

Elimination and Prevention of Gender-Based Violence through *Rights-based* and *Women-Oriented* Approach

-- Chinese Women NGOs' Statement

The fifty-seventh session of the United Nations Commission on the Status of Women will convene its annual session on the priority theme: Elimination and prevention of all forms of violence against women and girls on March 4-15, 2013. Concurrently, the 12th China's National People's Congress and Chinese People's Political Consultative Conference will take place. On this occasion, we, Chinese women, NGOs and activists who are dedicated to gender equality and the elimination of violence against women, represent the voices of women from the grassroots level and relevant workers from various organizations to bring forward the following views and appeals.

Violence against women and girls is a form of gender-based violence, which refers to violence rooted in unequal gender norms and power relations. This violence occurs in families or other intimate relationships, workplaces, educational institutions and public spaces, with women and girls suffering most.

Gender-based violence can profoundly harm women's and girls' physical, psychological, and sexual health, as well as bring economic harm. Violence hinders the fulfillment of women's and girls' human rights, lowers their status in society, and can even cost them their lives. Gender-based violence also causes losses in productivity and to the human resources in families, society, employers/enterprises and the state. It consequently increases expenditures/costs to individuals, institutes and the state for medical treatment, care, social service and welfare, administration and judiciary proceedings. Gender-based violence is the result of gender inequality, and it perpetuates and reinforces existing gender inequalities and sex discrimination. Therefore, to build an equal, harmonious and just society, we must eliminate all forms of gender-based violence.

We have been greatly pleased to notice that the Chinese government has further undertaken its responsibility and commitment to prevent gender-based violence, abided by the Declaration on the Elimination of Violence Against Women adopted by 1993 UN General Assembly, the Beijing Platform for Action adopted by the UN 4th World Conference on Women in 1995, and the outcome document of Beijing + 5 (23rd UN General Assembly Special Session). In regard to laws and policies, terms prohibiting domestic violence have been written into many laws, such as the amended Marriage Law, Law on the Protection of the Rights and Interests of Women, as well as some local laws and regulations. Consequently, a policy basis for handling and

preventing sexual harassment in the workplace has been initiated, the prevention of sexual abuse of girls in schools has been written into the campus safety policy, and the China Action Plan for Combating the Trafficking Women and Children (2008-2012) has been drawn up. In the area of family planning, efforts have been made to meet women's needs for their sexual and reproductive health and rights, and good practices and intervention models featuring multi-sectoral cooperation to prevent and stop domestic violence have emerged.

During the international 16 days of Activism Against Gender Violence Campaign from November 25 to December 10 in 2012, we collected opinions from about 6,000 women of various ages across the country, interviewed survivors of gender-based violence, psychological counselors, social workers, women rights activists, lawyers, policemen, procurators, judges, decision-makers, lawmakers and perpetrators. We realized there are still wide gaps between the goals set for eliminating and preventing gender-based violence and efforts made to realize these goals. There is also much work to be done in meeting victims' varying needs. Hence, it is urgent for the state to make breakthroughs regarding the following aspects, with firm political will and practical, proactive actions.

- Implement international conventions and fulfill commitments to strengthen the state's obligation and responsibility to eliminate gender-based violence and eradicate its root causes — gender discrimination and gender inequality — by reviewing all existing laws and policies with a gender perspective, discontinuing utilization of terms containing gender discrimination or appropriately substitute them, and establishing accountability mechanisms to prevent and address instances of government agencies' personnel misusing their power to commit acts of physical, mental and sexual abuse.
- Draw up comprehensive, feasible and effective laws and policies for preventing violence and create specific, enforceable and accountable regulations and measures to prevent gender-based violence, to provide services to women and children affected by violence, and to punish perpetrators and transform their behaviors.
- Expand definitions of domestic violence in existing laws, to go beyond well-documented and severe physical abuse and explicitly include other forms of violence, such as violating women's right to self-determination of their bodies and sexual life, their rights for reproductive health, forced interference in lesbians' marriages and intimate relations, psychological abuse, and economic exploitation and control, so that all these forms of violence can be addressed effectively. To bridge the gap between existing laws and their implementation so that women suffering from gender-based violence in de facto marriages, cohabitating partnerships, and other intimate relations will also be able to realize their legal rights.

- Provide quality services that consider women's needs and interests, change the outmoded bureaucratic practices and raise the awareness of personnel working in public service departments, law enforcement and judiciary on the rule of law. Raise awareness and strengthen capacity in handling violence-related cases and issues with professional and gender-sensitive attitudes and techniques. Put an end to indifference, avoidance of responsibility, and ineffective case processing.
- Integrate and disseminate experiences and models of multi-sectoral interventions to stop violence, enabling the synergy of all participants' work to produce better results, and bringing these experiences and models into state laws and policies, thus creating standardized and institutionalized practices. Strengthen education by bringing prevention work to campuses and communities and raising public awareness through media. Enable social workers, and psychological and medical institutions to provide services to survivors and child witnesses, and alter perpetrators' psychology, behaviors and habitual patterns. Police should enforce the law strictly, and reprimand and punish all perpetrators of domestic violence. Judges should issue domestic violence protection orders/physical protection rulings, and confirm the circumstances of domestic violence in court decisions. Courts and prisons should consider leniency to women who commit the self-defense murder of their perpetrators by reducing jail sentences or releasing women on parole. Employers and enterprises should establish mechanisms and policies to intervene in sexual harassment.
- Recognize the important role and experiences of civil society organizations, especially women's NGOs, and help disseminate their good practices and engage with them as equal partners of multi-sectoral collaboration to combat violence against women.

Given all these facts, we believe that the following **urgent actions** need to be taken:

- To **formulate a state action plan** on the prevention and elimination of gender-based violence, to raise legislators' and decision makers' attention and sensitivity to gender issues, to expedite the launching of new law and policies on preventing gender-based violence, to review, improve and augment the enforcement of existing laws and policies, and to conduct monitoring and evaluation of this enforcement, to improve the availability of sex-disaggregated data statistics on gender-based violence and public information accessibility; to promote good practices and the multi-sectoral intervention model; to transform the attitude and behaviors of perpetrators through education and community services.
- To refine policies and to **increase budget and resources for providing quality public services**, to train various service provision personnel, law enforcement officers and judiciaries, so as to speed up the realization of equal service and remedy the severe shortage of services to disadvantaged groups such as rural women, disabled women, ethnic

minority women, girls, sexual minorities and elderly women, to build a support and service system to ensure social insurance and social integration for violence survivors and sufferers. To encourage and support civil society organizations to conduct activities aimed at preventing gender-based violence, and to fund more pilot projects and action-oriented research.

Women's economic empowerment and political participation are effective means for preventing violence. We call for: globally, the incorporation of gender justice and women's empowerment into the Post-2015 Development Agenda with specific objectives and indicators related to gender-based violence; in China, the 12th Five-Year Plan for the National Economy and Social Development and macro-economic policies should be integrated with the Program for the Development of Chinese Women, to enable the pursuit of gender equality, to reinforce economic equity, social justice, transparent administration and democratic governance, thus enabling women and girls to equally enjoy the achievement of social and economic development, better master their own lives, and participate in decision-making on public issues that affect their interests.

Let us build a violence free world with equality and justice.

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Common Language

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