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Combating impunity vital in effort to eliminate violence against women, says UN human rights chief

GENEVA (OHCHR) – Women must play an active role in peace negotiations, and in the effort to combat impunity for rape and other acts of violence, the UN High Commissioner for Human Rights Navi Pillay said in a statement marking the International Day for the Elimination of Violence Against Women on Tuesday.

“Violence against women is still a huge problem all across the world,” said Pillay. “And in many conflict situations it is endemic, and still grossly neglected by almost all key actors. Rape is a crime and must be punished, and be seen to be punished, if the cycle of sexual and other forms of violence is to be halted. This is not an issue that can just be put to one side, either during peace negotiations or after a conflict has come to halt. Nowhere has this been more starkly and grotesquely illustrated than in the eastern Democratic Republic of Congo, where hundreds of thousands of women have been raped, beaten, enslaved or killed over the past decade and hardly anyone has been punished.”

Pillay said she welcomed the fact that peace negotiations are under way in DRC, but added she was afraid that women will once again be placed on the periphery. “Women must be brought into the peace negotiations, and play a full part in the attempt to re-establish security and justice,” she said. “They also have an urgent need to be full partners in discussions about the country’s future, including a more constructive use of its immense natural resources, the revival of basic social services, and establishment of sustainable development.”

The High Commissioner, who pioneered key international jurisprudence on rape in relation to genocide when she was a judge on the Rwanda Tribunal, pointed out that the Security Council has passed two Resolutions, including one in June 2008, on women and peace and security.

“The Security Council has clearly recognized that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide,” she said. “Furthermore it has stressed the need to exclude sexual crimes from amnesties, called on States to prosecute people who commit these crimes, and underlined the important role of women in the prevention and resolution of conflicts. We have come a long way in terms of international legal frameworks, but some states still have a long way to go in translating them into judicial systems and peace negotiations that work.”

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Violence against women is not, however, a phenomenon confined only to conflicts, Pillay added. Despite many advances over the past century, some level of impunity for sexual and other forms of violence against women occurs all across the world, and in virtually all societies. This often results from inadequately framed or implemented laws, which reflect entrenched cultural perceptions that women are inferior, and therefore can be granted fewer rights.

“In some societies, men are fully aware that if they beat or injure – or, in some cases, even kill – their wives or daughters, they will not end up in court,” the High Commissioner noted. “What kind of lesson does a state pass on to the next generation, when it turns a blind eye to the abusive treatment of one parent by the other?”

“Efforts to combat violence against women will never be fully successful while national legal frameworks to protect them, and grant them the possibility of economic and social independence, remain inadequate,” Pillay said.

Extensive commitments to remove and revise discriminatory laws were made at the 1995 Beijing Conference on Women, and during its follow-up. Similar commitments have been made by states parties to the Convention on the Elimination of All Forms of Discrimination against Women and other fundamental human rights treaties.

“I call on states to make a real effort to fulfil these commitments,” Pillay said.