

**Human Rights Council****Seventeenth session**

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural,
including the right to development****Report of the Special Rapporteur on violence
against women, its causes and consequences,
Rashida Manjoo****Summary*

Over the past three decades, gender-based violence as a form of discrimination against women has become increasingly visible and acknowledged internationally. Despite normative standards having been set, the reality is that violence against women remains a global epidemic, which is further complicated when considering multiple and intersecting forms of discrimination. This thematic report examines such discrimination in the context of violence against women and provides a conceptual framework for further discussion. The report acknowledges the reality that while multiple and intersecting forms of discrimination have contributed to and exacerbated violence against women, information on the intersections between gender-based discrimination and other forms of discrimination, and the consequences thereof, are too often overlooked.

In addition to analyzing the forms, causes and consequences of multiple forms of discrimination as regards violence against women, this report also considers inter-gender and intra-gender differences, arguing that a one-size-fits-all programmatic approach is insufficient for combating gender-based violence. Even though all women are at risk of experiencing violence, not all women are equally susceptible to acts of violence.

It has been stated by this mandate that “the multiplicity of forms of violence against women as well as the fact that this violence frequently occurs at the intersection of different types of discrimination makes the adoption of multifaceted strategies to effectively prevent and combat this violence a necessity.”¹

This report proposes a holistic approach to conceptualizing and addressing the issue by: (a) considering human rights as universal, interdependent and indivisible; (b) situating

* Late submission.

¹ E/CN.4/2006/61, para. 16.

violence against women on a continuum; (c) acknowledging the structural aspects and factors of discrimination, which include structural and institutional inequalities; and (d) analyzing social and/or economic hierarchies between women and men and also among women.

Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction.....	1	4
I. Activities	2–11	4
A. Country visits.....	2–3	4
B. Communications and press releases.....	4–5	4
C. General Assembly and Commission on the Status of Women.....	6–7	4
D. Joint report on the Democratic Republic of the Congo.....	8	5
E. Regional consultations.....	9	5
F. Other activities.....	10–11	5
II. Multiple and intersecting forms of discrimination and violence against women	12–108	6
A. Background.....	12–20	6
B. Forms, causes and consequences	21–49	8
C. The holistic approach to recognizing women’s rights to be free from discrimination and violence	50–78	13
D. Some critical aspects to consider when adopting a holistic approach.....	79–98	17
E. Conclusions and recommendations.....	99–108	21

Introduction

1. This is the second thematic report submitted to the Human Rights Council, pursuant to Human Rights Council decision 1/102 and resolution 7/24, by the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, since her appointment in June 2009. Chapter I summarizes the Special Rapporteur's activities since her last report to the Human Rights Council up until 28 February 2011. Chapter II discusses the topic of multiple and intersecting forms of discrimination in the context of violence against women.

I. Activities

A. Country visits

2. During the period under review, the Special Rapporteur requested invitations to visit Nepal, Bangladesh and Italy. Earlier requests for country visits were also made to the Governments of Jordan, Somalia, Turkmenistan, Uzbekistan and Zimbabwe.

3. The Special Rapporteur visited El Salvador from 17 to 19 March 2010 (addendum 2), Algeria from 1 to 10 November 2010 (addendum 3), Zambia from 6 to 11 December 2010 (addendum 4), and the United States of America from 24 January to 7 February 2011 (addendum 5). In February 2011, she received a positive reply to her request to visit Italy in May 2011. The Special Rapporteur would like to thank these Governments for having responded positively to her requests for a visit and urges those Governments that have not yet done so to provide a favourable response.

B. Communications and press releases

4. The communications sent to Governments during the reporting period (addendum 1) concerned a wide array of issues which reflect a pattern of inequality and discrimination related to violence against women, its causes and consequences. These included: arbitrary detention; torture or cruel, inhuman or degrading treatment or punishment; summary and extrajudicial executions; sexual violence, including rape, sexual abuse and sexual exploitation; and other forms of violence grounded in discrimination against women.

5. The Special Rapporteur issued press statements, either individually or jointly with other mandate holders, on the occasion of the World Day for Cultural Diversity for Dialogue and Development, on 20 May 2010; the High Level Summit on the Millennium Development Goals, on 17 September 2010; the 16 Days of Activism Against Gender-Based Violence, on 6 December 2010; as well as on situations of concern relating to the public execution of two teenage girls in Somalia, on 11 November 2010, and on the human rights violations in Cote d'Ivoire in the context of the presidential elections, on 31 December 2010.

C. General Assembly and Commission on the Status of Women

6. On 11 October 2010, the Special Rapporteur delivered an oral statement to the Third Committee of the General Assembly, at its 65th session, in which she gave a presentation on her activities.

7. On 28 February 2011, the Special Rapporteur delivered an oral statement to the Commission on the Status of Women. In her statement, the Special Rapporteur highlighted that the due diligence obligation of States entails ensuring gender equality frameworks, promoting attitudinal change, proactively ensuring women's participation in decision-making and undertaking programmes with a strong focus on promoting women's empowerment and agency.

D. Joint report on the Democratic Republic of the Congo

8. Pursuant to Human Rights Council resolution 13/22, the Special Rapporteur contributed to the third joint report of seven United Nations experts on the situation in the Democratic Republic of Congo, which was submitted to the Human Rights Council at its sixteenth session (A/HRC/16/68). The Special Rapporteur expressed concern at the pervasive violations of the human rights of women and girls that continue to be perpetrated with impunity, as illustrated by the sexual violence perpetrated by armed men against hundreds of women and girls in Walikale territory in August 2010. While regretting the lack of progress in implementing the recommendations of the previous joint reports, the Special Rapporteur joins her peers in reiterating the call on the Human Rights Council to consider once again the establishment of a special procedures country-specific mandate.

E. Regional consultations

9. The Special Rapporteur actively engaged with civil society organizations through her participation in regional consultations. In September 2010, together with the independent expert in the field of cultural rights, she attended a regional consultation in Nepal which focused on women, culture and human rights. In January 2011, she took part in an Asia Pacific Regional Consultation in Malaysia on the theme of multiple forms of discrimination, which was followed by a national consultation.

F. Other activities

10. The Special Rapporteur participated in a number of conferences, workshops and side-events on numerous topics related to her mandate. She took part, in March 2010 and February 2011, in two conferences in Madrid around the theme of femicides which gathered representatives from Governments, regional and international organizations, civil society and academia. She also participated in a legal colloquium on the applicability of international human rights treaties to the promotion and protection of the human rights of migrant domestic workers in the European Union that took place in Brussels in May 2010. She took part in a panel discussion on elimination of discrimination against women and in a seminar on traditional values and human rights, held in Geneva in September and October 2010 respectively. Additionally, she gave a number of speeches on violence against women at different events, including at an international conference on violence against women in Iceland in October 2010, and at various universities.

11. The Special Rapporteur also participated in the ECOSOC special event on Human Rights in Humanitarian Emergency Response: A contribution from the Special Procedures mechanisms in July 2010. She hosted two side-events on the subject of reparations to women who have been subjected to violence – the topic of her first thematic report to the Human Rights Council – on the margins of the 14th session of the Human Rights Council and the 65th session of the General Assembly.

II. Multiple and intersecting forms of discrimination and violence against women

A. Background

12. For more than 25 years, the global movement against violence against women has worked to “transform significantly the place of women and the status of gender based violence within the human rights discourse.”² In 1985, the United Nations Decade for Women culminated in the Third World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace in Nairobi, Kenya. This conference “reaffirm[ed] the international concern regarding the status of women and provide[d] a framework for renewed commitment by the international community to the advancement of women and the elimination of gender-based discrimination.”³

13. In 1993, the Vienna Conference on Human Rights adopted a declaration and a programme of action, which took into account both discrimination and violence against women. The Conference addressed specific human rights violations suffered by identifiable groups of individuals, including persons belonging to national, racial, ethnic, religious and linguistic minorities, indigenous peoples, women, children and persons with disabilities. It also recognized violence against women as a particular human rights violation which required the attention and resources of the United Nations.

14. Building on the Vienna Declaration and its framework, both the Fourth World Conference on Women in Beijing (1995) and the Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban (2001) addressed the multiple and intersecting forms of discrimination that cause intra-gender and intra-racial inequalities respectively. The Fourth World Conference on Women recognized the particular vulnerability to violence of “women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking.”⁴ The World Conference against Racism included gender and racial discrimination among its five areas of focus. The Durban Declaration expressed the view “that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls, and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights.”⁵

15. In 1989, the Committee on the Elimination of Discrimination against Women explicitly linked gender-based violence and discrimination against women in its general recommendation No. 12 and called on States parties to include in their reports information on violence and on measures introduced to deal with it. Between 1989 and 1992, the Committee issued a series of general recommendations that addressed some rights

² Copelon, Rhonda, *Recognizing the Egregious in the Everyday: Domestic Violence as Torture*, 25 *Columbia Hum. Rts. L. Rev.* 291 (1994).

³ A/CONF.116/28/Rev.1; See also A/RES/40/108.

⁴ A/CONF.177/20 and A/CONF.177/20/Add.1.

⁵ *World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Declaration* (2001).

violations experienced at the intersection of inter- and intra-gender sex discrimination and violence against women. In 1992 it issued general recommendation No. 19 both to define gender-based violence and to make it discrimination on the grounds of sex within the meaning of the Convention. Much of what is set forth in general recommendation No. 19 is reiterated and refined in the Declaration on the Elimination of Violence against Women. CEDAW has also addressed the impact of intersecting forms of discrimination against women and its nexus with gender-based violence. Most recently, in general recommendation No. 27, which deals with the rights of older women, it recognizes that age and sex make older women vulnerable to violence, and that age, sex and disability make older women with disabilities particularly vulnerable.

16. The above-mentioned developments have been relied on by the Security Council, the General Assembly and the Human Rights Council to pass resolutions that focus particular attention on violence against women and girls. For example, both the General Assembly and the Human Rights Council have identified inter-gender inequality and discrimination, including gender-based violence, as violating the human rights of women and girls. Over time, the language of these resolutions has evolved to reflect the heightened risk of gender-based violence to women suffering intersectional discrimination. As analyzed within the United Nations human rights framework, “power imbalances and structural inequality between men and women are among the root causes of violence against women.”⁶ This makes violence against women a matter of inter-gender inequality between women and men. In addition, various resolutions have acknowledged that discrimination is understood as having multiple forms that combine to heighten the vulnerability of some women and girls to violence. This reflects an understanding that discrimination and violence against women is also a matter of intra-gender inequality among women.

17. The United Nations discourse regarding violence against women hinges on three principles: first, violence against women and girls is addressed as a matter of equality and non-discrimination between women and men; second, multiple and intersecting forms of discrimination are recognized as increasing the risk that some women will experience targeted, compounded or structural discrimination; and third, the interdependence of human rights is reflected in efforts such as those that seek to address the causes of violence against women related to the civil, cultural, economic, political and social spheres.

18. Despite such developments, the global discourse on women’s human rights has been largely restricted to a framework of equality and non-discrimination against women versus men, i.e. an inter-gender focus, which is based on the male norm around which many major human rights instruments remain organized. Consequently important challenges remain in analyzing both non-discrimination and equality as implicating intra-gender differences among women.

19. Violence violates the equality and non-discrimination rights of women and girls in ways that are contingent on women’s material conditions, individual attributes and social locations. A holistic approach for the elimination of all forms of violence against all women therefore requires systematic discrimination and marginalization to be addressed.

20. This report argues that the elimination of violence requires holistic measures that address both inter-gender and intra-gender inequality and discrimination. The holistic approach requires rights to be treated as universal, interdependent and indivisible; situating violence on a continuum that spans interpersonal and structural violence; accounting for both individual and structural discrimination, including structural and institutional

⁶ A/HRC/14/L.9/Rev.1

inequalities; and analyzing social and/or economic hierarchies among women, and between women and men, i.e. both intra- and inter-gender.

B. Forms, causes and consequences

21. It has been acknowledged that violence results from a complex interplay of individual, family, community and social factors, and that, even though all women are at risk of violence in every society in the world, not all women are equally vulnerable to acts and structures of violence. Representing both the universality and the particularity of women's risk of violence requires the social location and bodily attributes of individuals and groups to be explicitly accounted for.

22. Social location refers to the different positions occupied by individual women that give rise to intra-gender differences among women. Factors such as geographic location, level of education, employment situation, household size, marital relationships, and access to political and civic participation, all impact women's vulnerability to violence. Further contributory factors for risk of violence include individual aspects of women's bodily attributes such as race, skin colour, intellectual and physical abilities, age, language skills and fluency, ethnic identity and sexual orientation.

23. Also, one has to situate the experience of the abuse within the given cultural context of each woman's location and her understanding of the impact of the abuse on her life. Not all women experience similar acts of violence similarly; therefore it is necessary to consider how a woman's response to any act of violence will be impacted by services and assistance that are offered to remedy harmful consequences.

1. Forms

24. Two broad categories of violence against women are interpersonal, on the one hand, and institutional and structural, on the other, with synergies and linkages between them. No form of interpersonal violence against women is devoid of structural violence – as in all places, such abuse is underpinned by beliefs about the perpetrator's right to harm another, based on societal notions of gender and rights.

25. Interpersonal violence includes such forms of abuse as economic, psychological, sexual, emotional, physical and verbal threats and actions. These forms of violence are prevalent in all societies, though experienced and understood within distinct societal responses and world views. Such forms of violence are well known and understood and will not be elaborated on in this report.

26. Institutional and structural violence is any form of structural inequality or institutional discrimination that maintains a woman in a subordinate position, whether physical or ideological, to other people within her family, household or community. In many contexts, there are discriminatory measures in place that maintain gender stratification that privileges male power and control, and which disadvantages some women in particular ways. Gender ideologies that dictate that men should control women or allow for men to physically control their partners or children are forms of gender-based structural violence. Therefore, when a woman is abused by a husband because he believes he has the right to physically assault her, the woman is experiencing interpersonal and structural violence simultaneously.

27. Institutional and structural forms of violence include laws and policies that maintain one group's advantage over another in places of employment, and in terms of educational opportunities, access to resources, forms and places of worship, protection by the police and other State forces, and Government services and benefits. Additionally, an absence of

laws that criminalize all forms of violence against women also serves as a form of structural violence.

28. Societal beliefs that claim that one group of people is superior to another group can be a form of structural violence. Beliefs that perpetuate the notion that males are superior to females, that whites are superior to blacks, that persons without physical or mental impairment are superior to those with disabilities, that one language is superior to another, and that one class position is entitled to rights denied to another, are all factors contributing to structural violence that have become institutionalized forms of multiple and intersecting discrimination in many countries.⁷ For example, women with disabilities face an intersecting confluence of violence which reflects both gender-based and disability-based violence.

29. Additionally, women's lack of and/or unequal access to resources may be structurally maintained by institutional factors such as differential inheritance, land tenure and property ownership practices. A woman's inability to own her own property or land may result from structural factors that contribute to her experiences of interpersonal violence. If a woman is dependent on her spouse or family network for her economic well-being, she is at greater risk of vulnerability to violence and also of an inability to escape from harm.

30. Even in contexts where women are able to successfully acquire access to resources such as for example land, they continue to face the challenge of access to other resources for its care. For illustration purposes, we can look at the issue of access to water. Women and their families experience multiple challenges relating to security and health when they have to travel considerable distances and spend several hours a day collecting water, which is often polluted and dangerous to their health and well-being. At the same time they are also at risk of sexual and other forms of violence. Furthermore, with the privatization of water for profit, water has become a commodity for the global market. This is a form of structural violence in that water is being forcibly taken away as a public good, despite the recognition by the United Nations that water is a human right. Such a scenario illustrates both interpersonal and structural violence directly related to survival, bodily integrity and health, as women risk their lives daily for water, which is a basic need.

31. Interpersonal, institutional and structural forms of violence perpetuate gender inequalities, but also racial hierarchies, religious orthodoxies, ethnic group exclusionary practices, and resource allocation that benefit some groups of women at the expense of others. Interventions that seek only to ameliorate the abuse and which do not factor in women's realities are not challenging the fundamental gender inequalities and discrimination that contribute to the abuse in the first place.

2. Causes

32. According to many researchers there are three broad perspectives for understanding the causes of violence against women: psychological/individual, feminist and societal. All three models seek to explain what may be some correlative aspects of an individual's likelihood of being at risk of violence, or how some ideological beliefs in a given society can contribute to high levels of violence. However, despite the fact that no single perspective offers a definitive explanation for what causes violence against women, a combination of factors from each perspective may provide some understanding for why so much violence occurs, and how one could think about addressing it.

⁷ A/CONF.189/PC.3/5

33. The psychological/individual perspective draws from biological, sociological, and psychological theories, and posits that violence occurs due to a male's higher level of testosterone (hormone theory), and also that men have evolved to have more violent tendencies than women (evolutionary theory). Additionally, an individual may be abused because the perpetrator perceives a benefit from the abuse, i.e. he is able to gain what he wants by maintaining a level of fear and disquiet in his partner (or members of the family) and this ultimately benefits his individual well-being. Another argument is based on the notion of resource competition, in which individual family members are in competition with one another for scarce resources, and thus the combination of hormone differences and sexual dimorphism allows males to dominate females in the private and public sphere.

34. The feminist perspective holds the view that gender discrimination and its attendant devaluation of women cause gender-based violence against women, and that violence against women is an issue of power and control, with men using physical and other forms of violence to maintain a dominant position over women in their lives. Thus women's treatment as second-class citizens is both justified by and justifies men's violence against them. Also, the violence against some women by other women is often as a result of intersecting forms of discrimination. Feminist agendas often include analyzing and addressing the problem of violence from the social structural level.

35. The societal perspective reflects the way that formal and informal social institutions perpetuate a discriminatory context where social, economic and cultural advantage maintains hierarchies that contribute to violence against women in multiple forms. The most pervasive form of violence in societal theory is structural violence, which holds that individuals can experience violence without a single individual physically touching them. Examples of such violence include sexist and racist epithets, State policies that have an adverse and/or exclusionary impact, harmful cultural and/or religious practices, and the impact of conflict on women's lives.

36. The societal perspective is also helpful in considering how the collective manifestation of individual freedoms can cause violence against women. This perspective considers the ways in which the relationship of the individual to family members and the larger community contributes to violence against women. The Special Rapporteur on freedom of religion or belief has argued that collective manifestations of some individual freedoms, notably freedom of religion or belief, operate at the intersection of multiple forms of discrimination and violence against women.⁸ Societal values and community norms, according to which this kind of collective manifestation is organized, often perpetuate different forms of violence against women.

37. Social structures (family forms, formal and informal institutions, religious and societal beliefs) also generate the inequitable valuing of men over women, and promote male dominance over females. Often these values are reproduced from one generation to the next.

38. Social and economic exclusion works as a process as well as an outcome for violence against women, and can produce and contextualize "social relations and organizational barriers that block the attainment of livelihoods, human development and [equality]."⁹ For instance, trade, development and economic policies which target areas outside of where marginalized women reside lead to uneven development and economic opportunities. Such exclusion can create or sustain poverty and inequality, and can restrict participation, thereby increasing vulnerability to and risk of violence against women.

⁸ E/CN.4/2002/73/Add.2

⁹ Available from <http://www.un.org/esa/socdev/social/meetings/egm09/docs/Rosenberg.pdf>

39. Other environmental factors include “poverty, armed conflicts, all forms of injustice, family breakdown, political, social and economic instability and all types of migration.”¹⁰ Social and occupational stress and changes are also included as environmental factors in the societal model. These factors all create circumstances in which individual vulnerability to violence against women increases.

3. Consequences

40. It is undisputed that inequality and discrimination, including intersecting forms of discrimination, causes violence against women. Such violence cuts across gender, race, class, geographical location, religion or belief, educational attainment, ability and sexuality. Examples of inequality and discrimination can also be noted in patriarchy and ideologies of male supremacy and female subordination. Feminists have traditionally argued that in societies where there is more gender equity, less violence against women is found.¹¹ But recent studies have reconsidered this point in light of research which documents high levels of violence against women in societies with greater parity in pay, access to Government and business participation, education and health care.¹²

41. Civil and political rights are critical for human rights to flourish, but they often disproportionately privilege some women, men, and groups who have access to resources, education, and various forms of social control. Less attention to economic, social, and cultural rights inhibits policymakers’ abilities to assess how differently positioned women within urban and rural contexts, racial and ethnic hierarchies, and within different socio-economic groups are experiencing forms of discrimination as they intersect with violence against women. When insufficient attention is paid to different forms of structural violence it is easy to ignore the ways that various rights are privileged over other rights, and how this, in turn, negatively impacts women.

42. To date, theories about why violence happens have failed to provide a comprehensive understanding of how various forms of discrimination, beyond a male/female gender binary, contextualize, exacerbate, and correlate to high levels of violence in given societies. The lack of an intersectional approach can lead to the reinforcing of one form of discrimination in attempts to alleviate another. At the practical level, the norm is to use a silo approach of service delivery which addresses a narrowly defined set of issues, and operates alongside other institutions which deliver services to another narrowly defined issue. For example, domestic violence shelters in many countries do not have the capacity, or the trained staff, to assist women who have problems such as both substance misuse and violence in their lives.

43. The lack of recognition of intra-gender inequality and discrimination has led to the privileging of experiences of urban middle-class women, despite the importance of social location for women’s vulnerability to and experiences with violence. This leads to the experiences of all other women and also the impact of social location on women’s vulnerability to violence being obscured. The consequence is that programme designs and goals advanced in the interest of women may only reach the rights violations experienced by some women. More often than not, the women whose rights are protected are not the women whose social location renders them especially vulnerable to gender-based violence.

¹⁰ Committee on the Rights of the Child, general comment No. 5

¹¹ Brown and Hendriks, 1998, p.126; David Levinson, *Family Violence in Cross Cultural Perspective*, Newbury Park, California, Sage, 1989.

¹² Maria Wiklund, Eva-Britt Malmgren-Olsson, Carita Bengs, and Ann Ohman “He messed me up”: Swedish adolescent girls’ experiences of gender-related partner violence and its consequences over time”, *Violence Against Women*, Vol. 16 No. 2 (2010), pp. 207-232.

Consequently, addressing the concerns of women requires an understanding that a one-size-fits-all programmatic approach is inadequate for recognizing the intra-gender differences among women.

44. Inadequate attention has been focused on the hierarchies that are maintained by or reflected in the institutions and structures involved in creating, maintaining, and normalizing violence against women as discrimination against women. To the extent that women's social and economic reality is different from men's, non-discrimination and equality norms recognize the legitimacy of special measures to address these differences, in the quest to eliminate violence and discrimination against women. This creates a situation in which violence against women is recognized, but it does little to dislodge the male norm according to which personhood, non-discrimination and equality continue to be understood.

45. In addition, religious, traditional and cultural practices are sometimes instrumentalized both to justify and to perpetrate discrimination and violence against women. Moreover, the prerogatives of patriarchy often include perpetrating violence against women in contexts including in family settings and war situations.

46. The World Health Organization recognizes violence against women as a major public health problem which can result in "a wide range of physical, mental, sexual and reproductive, and maternal health problems."¹³ Health practitioners identify gender-based violence as having especially wide-ranging consequences on women's lives and "include the psychological impact of violence, loss of personal freedom, diminished capacity to participate in public life, and a dramatically increased risk of acquiring HIV and other STIs."¹⁴ Women who are already lacking health care and medical treatment due to economic, social, political and geographic barriers are at greater risk of chronic, and possibly fatal, effects of violence.

47. Women who are lacking social and cultural capital, due to their minority or immigration status, language barriers, religious or ethnic affiliation, sexual orientation and/or gender identity or educational attainment, are also at greater risk of long-term health consequences. They may be denied proper health or medical services, they may fear the consequences of asking for medical assistance, they may receive improper or low quality care, or they may live in places where no health services are available. Women who suffer from cognitive and/or physical disabilities are further negatively impacted since the stigma of disability is persistent in most countries, and they therefore may not be viewed as requiring care, or may live in places where no specialized care is available.

48. The economic costs of violence are difficult to estimate globally. However, there is agreement that violence against women severely impacts a woman's ability to participate fully and capably in reproductive and productive roles, and this negatively affects household, community, and national well-being. The cost of violence against women cuts across public and private sectors in all societies, including the legal, health, educational, social services, and labour sectors. The categories of costs include both direct and indirect tangible and intangible costs. Also, economic hierarchies often render women especially vulnerable to physical and economic violence.

49. The multiplicity of forms of violence against women as well as the fact that this violence frequently occurs at the intersection of different types of discrimination makes it necessary to adopt multifaceted strategies. This approach has conceptual and practical

¹³ Available from <http://www.who.int/mediacentre/factsheets/fs239/en/index.html>

¹⁴ Allan Rosenfield, Caroline Min and Joshua Bardfield, pp. 3-4 "Global women's health and human rights: an introduction", in *Women's Global Health and Human Rights*, edited by Padmini Murthy and Clyde Lanford Smith, Jones & Bartlett Publishers, Sudbury, Massachusetts (2010).

aspects, both of which must be addressed if the human rights of all women to live free of gender-based violence are to be fully realized. Conceptual problems associated with an incomplete analysis of personhood necessitate the generation of a holistic understanding of an individual woman's social location and bodily attributes to better understand the scope of vulnerability, risk and consequences of violence, whether interpersonal or structural or both.

C. The holistic approach to recognizing women's rights to be free from discrimination and violence

50. A holistic approach underscores the interdependence and indivisibility of civil, political, economic, social and cultural rights; it situates violence against women on a continuum; it acknowledges the structural aspects and factors of discrimination, which includes structural and institutional inequalities; and it analyzes social and/or economic hierarchies between women and men and also among women. Thus, it explicitly interrogates the places where violence against women coincides with multiple and intersecting forms of discrimination and their attendant inequalities.

51. Adopting a holistic approach to recognizing the human right of all women to be free from violence and discrimination addresses two approaches to analyzing violence against women. First, violence against women constitutes discrimination against women if it has the purpose or effect of targeting women because they are women; second, violence also constitutes discrimination when it is perpetrated with the purpose or effect of targeting identifiable subgroups of women, because their personhood is defined in terms of both their femaleness and other factors such as race, colour, national origin, citizenship, ethnicity, ability, religion/culture, socio-economic, marital, sexual orientation, refugee, or any other status.¹⁵

52. The holistic approach considers each woman's social location and bodily integrity as a starting point for intervention and treatment, and, by doing so, makes clear that gender inequality and gender stratification are but two of the many factors that perpetuate and promote violence against women in all parts of the world. Such an approach counters efforts that focus on violence against women as solely a woman's issue, as it risks minimizing the role that socio-economic, cultural, religious, racial, ethnic, ability, education, access to citizenship and resource allocation inequalities play in maintaining epidemic levels of violence against women.

53. A holistic approach is based on the acknowledgement that unless women can achieve economic independence or be empowered socially and politically, the human rights they hear about will remain abstract concepts. This is especially true for those women for whom the lack of access to particular economic and social rights, such as the right to land, housing, and food are directly linked to the increased risk of violence.¹⁶

54. The systematic nature of violence and its contribution to societal marginalization is often overlooked or not adequately considered in matters of gender-based violence. This could be due to the nature of systematic discrimination and also discourses about identity; whether based on race, ethnicity, national origin, and so on which often negate or ignore systematic power. The different ways in which women may experience violence, particularly intimate and interpersonal violence, depends on how they are positioned within social, economic and cultural hierarchies that prohibit or further compromise certain

¹⁵ A/CONF.189/PC.3/5 (2001).

¹⁶ A/RES/65/187

women's ability to enjoy universal human rights.¹⁷ These institutions and structures often promote access for a privileged group of women at the expense of those who are less privileged.

55. The problematic nature of human rights discourse regarding violence, which has until recently regarded violence mostly as public violence perpetrated by or condoned by the State, and which often carries with it the elements of spectacle, has led to the marginalization and invisibility of violence perpetrated against women in the private sphere. It is not the more everyday ordinary violence that takes place within ostensibly private spaces, which many have until now thought to be beyond the control and regulation of the State, which receives attention. A holistic approach will require the challenging of discourses that make certain human rights violations invisible.

56. A holistic approach to addressing the relationship between inequality and violence against women allows for the matching of local level responses that best address the particular needs related to violence in their specific contexts. One example would be literacy programmes for rural women. In many contexts, rural women and also recent immigrants have lower literacy rates than their urban counterparts and citizens of the country. Therefore, a way to eliminate one form of intra-gender inequality is to improve access to literacy programmes and educational opportunities. Such programmes can also lead to women accessing other programmes and resources to address violence against them.

57. The fundamental premise is that fully addressing and working to end all forms of violence against women requires a holistic approach to defining the problem, identifying needs and legislating change. Such an approach is crucial to the provision of effective remedies and to lessening the incidence of gender-based violence, by identifying where forms of discrimination intersect with violence against women, and also the various forms of stratification that contextualize the societal beliefs that allow abuse to occur.

58. Research demonstrates the utility of an approach that accounts for additional aspects of personhood, such as nationality, disability, indigenous belonging, sexual orientation, and socio-economic class, to predetermine the likelihood and extent to which women will experience multiple forms and various levels of violence. In adopting a more comprehensive approach, a picture of the different ways in which intersectional and multiple forms of discrimination operate in the context of violence against women emerges. It reflects the type of systematic, comprehensive, multisectoral and sustained approach needed to develop national strategies, concrete programmes and actions aimed at eliminating all forms of violence against women.¹⁸

1. Human rights as universal, interdependent and indivisible

59. Human rights are universal in the sense that everyone is entitled to have their rights respected, protected and fulfilled no matter who they are or where they reside. Universality renders geographic location and social position impermissible bases on which to deny human rights, including the right to be free from violence. The "gendered theorization of human rights," incorporates "an intersectional approach to race, class, gender, sexuality and nation" where "no one right can be easily broken down into a singular issue, as rights are

¹⁷ A/HRC/11/6/Add.5.

¹⁸ A/RES/65/187

always already constituted through the social structural relations of multiple positionalities.”¹⁹

60. Understanding rights as universal should in no way result in an erasure of specifics and localities and should rather advance by re-engaging the local. The creation of false universalisms and cultural essentialisms can be avoided using a holistic approach and recognizing the diverse experiences of women’s oppression.

61. There is growing consensus that human rights are interdependent and indivisible and that it is necessary to embrace an indivisible rights framework to address interdependent and interlocking oppressions and discriminations. In addition, social, economic, and cultural life must be seen as the condition precedent to the meaningful exercise of civil and political life. This is possible through recognizing the connection between civil, political, economic, cultural and social rights, and also through challenging the hierarchy, which privileges civil and political rights.

62. Related to concerns about universality, interdependence and indivisibility is the perception of tensions among certain categories of rights, in particular those related to non-discrimination and equality, on the one hand, and religious and cultural rights, on the other. Global experiences illustrate that religious and cultural practices are often used as justification for inequality, discrimination, acts of violence, and the ensuing competing rights claims that result in a violation of women’s human rights.

2. Violence on a continuum

63. Gender-based violence is an increasingly complex issue to tackle globally because of the fluidity of violence itself. Violence crosses public and private domains and ranges from intimate and interpersonal violence to structural, systematic, and institutional forms of violence. A holistic approach to understanding violence requires violence against women to be situated along a continuum in order to capture its varied forms and incarnations.

64. The broad categories of interpersonal and structural violence are neither mutually exclusive nor ranked. Rather, they anchor a continuum in which the site, scale, and actors involved determine where the violence is located. If any violence that falls somewhere on this continuum is either directed at women or experienced by a group that is overwhelmingly female, then the violence constitutes discrimination against women.

65. While ranking forms of abuse as moderate or severe is a useful categorization for service provision (i.e. clinical and psychosocial responses within the health sector; civil or criminal charges in the legal sector) the holistic perspective sees all forms of abuse qualitatively impacting the economic, social, cultural and political well-being of individuals, communities and States. Violence against women is not the root problem in most societies; violence against women occurs because other forms of discrimination are allowed to flourish.

66. Situating violence along a continuum allows for an appropriate contextualizing of violence in that the deprivation of water, food, and other human rights can be just as egregious and debilitating as family violence. Although these forms of violence are by no means the same, they can be viewed as parallel and similar when considering their interrelationship. Similarly, if a woman experiences violence in her home and is then denied security and protection by the legal system, she is encountering more than one form of violence. Hence, the response required to ensure that women’s lives are free of violence

¹⁹ Dana Collins, Sylvanna Falcón, Sharmila Lodhia, and Molly Talcott, “New Directions in Feminism and Human Rights,” *International Feminist Journal of Politics*, Vol. 12, Nos. 3-4, 2010, pp. 298-318, see p. 309.

must occur on multiple levels, from the individual to the institutional, from the local to the transnational, and in times of peace to times of post-conflict.

3. Structural and institutional discrimination and inequalities

67. The existence of structural and institutional inequalities is the result of various aspects and factors related to discrimination. Discrimination based on race, ethnicity, national origin, ability, socio-economic class, sexual orientation, gender identity, religion, culture, tradition and other realities often intensifies acts of violence against women. The acknowledgement of structural aspects and factors of discrimination is necessary for achieving non-discrimination and equality.

68. The inter-gender hierarchy between men and women inherent to patriarchy, together with the intra-gender hierarchy according to which women are constructed and valued, gives rise to the competing impulses of protecting valued women and attacking devalued women. In many cases, a cultural belief of, and value attached to, patriarchal authority, contributes to the gender stratification that exacerbates forms of violence against women. Many traditions promote the notion that the man is the natural head of the household, and when violence occurs in such contexts it can be very difficult for a woman to recognize her abuse as a violation of her rights. Even in cases where she suspects that she has a right not to be abused, there may be little or no community support for her to leave a household where violence is occurring.

69. The operation of inter- and intra-gender hierarchies is made even more complex by communities and States with histories of subjugation either as national minorities or under systems including colonialism, imperialism, apartheid and occupation. Gender-based violence occurs within these larger communities and national narratives often reify violence. These narratives tell stories of overcoming subjugation and asserting the rights of self-determination and self-definition, and may help to explain why the incidence of gender-based violence appears not only to be high, but also to be tolerated in formerly subjugated communities and States.

70. Adopting a holistic model with regards to gender-based violence requires a complex understanding of the ways in which inter- and intra-gender differences exist and the ways in which institutional and structural inequalities exacerbate violence through multiple and intersecting forms of discrimination.

4. Social and/or economic hierarchies among women and between women and men

71. Women are differently positioned within social, economic and cultural hierarchies, which leads to certain women not being able to enjoy universal human rights. In many contexts, racial hierarchies and socio-economic inequalities are but two factors that maintain the privileges of one group of people over other groups. The institutional supports that privilege one class of people over another further perpetuate the ability of one class of women to be advantaged at the cost of another.

72. Within some countries, identifiable subgroups of women are marginalized on the basis of racial, ethnic, religious, cultural and social ideologies and prejudices which reflect disproportionate impact on or justifiable targeting of subgroups of women. For example, women from particular racial and ethnic groups, those with disabilities and poor women, have been the target of forced sterilization and other coercive birth control measures.

73. Material reality is linked to economic and social security and is crucial for both protecting and preventing violence against women. Material reality, such as educational attainment, housing, and access to land, water, food and work, all play a role in how and to what extent women experience violence. Not only does violence against women disproportionately target the most vulnerable women in society in terms of race, ethnic

origin, nationality, disability and sexual orientation, but the conditions in which women live can also position them as being especially receptive to gender-based violence.

74. For example, the ability to obtain a high quality education is exponentially difficult for poor, rural and/or disabled people. Furthermore, the world's women and girls continue to receive inadequate education when compared to the men and boys from their communities. Due to inadequate education, employment and financial security are more difficult for women and girls to attain. According to UNESCO, "of the "796 million adults worldwide (15 years and older) who reported not being able to read and write in 2008... two-thirds of them (64%) were women."²⁰ Being illiterate isolates women, exacerbates poverty, and creates a context ripe for violence.

75. Research reveals that living in poverty can further increase the likelihood that women will experience violence, as poverty is both a cause and a consequence of violence against women. Also, poverty and race are interconnected – as the majority of the world's poor are women who come from racial and ethnic minority communities. The options for escaping gender-based violence are considerably reduced when women do not have access to resources.

76. Access to quality health care is a particularly daunting challenge for the world's women, especially considering how race, ethnicity, citizenship status, socio-economic status, sexual orientation and disability can play determining roles in the kinds of health care women can access and receive.

77. Pregnancy and childbearing are part of the material reality of women and girls which requires a gendered analysis. This entails explicitly accounting for the fact that maternal mortality and morbidity are manifestations of rights violations for which there are no parallel violations directly experienced by men. The general risk of maternal mortality and morbidity faced by all women is significantly altered by factors such as quality, affordable and accessible maternal health care. The absence of this type of health care contributes to deaths that are preventable and that occur at disproportionately higher rates for pregnant women and adolescent girls who live in the poorest regions of the world.

78. Contexts such as conflict, natural disasters, occupation, internal displacement and institutionalization help to create and to maintain an inter- and intra-gender hierarchy, in which women's capacity to act is constrained by forces that increase their vulnerability to violence.

D. Some critical aspects to consider when adopting a holistic approach

79. In pursuing a holistic approach to understanding discrimination and violence against women, it is imperative to include an analysis of the right to an adequate standard of living and also a focus on, inter alia, bodily integrity rights, education, civil and political engagement and individual self-determination. These fundamentals directly affect a woman's ability to equitably and holistically participate in public and private spaces.

80. A holistic approach requires that attention be paid to the particular in order to fully realize the universal. This means grappling with the fact that the rhetoric of universality is not borne out by the material reality in which women live. It looks to disciplines and institutions beyond the law to make the law more responsive to the actual needs of women whose non-discrimination, equality and gender-based violence-related rights are violated.

²⁰ Available from http://www.uis.unesco.org/template/pdf/Literacy/Fact_Sheet_2010_Lit_EN.pdf

81. There is a need for a holistic approach to both physical and ideological restrictions as an issue in the human rights discourse around violence against women. Mainstream human rights discourse has demonstrated its capacity to acknowledge as a human rights violation the violence that flows from physical restrictions which are created and/or maintained by the State, communities, families or individuals. The same cannot be said, however, for the violence of ideological restrictions which may be deployed to justify physical violence against women or to restrict women's choices in ways that make submission to violent acts necessary to access resources and to demonstrate community membership. Ideological constraints help either to normalize the differential vulnerability based on the violence inherent in the context, the personhood of the women involved, or some combination of the two.

82. In addition, a holistic approach may focus on the structural aspects of discriminatory violence against identifiable subgroups of women, and its connection to structural and institutional inequalities. In this regard, challenging patriarchal notions of gender relations, male supremacy and female inferiority, whether justified by religion, culture or tradition as a cross-cultural and international phenomenon, requires a holistic approach.

1. The right to an adequate standard of living

83. The right to adequate housing, food, water, sanitation and other elements of the right to an adequate standard of living are firmly enshrined in international human rights law. A host of institutional and structural obstacles prevent many women in the world from enjoying these rights, thereby fostering inequality. Violations of such rights can exacerbate violence against women, sometimes with deadly effects.

84. Starvation in a world in which food is plentiful is a form of violence inflicted on the body – both physically and mentally. Many studies recognize the discrimination inherent in starvation, which affects the world's women and girls at a disproportionately higher level than men and boys. The human right to food still faces important challenges, as starvation continues to exist throughout the world.

85. In order to flee violent situations, women and girls must have the right to adequate housing enforced. Adequate housing refers not only to sufficient housing options, but also to secure ones. Lack of access to and availability of housing options for women seeking security puts women's lives at risk. Furthermore, housing in areas where violence is rampant jeopardizes the lives of women and their families.

86. The right to adequate housing is often particularly compromised for refugee women, especially in conflict and post-conflict situations. Women are often left with no other option but to take shelter in temporary camps where rape and other forms of violence are the norm. In these cases, women experience multiple forms of violence – displacement from the home, sub-standard temporary housing, and the high risk of experiencing physical and sexual violence, without any available recourse. Thus in the case of refugee women there is a failure to meet women's basic needs on multiple fronts.

87. The right to security and bodily integrity per se is essential for the enjoyment of other human rights. All people, regardless of citizenship, gender, race, ethnicity, national origin, and/or sexuality, have the right to bodily integrity within which health and the environment play important roles.

88. The current global reality of women reflects a failure to meet their rights in respect of security and bodily integrity, across physical, mental and sexual contexts. Many regions in the world are currently experiencing violence, both public and private – be it in actual military conflict and combat zones, or in the aftermath of conflicts, or during periods of supposed "peacetime". Conflict and post-conflict situations often exacerbate an environment of violence against women including through sexual violence, trafficking and

forced prostitution. The double bind of sexual violence is enacted against them because of one disempowered aspect of their social location, i.e. ethnic group, class position, education level, religious beliefs, or other facets of their identity – as well as their gendered position. Thus the victims are not only abused by one set of ideological-based practices – a group’s desire to humiliate and destroy their enemy – but by the inequality inherent with their own group’s cultural ideologies of gender and women’s bodies. Women, who are already vulnerable to myriad forms of interpersonal and structural violence and discrimination, whether at the household, community, or even State level, are more likely to become victims of such violence than those women who come from elite or powerful populations. Thus, existing forms of discrimination are exacerbated, and new forms of violence are generated against women who are already vulnerable.

2. The right to education and to participate in cultural rights

89. Equal access to education, gender-sensitive curricula and a safe environment as women and girls pursue their education, are all critical aspects regarding education. The right to an education covers more than attending school: it includes the right to travel safely to and from school, as well as to ensure protection from harm while on school grounds.

90. Women have been disproportionately impacted by a lack of educational opportunities. Having a basic education and being literate improves a woman’s opportunities for preventing and removing violence from her life, and this is especially true for women who experience multiple forms of discrimination. When women and girls are able to exercise their right to an education and livelihood, they will enjoy a high level of security in their social lives and financial well-being.

91. The right to an education also includes the right to a quality education. The substance of the education is as crucial as access to it. Low quality education, which disproportionately affects the world’s women and girls, does not seek to uplift women and girls, but rather further entrenches them in disadvantaged situations. Quality education should include anti-violence and anti-gender stereotyping as part of the curriculum.

92. Women also have the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. International law has recognized a woman and girl child’s right to benefit from artistic and literary endeavours, and to pursue interests in science or other forms of creative expression. Additionally, all women have a right to fully participate in the cultural life of their communities and States. Any group or individual that denies a woman or girl child the right to cultural expression is denying her right to participate fully in a meaningful cultural life. Similarly, if any act of abuse is perpetrated against a woman or girl child in the name of culture, this individual or group is perverting the basic fundamental right to culture as found in international law, and is perpetuating a static and narrow conception of culture.

3. Civil and political rights

93. The right to civil and political participation grapples with elements of citizenship at its core, and is most commonly assessed in terms of non-discrimination and equality as between women and men. Data documenting women’s enfranchisement and representation within political and other governing institutions is often used to assess the extent to which women are able to enjoy and exercise their rights regarding both citizenship and civil, labour and political engagement. Viewed holistically, however, formally guaranteeing these rights as a matter of law does not necessarily address how violence against women can affect how these rights are experienced and, consequently, protected.

94. The violence continuum helps to make explicit the different types of violence that can adversely affect women and girls, and how this facilitates the deprivation of citizenship,

as well as civil, labour and political engagement rights. This violence is committed with the assistance of physical and ideological restrictions that prevent women from having the full capacity to exercise their rights. This is particularly true in societies in which women are either not defined as actors within civil, political or economic life, or are assigned a gendered position in these areas of public identity and engagement that are unequal to the positions held by male actors. By making violence against women a part of the analysis, a determination can be made of the extent to which women can enjoy their civil and political rights.

95. Social, economic and cultural factors can interfere with women's ability to enjoy the full range of their civil and political rights, and can reinforce inter- and intra-gender hierarchies. Linking such factors to matters of violence against women exposes the societal ideologies which sanction violence as appropriate punishment for failing to abide by gender norms, and reveals how this undermines the realization of civil and political rights.

4. Women's right to self-determination

96. Self-determination embodies the rights of individuals and peoples to make decisions about their economic, social, religious and familial well-being, and to honour the expressed desires of people and individuals to control their own affairs. Women within minority and marginalized groups, including indigenous women, are often denied their basic right to self-determination. This is further obscured by literature that demonstrates how elite and privileged women have gained these rights. In this way, self-determination is another area where the invisible hierarchy of women vis-à-vis other women masks the ongoing inequality experienced by many of the world's women.

97. Women's right to self-determination includes the ability to determine their political status and freely pursue their economic, social and cultural development. Any group or persons that infringe this right are perpetuating a form of structural violence against the disempowered group, and further marginalizing the rights of certain women within a given political context. Furthermore, marginalized groups, including indigenous peoples and minorities, often justify violence against women based on collective identity formed in opposition to the dominant and oppressing group. Indeed, "culture-based identity politics [are] a major challenge to the achievement of gender equality and the elimination of violence against women."²¹

98. A contested terrain relating to women's rights to self-determination includes for example the practice of one's religion. All persons have a right to practice their right to freedom of religion or belief, and to hold their own religion or beliefs separate from their relationships to family and communities. Women are entitled to hold their own interpretations of religion or belief, distinct and separate from those of their spouses and kin, and they have a right to seek support from abuse and violence from members of their religious community. Women have a right to not participate in acts that go against their conscience, and they are entitled to the same public displays of religion or belief as male members of their community. Any institution or policy that prevents a woman from fully engaging with a religious or belief community is denying her basic human rights to her religion or belief and fulfilment of her own spiritual conscience. Women have a right to practise a religion or belief even if it is a minority religion or belief within their communities. No woman should be coerced to follow a religion or belief that is different from her choosing. These are basic civil rights that should be recognized not only by members of the household, kin-group or local community, but also by Governments.

²¹ A/HRC/4/34 (2007)

E. Conclusions and recommendations

99. The holistic approach to understanding the relationship between discrimination and violence against women draws upon a well-established foundation of human rights treaties and declarations passed by various bodies of the United Nations during four decades of transnational cooperation. The United Nations treaties and declarations provide the institutional framework within which Governments, non-state actors, and local activists can promote a holistic response to identifying, preventing, and ultimately ending, all forms of violence against women. Efforts to date have been well intentioned but have produced limited success, largely as a result of a silo approach to addressing violence against women.

100. This report shows the usefulness of a holistic approach in addressing the interconnections between violence against women, its causes and consequences; and multiple and intersecting forms of discrimination. A holistic approach underscores the interdependence and indivisibility of civil, political, economic, social and cultural rights; it situates violence against women on a continuum; it acknowledges the structural aspects and factors of discrimination, which includes structural and institutional inequalities; and it analyzes social and/or economic hierarchies between women and men and also among women.

101. A holistic approach demonstrates that programmatic responses to violence against women cannot be considered in isolation from the context of individuals, households, communities or States. In meeting their international legal obligations, States must bear in mind that discrimination affects women in different ways depending on how they are positioned within the social, economic and cultural hierarchies that prohibit or further compromise certain women's ability to enjoy universal human rights. This approach also reveals critical aspects of intra-gender discrimination and inequality, which up until now have been invisible in efforts to treat all women homogenously in the responses to violence.

102. A holistic approach demonstrates how interpersonal and structural forms of violence are related, reproduced, and generated; and also that violence exists on a continuum. Efforts to end all forms of violence against women must consider not only how individual lives are affected by the immediate impact of abuse, but how structures of discrimination and inequality perpetuate and exacerbate a victim's experience.

103. In pursuing a holistic approach to understanding discrimination and violence against women, it is imperative to include an analysis of the right to an adequate standard of living and also a focus on, inter alia, bodily integrity rights, education, civil and political engagement and individual self-determination. These fundamentals directly affect a woman's ability to equitably and holistically participate in public and private spaces.

104. Situating violence against women as a problem that cuts across political, civil, economic, social and cultural rights compels us to recognize the universality of violence. This report argues that individual women's productive and reproductive activities in all sectors is impacted by forms of interpersonal and structural violence which intersect with various factors such as immigration, trade and economic policy, social and economic development, civil and political development, sexual orientation, ability, legal protection, conflict, security concerns, and so on.

105. Utilizing a holistic approach improves the ability of policymakers, non-state actors and others to see the interconnections between multiple forms of discrimination and the generation of different forms of violence against women. Efforts to end all

forms of violence against women will not be successful if they continue to be solely focused on the immediate health concerns of the victims, or on implementing legal measures that only consider the most severe forms of abuse. Violence against women happens because it can. Determining how best to protect, promote and fulfil women's rights to non-discrimination, equality and freedom from violence is fundamentally a question of law – with affirmative State obligations associated with preventing and eliminating gender-based violence, whether public or private.

106. Violence against women cannot be resolved with a one-size-fits-all programmatic approach. Combating violence against women requires multiple approaches for its elimination. In adopting multiple approaches, preventing and combating violence must become localized, but also take into account differences within community populations. In addition, multiple approaches require adequate human and material resources in order to assess and monitor how policies, laws and institutions impact violence and discrimination, including in the areas of redress and compensation to victims.

107. The interdependence of human rights requires countries to ratify all human rights treaties and optional protocols. While determining how best to protect, promote and fulfil women's rights to non-discrimination, equality and freedom from violence, it is essential that States respect their international commitments under the due diligence obligation to prevent, protect and provide compensation to women victims of violence perpetrated both in the public and private spheres, as well as to hold the perpetrators of such violence responsible for their actions. These obligations include a wide range of issues, including the adoption of legislation and public policies, and increased educational efforts aimed at addressing the prejudices and stereotypes on which gender-based violence and multiple forms of discrimination are based. Efforts should also support and empower the work being done by civil society in its efforts to combat violence against women.

108. The United Nations system and the United Nations human rights mechanisms should also strive to adopt a holistic approach to violence against women and multiple forms of discrimination. In particular, UN Women, which has the mandate to lead and coordinate United Nations efforts to protect and promote women's rights, should be mindful to integrate a holistic approach. This will require efforts at gender-mainstreaming which systematically adopt a twin-track approach of both mainstreaming and specificity, which take into account women's inter- and intra-gender equality and non-discrimination rights, and also the right to be free of all forms of violence, both public and private.
