



Statement by Richard Bennett
Representative of the United Nations High Commissioner for Human Rights in Nepal
At the High-Level Discussion on Sexual Violence
26 November 2007, Kathmandu

Honored members of the panel, participants, and colleagues. Welcome.

I am very proud to address you today at this event, organized by my office to shed light on a problem that we have often documented since our arrival in this country; access to justice for victims of sexual violence. This panel takes place in the framework of the yearly campaign of 16 Days of Activism Against Gender Violence.

The theme for this year's campaign is "Demanding Implementation, Challenging Obstacles: End Violence Against Women". And that is what we hope to do through our panel today. We want to discuss how the current legislation could be better implemented; how we can challenge obstacles preventing women from stepping forward to talk about their experiences and claim justice; and how we can better support victims of sexual violence.

The panel you will listen to today represents the multi-disciplinary approach that is needed to address sexual violence in an effective way. The victim must always be at the centre of this approach. The most fundamental principle is that the victim must be respected and be empowered to take her own decisions during the process of addressing the sexual violence she has suffered. The participants on this panel all have experience in this way of working and will be able to share their experiences with us.

I want to stress that violence against women is in no way a private matter, and it cannot be explained away as being determined by cultural and traditional factors, and therefore somehow allowed or at least unavoidable. Here I would like to note that the High Commissioner for Human Rights in her statement to mark the International Day for the Elimination of Violence Against Women said, "States are required to adopt effective and appropriate legislative and administrative measures to ensure access to justice".

In their statement, UN special rapporteurs noted that international and national courts have increasingly recognized that some forms of violence against women amount to torture and ill-treatment, the best known being rape by private or public actors in conflict or custodial settings. Physical or sexual violence in an intimate relationship or female genital mutilation, if committed with the acquiescence of the State, may qualify as torture or cruel, inhuman or degrading treatment as well.

It has to be recognized that violence against women has severe implications for society:

Socially, as violence against women creates an atmosphere of fear in society. It is well documented that a violent upbringing tends to start a cycle of violence for many children, both as victims and perpetrators;

Democratically as violence against women is a major obstacle for their participation in public and political life. A woman who is abused is less likely to participate in activities in the public sphere, including in political activities and elections.

These some of the reasons why a society must fight sexual violence, and violence in all its forms, against women. In order to do so effectively, support structures need to be developed that women and girls can access in confidence. Medical, psychosocial and legal assistance must be provided, as well as economic support for those separated from their communities. This requires a commitment from state and society to provide the financial and human resources necessary for these structures.

But it must also be recognized that the main cause of gender-based violence is gender inequality and any effort to reduce gender-based violence must address these inequalities. Utilizing the knowledge and expertise of women and strengthening the role of women in society is a prerequisite for a stable and developing society.

Finally, as we mark the *16 Days of Activism Against Gender Violence*, I would like in particular to request my fellow men in Nepal to join me in unequivocally condemning violence against women, in demanding the accountability and behavior change of the perpetrators of these crimes, and in pledging their wholehearted support for the women and girls who have suffered this violence.

Thank you!