldivians under the poverty line. He would therefore be glad to hear the Special Rapporteur's thoughts on how social protection could be more effectively integrated into the climate adaptation agenda. He would also like to know how the burden of implementing social protection floors could be more equitably shared between nations, given that climate change was an international problem that disproportionately affected small island developing States.

61. **Ms. Tschampa** (European Union) welcomed the Special Rapporteur's multifaceted approach to tackling the issue of extreme poverty, which existed in both developed and developing countries. First, she would like to know what measures could be taken to ensure that social protection was legally recognized as a human right and promote the right to social protection,

including universal health care. Second, she asked what tools could best be used to realize the right to social security for the 73 per cent of the global population that was currently unprotected or only partially protected. Third, given that eliminating extreme poverty would require people living in extreme poverty to be empowered and recognized as stakeholders who wished to exercise their rights and participate in decisions that affected them, she would like to hear what strategies could be implemented to ensure that active participation.

62. **Ms. Schneider Calza** (Brazil) said that her country welcomed the report and thanked the Special Rapporteur for his recognition of her country's social programmes, which had been instrumental in lifting 36 million Brazilians out of extreme poverty over the past ten years and were a demonstration of her country's commitment to social protection, which was enshrined in the constitution as a right of citizens and a duty of the State.

63. The right to social protection must be recognized as a human right, especially in light of its impact on the enjoyment of other human rights. In times of economic difficulty, which might be used as a justification for reducing or eliminating social protection policies, it was important to recognize that those policies had a significant positive impact on the efficiency and productivity of the economy. She asked what potential the Special Rapporteur saw in the exchange of best practices of countries that had successfully implemented social protection programmes in making that right universal, particularly with regard to the Social Protection Floor Initiative.

64. **Ms. Dhanutirto** (Indonesia) said that her Government was committed to accelerating the eradication of poverty by focusing on social assistance, community empowerment and microenterprise empowerment and welcomed the Special Rapporteur's emphasis on the important roles of all stakeholders, including countries, international organizations and civil society organizations, in promoting the universal right to social protection. Her country saw social protection as a foundation for economic growth and social cohesion. It also believed that social protection floors should be defined at the national level. In that connection, she asked whether a nationally defined social protection floor was compatible with the concept of universal social protection.

65. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights) said that there had been a serious North-South division in many areas of human rights, and even in the area of economic and social rights there had often been claims that the North was trying to impose models and strategies on the South. In contrast, the social protection floor was a clear example of a concept that had emerged from a practice that had developed in the global South and been taken up by international organizations with the aim of turning it into a more global initiative. The global South had demonstrated that comprehensive protection of social rights was not only feasible but also politically desirable and, most importantly, economically wise. Social protection repaid all of the investment that was made in it, as it was designed to make the populace less dependent on the State and more productive, in addition to ensuring the dignity of the whole population.

66. He wished to emphasize several aspects of the social protection floor concept that might not be sufficiently clear from his report. The social protection floor was designed to be a universal programme that covered everyone in society. There was a competing “social safety net” approach taken by many countries, which involved professional bureaucrats attempting to determine which very specific groups should receive benefits. The social protection floor was guaranteed and universal, respected individuality and allowed people to make their own decisions. In contrast, under the second approach nobody was entitled to a minimum guarantee simply by virtue of being a citizen. Rather, elites, often international elites such as the World Bank, constantly forced the poor to explain themselves and justify their need. The guarantees provided by a social protection floor were minimal, but the system was designed to protect those who were living in extreme poverty and needed assistance in order to live a life consistent with human rights.

67. The issue of the abuse of benefits systems was mainly an issue for certain elements of the media, the extremely wealthy and some populist politicians. In fact, many economic studies on social protection floors and similar systems had demonstrated that such schemes, which eliminated the possibility for abuse, made wide coverage much more economically feasible and prevented the usually small number of cases of fraud from being used as an argument to further reduce

the meagre protection that was generally accorded to those living in extreme poverty.

68. There was a clear link between extreme poverty and climate change, and there was no doubt that the agendas belonged together. International cooperation was very much on the agenda in discussions on climate challenges in other forums. To the extent that there was international support for social protection floors, that support should be extended to facilitate the successful implementation of social protection floors in countries whose efforts faced serious challenges as a result of climate change.

69. Delegates should not be so ready to accept the idea that human rights did not need to be mentioned in the post-2015 development agenda. References to social protection did not constitute an acknowledgement that social protection was a human right; they made it a desirable goal rather than a high priority. He appealed to delegates to review the post-2015 development agenda to ensure that it contained references to human rights, and specifically the human right to social protection.

70. The questions and comments from countries such as Brazil, Indonesia, the Maldives and South Africa emphasized the extent to which countries had already taken the social protection floor approach. That was not an agenda being imposed by the global North. If anything, the global North was resistant to it. The World Bank was the biggest obstacle, as it did not want to recognize human rights, including the right to social protection. It favoured closely monitored technocratic coverage over universal coverage and was not prepared to move towards empowering individuals. The Third Committee could make a huge difference if it included in its draft resolution a call for recognition of the human right to social protection.

71. **Ms. Manjoo** (Special Rapporteur on violence against women, its causes and consequences) said that pervasive levels of violence against women and a culture of impunity persisted, jeopardizing women’s ability to participate in the civil, political, economic, developmental, social and cultural spheres of their communities as full and equal citizens. In addition to being a pervasive human rights violation in itself, it also impeded women’s realization of their human rights to dignity, freedom and equality and, consequently, played a role in preventing them from exercising their citizenship rights that was often

overlooked. States, therefore, had an obligation to act with due diligence to eliminate violence against women, both as an end in itself and in order to enable women to fully exercise their citizenship rights.

72. The continuing challenges to effectively addressing violence against women included the shift towards gender neutrality; the persisting public-private dichotomy in responses to violence against women; the failure of States to act with due diligence in eliminating violence against women; the lack of transformative remedies that addressed the root causes of violence against women, including individual, institutional and structural aspects; the financial crisis, austerity measures and cuts in social services spending; the shift in understanding of gendered responses and the move towards a focus on men and boys; and the lack of a legally binding instrument to hold both States and non-state actors accountable for that human rights violation, as a violation in and of itself.

73. The international community must examine the gaps within the existing international binding legal frameworks and address more specifically the legal gaps in protection, prevention and accountability. The normative gap under international human rights law was a source of grave concern. It raised crucial questions about State responsibility to act with due diligence and the responsibility of the State as the ultimate duty bearer to protect women and girls from violence, its causes and its consequences.

74. The concerns raised prior to the development and adoption of the Declaration on the Elimination of Violence against Women and subsequently reinforced by the work of the mandate over the past twenty years confirmed that it was time to consider adopting a United Nations binding international instrument on violence against women and girls, with its own universal monitoring body. Doing so would establish a protective, preventive and educative framework that reaffirmed the commitment of the international community to its stance that violence against women was a pervasive and widespread human rights violation in and of itself. She also proposed that the Secretary-General should initiate a study on the impact of the continuing challenges in the quest to eliminate violence against women.

75. The creation of the mandate of Special Rapporteur on violence against women in 1994 had been an important step in ensuring that violence

against women would consistently be viewed through the prism of human rights and that the obligation of States to act with due diligence to prevent and respond to violence against women would be addressed. Since that time, many principles had been endorsed by States but had not been accompanied by binding legal commitments.

76. Work had included conceptual development and clarification, such as situating violence against women within a citizenship framework, and the oversight of application and compliance practices as part of the State's obligation to effectively implement international standards at the national level. She had consistently argued that violence against women could not be fully understood without also considering interpersonal, institutional and structural forms of violence, and her reports had provided frameworks for a holistic approach to addressing violence against women as a human rights issue and deepened the analysis of the issues of State responsibility and the lack of accountability for acts or omission.

77. She thanked Azerbaijan, Bangladesh and India, where she had recently conducted missions, as well as Afghanistan, Sudan and the State of Palestine, which she intended to visit soon. She had also recently conducted official visits to the United Kingdom and Honduras and looked forward to receiving positive responses from a number of Governments. She intended to continue to strengthen cooperation with intergovernmental bodies monitoring women's human rights, building on her efforts of the past year, and encouraged Member States to participate in the upcoming intergovernmental forum of the United Nations Office on Drugs and Crime on the issue of gender-related killings of women.

78. While she acknowledged that there had been many positive legislative developments over the past twenty years, the systemic, widespread and pervasive nature of violence against women called for a different set of normative and practical measures. Transformative change would require a holistic approach aimed at dealing with the accountability deficit, empowering women, bringing about broad social transformation and providing remedies as well as a shift in thinking with regard to normativity and a commitment by States to be bound by specific legal obligations in that area.

79. **Ms. Islame** (Chile) said that her delegation fully supported the work of the Special Rapporteur, with a view to eradicating all gender-based violence. The report had made it clear that States should implement public policies designed to eliminate all violence against women. Chile's main contribution to preventing and eradicating violence against women was its National Plan for Preventing Violence against Women, which was the successor to the Plan against Domestic Violence and recognized that violence against women went well beyond the scope of domestic violence alone. In that regard, she wondered what the main difficulties were that the Special Rapporteur had identified concerning the implementation of similar policies.

80. **Ms. Malloy** (United States of America) said that, although the report proposed a new legally binding instrument on violence against women in order to address normative gaps, given that several existing international treaties already contained provisions addressing violence against women, her delegation wondered what additional protections a new treaty would add.

81. **Mr. Holtz** (United Kingdom) said that all forms of violence against women and girls were unacceptable, particularly when motivated on the basis of gender. It was a violation of their human rights that prevented women and girls from achieving their full potential and diminished their contribution to their families, communities, societies and economies. The continued prevalence of violence and its impact on efforts towards gender equality and the empowerment of women were a serious impediment to attaining sustainable development around the world.

82. Though recent years had seen great progress, the underlying structural causes of violence against women and girls must still be tackled, including negative gender norms and stereotypes and harmful cultural practices. The United Kingdom continued to actively pursue both domestic and international policies and efforts to help prevent violence from occurring in the first place, to better support survivors of violence, and to end impunity by bringing perpetrators to justice. Violence against women and girls was a global issue, and it was imperative for the international community to work together to achieve a world in which women and girls in every country were able to live their lives free from all forms of violence and discrimination.

83. In June 2014, the Global Summit to End Sexual Violence in Conflict had been held in London, bringing together representatives from international organizations, experts, activists, civil society representatives and survivors to turn political will into practical action. To date, 155 Member States had endorsed the associated Declaration of Commitment to End Sexual Violence in Conflict. In July his country had also hosted Girl Summit 2014, aimed at raising awareness and galvanizing new commitments to end the violent practices of child, early and forced marriage and female genital mutilation everywhere within a generation.

84. As transforming harmful gender norms and stereotypes was essential to ending all forms of violence against women and girls, his delegation asked what the most important steps were that Governments could take towards transforming those norms and stereotypes. Likewise, his delegation believed that it was essential to galvanize men and boys to be part of the fight for gender equality and women's empowerment and wondered how best to engage them as partners in the prevention of violence against women and girls.

85. **Mr. Grant** (Canada) said that his delegation wished to highlight how violence prevented women from fully enjoying their rights as citizens. The problem of discrimination and violence against women could not be solved until women played a full and active role in the decision-making processes of their respective countries. A wide range of harmful behaviours prevented women from finishing their studies and participating actively in their communities and societies, including violence against women and domestic violence; child, early and forced marriage; human trafficking; and rape and sexual violence.

86. Recent events in the Syrian Arab Republic and Iraq were a disturbing reminder of the dangers that women and girls faced in situations of instability or conflict. Canada was horrified by the most recent reports on acts of sexual violence perpetrated by the so-called Islamic State in Iraq and the Levant (ISIL). As Canada condemned the practice of rape as a weapon of war, as well as any form of sexual violence, including in conflict situations, it had pledged up to \$10 million to fight directly against acts of sexual violence committed by ISIL, \$5 million of which would be transferred to the Justice Rapid Response initiative and the Office of the High Commissioner for

Human Rights in order to support the deployment of sexual and gender-based violence experts and help train local members to conduct effective studies.

87. Such measures formed a solid basis on which to build future accountability processes. The international community must find more effective ways to protect civilians from sexual and gender-based violence in conflict situations. The perpetrators of such crimes must be held accountable, and the international community must continue to work diligently to end violence against women and girls. His delegation wondered what measures could be taken to protect the citizenship rights of women and girls living in conflict situations and how the international community could better empower women and girls in conflict situations in order to enable them to play an active leadership role both during and after the peacebuilding process.

88. **Ms. Mballa Eyenga** (Cameroon) said that the link made between violence against women and citizenship elaborated in the Special Rapporteur's report would help to expand perspectives in the fight against violence. Citizenship, encompassing elements like participation, empowerment, and a genuine capacity for action, gave specific importance to prevention. Women should be given the means to actively participate in their communities and to take care of themselves with respect and dignity. Member States were obligated to protect the human rights — the civil, political, social, cultural, and economic rights — of women, including the right to development, in order to fight against gender-based violence. The notion of citizenship broadened the scope of the debate, placing emphasis on holistic and global efforts for prevention and protection.

89. With regard to protection, Cameroon put special emphasis on the education of women and girls, efforts to increase women's access to various resources, and providing women with access to microfinancing. Although the report had stated that violence against women was all too often examined in a legal vacuum, it was in fact necessary to examine the context and facts of all cases in order to find better solutions. Likewise, as women were the greatest victims of poverty, which exposed them in turn to violence, combating violence should necessarily entail combating poverty. The report had also mentioned that the hierarchies established by certain United Nations bodies and donor organizations placed violence against women in an absolute ranking. Her delegation

wondered what recommendations could be made regarding the problem of the hierarchy of violence.

90. **Ms. Verøyvik** (Norway) said that her delegation supported the strong human rights approach in the Special Rapporteur's report, as violence against women was a barrier to the realization of all human rights of women, with negative consequences for sustainable peace and development. It was sad that the most common form of violence experienced by women worldwide was physical violence inflicted by an intimate partner. Several global studies had shown that half of all women who were victims of homicide were killed by their current or former intimate partners. Her delegation wondered what could be done to prevent that form of violence, which occurred in environments where women often felt the most safe.

91. **Ms. Schmidt** (Switzerland) said that one out of three women experienced violence, which in turn constituted one of the leading causes of female mortality and disability. In cases of violence, many fundamental rights of women and girls were violated. Switzerland did not believe that it was necessary to introduce a new legally binding instrument on violence against women and girls. States should instead ratify the many existing instruments and fully implement them without delay. The economic empowerment and active political participation of women were fundamental elements of the exercise of citizenship rights. Her delegation asked how the Special Rapporteur saw those elements being integrated into the post-2015 development agenda.

92. **Ms. Mannion** (Ireland) said that violence against women was a gross violation of their human rights, perpetuating discrimination and impeding their full advancement. As Ireland was committed to preventing violence against women and girls at both the domestic and international levels, it was currently developing its second National Strategy on Domestic, Sexual and Gender-based Violence in conjunction with state and civil society organizations working to protect and support those affected by such forms of violence, primarily women and girls. Her delegation also believed that men and boys should be included in efforts to change social norms in order to address gender inequality. Ireland had recently launched a campaign called MAN UP to highlight the role men could play in ending violence against women.

93. There were gaps and duplications among the policies and programmes of many United Nations entities addressing violence against women. Her delegation wondered what the most pressing gaps were, and where potential existed for more closely aligned cooperation between the various United Nations entities.

94. **Mr. Neelam** (Australia) said that domestically, Australia was implementing its National Plan to Reduce Violence against Women and their Children (2012-2022), which brought together the efforts of the Australian Government at all levels. The National Plan focused on prevention, holding perpetrators accountable and improving services for victims. Australia was interested in hearing the views of the Special Rapporteur on the many challenges in strengthening the applicable international standards for the protection of women and girls, particularly with regard to accountability on the part of State and non-State actors. He asked what normative and practical measures she would promote to address the accountability deficit mentioned in the report.

95. **Ms. Ponikvar** (Slovenia) said that in 2014, Slovenia had launched a nation-wide campaign called “Vesna — to live without fear” that aimed to raise awareness regarding violence against women of all ages. As the report had indicated, violence against women influenced a wide variety of women’s human rights, including most obviously, the right to the highest attainable level of physical and mental health, but also, in a less explicit fashion, a number of political rights.

96. Her delegation would like to hear how the economic crisis had influenced the rate of violence against women, especially since austerity measures had weakened the women’s rights sector. She also wondered what practices had a positive impact on engaging men and boys in awareness-raising, and how educating men and boys about violence against women could influence the rate of violence against women.

97. **Mrs. Hampe** (Lithuania) said that violence against women was a destructive phenomenon with lasting effects on women, but also on societies as a whole. Its elimination required a comprehensive and systematic response by States, the United Nations, and all stakeholders; local communities and men also had an important role to play. In that regard, her delegation welcomed the HeForShe initiative and hoped it would

find increasing numbers of supporters. Work to end violence against women required not only a clear political will and commitment but also strong institutional mechanisms at the national, regional, and international levels to ensure systematic and sustained action, coordination, monitoring and accountability.

98. Lithuania believed that any initiative for strengthening the international framework to combat violence against women must be grounded in existing norms and standards, and not undermine or fragment them. In that regard, her delegation asked the Special Rapporteur to elaborate on the need for a new legally binding instrument on violence against women, explaining how it would complement and strengthen the existing architecture of international and regional instruments used for preventing and combating violence against women.

99. So-called honour killings, female genital mutilation, early and forced marriage, and other similar practices had a severe impact on the physical, mental, sexual and reproductive health of women and girls. Female infanticide in particular was a barbaric practice that denied life to persons simply because of their gender. In that context, Lithuania wondered how the power of legislation and the role of community, religious and traditional leaders as well as grassroots organizations could be leveraged to prevent and eliminate such detestable harmful practices, using concrete measures and efforts to change the underlying attitudes that perpetuated such practices.

100. **Ms. Tschampa** (Observer for the European Union) said that violence against women was a systemic, widespread and pervasive human rights violation, occurring in both developed and developing countries, and which represented a major impediment to the full advancement of women and girls. In 2014, the European Union Agency for Fundamental Rights had published the results of the world’s biggest survey on violence against women. Its results had painted a picture of extensive abuse of women in the European region, while noting that violence against women was grossly underreported and thus that real figures could be much higher.

101. Combating violence against women called for a comprehensive and coordinated approach in which access to justice, accountability and an end to impunity must be central. States must exercise due diligence to prevent, investigate and punish acts of violence against

women, and provide access to effective remedies and specialized assistance to victims. Her delegation asked the Special Rapporteur to elaborate on the notion of due diligence in the elimination of all forms of violence against women, by offering suggestions as to how to bridge the gap between normative acceptance of State responsibility for violence and the practical reality for women seeking redress.

102. Her delegation agreed with the aims of the HeForShe campaign: from grassroots to political participation, men and boys should be included in efforts to change social norms in order to achieve gender equality. Cooperation between various stakeholders to actively involve men and boys in promoting gender equality should be further developed.

103. The Special Rapporteur had mentioned that many men's groups had moved from being targets of engagement and allies to being leaders of initiatives on gender equality, noting that the shift in focus appeared to be self-defeating, as it empowered the group to which the perpetrators belonged. Her delegation wondered how the need to engage men and boys in efforts to end violence against women should be reconciled with the concern that male-led gender equality initiatives could conflate violence against women with the interests of men and boys. Lastly, she reaffirmed the European Union's strong support for the Convention on the Elimination of All Forms of Discrimination against Women, general recommendations No. 12 and No. 19 on violence against women of the Committee on the Elimination of Discrimination against Women and the work of the Commission on the Status of Women in that regard.

104. **Ms. Lack** (Germany) also expressed concern about the high level of violence against women in Europe and elsewhere in the world. A comprehensive, coordinated and systematic approach would help to reduce violence against women. The fifty-seventh session of the Commission on the Status of Women (CSW) had been a good framework for eliminating all forms of violence against women and girls, and Germany supported its agreed conclusions. The report of the Special Rapporteur had highlighted that a society with high gender equality was less conducive to gender-based violence. Therefore, targeted measures aimed at reducing violence must be accompanied by efforts to achieve gender equality and women's empowerment.

105. As many cases of violence against women went unreported, her delegation asked what strategies could be employed to bring more such cases to light. Moreover, the Special Rapporteur should indicate progress made in implementing the agreed conclusions of the fifth-seventh session of CSW and the challenges that remained. Considering those conclusions, where violence against women was seen as an obstacle to achieving the Millennium Development Goals (MDGs), she asked how follow-up to the MDGs could address the issue.

106. **Mrs. Skácelová** (Czech Republic) said that violence against women was a violation of human rights and presented a major barrier to women's full and effective participation, in particular in the economic and political spheres. Equal political participation was one of the long-term priorities of the Czech Republic's human rights foreign policy, as shown by the adoption in September 2014 of the Human Rights Council resolution on equal participation in political and public affairs ([A/HRC/27/L.29/Rev.1](#)), which her country had submitted.

107. As equal participation of women in political, social and economic decision-making processes contributed significantly to economic prosperity and the creation of equitable and cohesive societies, States must empower women and encourage their active participation in order to overcome the view of women as passive victims. Her delegation asked the Special Rapporteur to give examples of best practices where the successful implementation and enforcement of a legal or policy framework addressing violence against women had contributed in practice to the improvement of their participation in public affairs.

108. **Ms. Salim** (Libya) said that measures must be adopted to ensure the protection and assistance of victims of violence, their families and their communities. Her country's transition Government had adopted a decision to provide assistance to the women and girls who had been the victims of rape and sexual violence during the 2011 conflicts. In that regard, her delegation welcomed the request of the Special Rapporteur to come to Libya and would fully cooperate with her. However, the current security situation in the country could cause difficulties for her visit.

109. **Ms. Gandini** (Argentina) said that as violence against women impacted on the enjoyment of all

human rights, including civil, political, economic, social and cultural rights, Argentina was committed to fighting violence against women. At the national level, it had adapted its legislation in order to grant greater protection to women against gender-based violence. In 2009, Argentina had adopted a law on integral protection aimed at preventing, punishing and eradicating violence against women within the context of their interpersonal relationships), which broadened the definition of violence by including physical, psychological, sexual, economic, property and symbolic violence, as well as domestic, institutional and workplace violence.

110. In 2012, femicide had been established as an aggravating circumstance of homicide in the Penal Code. Her country had also established a free 24-hour hotline to provide support, information and advice for women who were victims of gender-based violence. Sensitization and training workshops would also be organized throughout the country. Argentina was concerned, like the Special Rapporteur, that during the previous 20 years, soft laws had not had sufficient impact on violence against women. Her delegation therefore asked what awareness-raising actions might address the importance of filling normative gaps at the international level regarding discrimination and violence against women.

111. **Mr. Hisajima** (Japan) asked the Special Rapporteur if she had witnessed any concrete innovative practices that addressed and effectively dealt with the root causes of violence against women.

112. **Mr. Krap** (Netherlands) said that his country had traditionally been a staunch supporter of women's rights, which was one of the top three priorities of its human rights policy. The Netherlands, together with France, was the co-facilitator of the biannual resolution on the elimination of violence against women. His delegation hoped that the current year's resolution, which focused on accountability for violence against women and girls, would receive the same broad support that it had in years previously.

113. Eradicating violence against women could only be achieved through a change in mentality. Since 2004, the Netherlands had actively supported the WE CAN Young campaign, which stimulated a person-to-person chain reaction of change in attitudes and behaviour, with the objective of generating a mass social movement. The campaign operated internationally and

in fifteen municipalities in the Netherlands, and was considered a best practice.

114. As his country believed that progress was impossible without civil society organizations, it had established an 80 million euro international fund for women's organizations, one-third of which was devoted to the eradication of violence against women. He asked the Special Rapporteur what steps Member States should take first if they were to invest in changing attitudes and behaviour within their own societies.

115. **Ms. Vadiati** (Islamic Republic of Iran) said that, instead of drafting a new legally binding instrument on the elimination of violence against women, as suggested in the report of the Special Rapporteur, the existing instruments on the matter should be strengthened. Her delegation also suggested that in her next report the Special Rapporteur should include an analysis of the impact of violent extremism on women.

116. **Ms. Manjoo** (Special Rapporteur on violence against women, its causes and consequences), responding to the questions asked, said that the challenge with legislation and the lack of its effective implementation was that it presupposed knowledge and access on the part of the victims of violence and assumed that the justice system had adequate resources to provide effective remedies. The leading challenges facing the implementation of legislation included a lack of appropriate response, insufficient services, and the unsuitable attitudes of some service providers, which caused some victims to turn away from the justice system. The missing piece regarding implementation was that debates had not talked about access to justice and justice itself, so as to find remedies that were effective, responsive and transformative.

117. With regard to national action plans and policies, it was her experience in many country missions that national action plans tended to be symbolic documents that States adopted in order to look good when they reported to treaty bodies and other United Nations forums. Unfortunately, national action plans did not necessarily come with budgets, adequate human resources or the political power to implement them. National action plans on violence against women were often put within institutions that were ghettoized and lacked political power. Ghettoization, a lack of resources and insufficient political power were all

indicators that, in some contexts, national action plans did not necessarily work.

118. The issue of introducing a legally binding framework on violence against women had raised much opposition. However, she believed that there was a need for a United Nations-enforced treaty that specifically committed signatories to eliminating violence against women and girls. Such a treaty did not yet exist. The Committee on the Elimination of Discrimination against Women and other treaty bodies were struggling, as their mandates were rather large and they could only offer general recommendations, not legally binding decisions.

119. It was essential to have a specific committee to review how States were complying with provisions on violence against women. Currently, she was looking at the Convention against Torture and its Optional Protocol and how it had its own specific monitoring body, which provided a better link between the global and the local and helped to set up preventative mechanisms at the national level. It was her opinion that the question of how to fill normative gaps should entail a discussion regarding the adoption of a United Nations-enforced treaty, in spite of the lack of support that she had heard.

120. Despite having had a declaration and general recommendations on eliminating violence against women for the past 20 years, violence against women was a global health problem of epidemic proportions across the world, according to the World Health Organization. While some Member States might have vested interests in region-specific treaties on violence against women, the international community must rise above that, following instead in the footsteps of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. Adopted in 1994, it was the first legally binding instrument within a regional human rights system to address violence against women. She disagreed with concerns that talk about an international treaty would dilute the impact of the treaty. Guidance should be sought from the Inter-American Convention, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

121. If violence against women was an epidemic, the manifestations of the epidemic were developing at different rates across the world. The Special Rapporteur had received numerous allegations of violence against women participating in political spaces, as well as calls for political violence against women to be judged in a different category. However, violence against women functioned on a continuum through space and time. Violence in conflict and post-conflict situations or against women participating politically was part of that continuum. Such manifestations of violence were in fact exacerbations of underlying violence, not new phenomena. Gender-related killings were an indication that the international community was not sufficiently addressing prevention, protection and accountability with regard to violence against women, especially when one considered that the rate of women dying at the hands of their intimate partners was actually increasing.

122. The fact that many in the criminal justice system believed that crimes against women must and should be treated differently was a key challenge to accountability, as was discrimination against crimes that happened to women in the private sphere. The differential treatment of crimes against women was also a barrier to justice. In some contexts, alternate forums were used to deal with crimes against women, despite the fact that other types of crimes were not handled through alternate forums.

123. The continuing impact of the economic crisis on support and assistance provided to women, especially by non-governmental organizations, was a huge source of concern. With regard to the competing interests of men and boys, there was no problem with focusing on men and boys, as their support was crucial. However, there were implications when they were privileged with political and financial support. In such cases, men and boys' programmes were no longer functioning as allies, but competing with women's rights organizations for space, resources and political voice. It was crucial to examine the consequences of such competition. It was also a matter of concern that when conflict-related violence against women was privileged, it shifted the focus away from the everyday discrimination, injustice, inequality and oppression that women experienced. When the focus shifted away from such low-level "warfare", that also entailed a shift in resources, financing and political will.

The meeting rose at 6 p.m.