

Commission on Crime Prevention and Criminal Justice

Report to the Commission on Crime Prevention and Criminal Justice on Taking action against gender-related killing of women and girls

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1 Executive Summary

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is pleased to present to the Economic and Social Council (ECOSOC) its annual report on taking action against gender-related killings of women and girls. The following report covers a wide range of sub-topics, including measures for the political, economic, and social empowerment of women, the training of law enforcing bodies, and the review of criminal codes in Member States. Such topics were addressed with special attention to particularly vulnerable groups, such as people with disabilities, ethnic minorities, refugees and migrants.

The first chapter of the report includes three draft resolutions, which the CCPCJ is submitting and recommending to ECOSOC for adoption. The draft resolutions concern the specific areas that the body deemed most important, targeting the multi-faceted nature of the issue. The first resolution that the Commission adopted recommends an Evaluation Committee to review gender-based laws and their relation to women globally. The second resolution notes the importance of providing resources to the most vulnerable populations in various communities. The third resolution requests the designation of a specialized group working within the CCPCJ, and in coordination with United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the United Nations Office on Drugs and Crime (UNODC), that will review criminal codes and judicial processes in individual Member States. This specialized group will provide recommendations for changes that are consistent with the goals of the Commission. Other recommendations of the Commission, which are not included in the draft resolutions, include the further investigation of special provisions for women in conflict zones, potential sources of funding for the solutions proposed and means for facilitating international cooperation in achieving the goals of the proposals.

The second chapter details the deliberations and proceedings of the CCPCJ that produced these resolutions and recommendations. It includes a summary of the relevant issues brought forth by each delegation in relation to the gender related killings and violence against women and girls. In this discussion, the Commission proposed many solutions and recommendations preceding the deliberations in the first chapter.

24 2 Matters calling for action

25 2.1 CCPCJ II/1

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Recalling the Universal Declaration of Human Rights and principles of the Charter of the United Nations,

Welcoming the efforts made by the Fund for Gender Equality (FGE) in supporting national, women-led, civil society organizations and helping to achieve womens empowerment,

29 Stressing the empowerment and support of women as a method to eliminate all forms of violence against 30 women,

Recognizes that a substantial portion of femicides stems from societal and sociocultural parameters,

32 Alarmed by the statistic provided by the European Journal of Development Research that 74% of women 33 with less than 5 years of education have experienced physical violence in comparison the 13% of those with higher 34 education,

Remembering the precedents set in 1979 by the Convention on the Elimination of All Forms of Discrimination Against Women that established women's rights as human rights,

- 1. Acknowledges all efforts should be done in a manner that respects state sovereignty and seeks to improve the quality of life for all;
 - 2. Defines femicide as intentional, gender-based killings of women and girls;
- 3. *Defines* violence against women as: physical, sexual, and psychological violence, including but not limited to: stalking, female genital mutilation, forced abortion, forced sterilization and sexual harassment;
- 42 4. Recommends the review of gender-based laws and their relation to women by the United Nations Entity 43 for Gender Equality and the Empowerment of Women (UN Women) Evaluation Committee;
- 5. *Encourages* the gradual and continuous advancement in alignment with the efforts of UN Women and the Spotlight Initiative;
- 6. Urges Member States to undertake steps to initiate the education of individuals without bias towards gender:
 - (a) Educate teachers, government officials, and local leaders on the signs of violence in households;
 - (b) Ensure that all children receive a primary school education;
 - (c) Implement gender-sensitive education practice;
- 51 (d) Meet literacy rates with the help of The United Nations Entity for Gender Equality and the 52 Empowerment of Women.

2.2 CCPCJ II/2

Recognizing the distinct and diverse traditions located in sovereign Member States along with the unique cultural norms,

Aware that community based organizations and community leaders have the most direct knowledge of the unique cultural and social history of women in their communities,

Reminding Member States that all of the efforts should be attempted keeping in mind cultural sensitivity while improving the standard of life,

Noting the vulnerability of regional communities that do not have access to resources for training local organizations or for the prevention of violence against women,

Understanding that cultural norms have a direct impact on gender-based violence that leads to femicide,

1. Calls upon Member States to provide substantive aid to people within the most vulnerable communities by working with nonprofits and implementing programs;

- 2. Advises the Economic and Social Council to provide funding for community based nonprofits, and local 65 governments in order to provide resources for at risk women in the communities they reside; 66
- 3. Encourages Member States to connect with community leaders, especially in communities with high rates 67 of femicide; 68
- 4. Urges Member States to coordinate with the United Nations Entity for Gender Equality and the Empow-69 erment of Women as experts in femicide in developing their own culturally sensitive strategies. 70

2.3 CCPCJ II/3 71

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Reaffirming that domestic violence is a significant aggravating factor for femicide internationally, and that many regions deal with other severe forms of gender-based violence,

Alarmed by the suffering that is common among female victims of domestic violence, and other forms of gender-based violence surrounding the crime,

Believing that this culture of shame perpetuates femicide,

Disturbed by the apparent apathy many populations have to clear signs of violence,

Emphasizing that the reporting of crime and violence is limited or non-existent in some cases and the number of victims is much higher than reported,

Commending the effort of the 2019 United Nations Office on Drugs and Crime (UNODC) Global Study on Homicide to share national criminal justice responses, legal changes, and multi-agency efforts among individual Member States to demonstrate the recent progress in combating gender-related killings of women,

Disappointed with the language used in E/2010/NGO/53 which reflected a condescending tone towards certain Member States when addressing sex and gender-based violence, rather than fostering language of cooperation,

Noting the work of United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) in the trainings of police and law prosecutors in Guatemala to provide justice to victims of femicide and gendered violence,

Acknowledging the wide latitude of social and cultural practices among Member States and their influence on the judiciary,

Considering the need to establish a middle ground between cultural sensitivity and protections for vulnerable populations from harmful social and cultural practices,

Emphasizing the importance of concentrating on how gender-related killings of women target minority groups, including but not limited to: indigenous first peoples, refugees, foreign nationals, and persons with disabilities,

Disappointed with the lack of appropriate government action in rural areas,

Affirming the importance of short-term solutions for vulnerable areas, conflict zones, and regions dealing with high numbers of migrants,

Further noting the need of Non-Governmental Organizations and nonprofit organizations in areas where government action is limited and frequently neglected, 98

Recognizing the need for the education on femicide for law enforcement and public officials,

Concerned by inadequacies in prosecution and investigation into sex and gender based violence,

Aware of the lack of accurate statistics into sex and gender based violence due to stigma of reporting or 101 other circumstances, 102

Further Recognizing the positive effect of the Latin American Protocol on the Investigation of Gender-Related Killings of Women, and the benchmarks and practices established therein,

1. Requests the designation of a specialized group of individuals working within the Commission on Crime 105 Prevention and Criminal Justice (CCPCJ), in coordination with the UNODC and the UN Women Evaluation Com-106 mittee, to review criminal codes and judicial processes in individual Member States with respect to state sovereignty, 107 providing recommendations for changes that are consistent with the goals of the Commission: 108

- (a) Such recommendations shall be tailored to individual member states in a manner that respectfully considers cultural practices and belief systems, and all recommendations provided will be non-mandatory and non-binding;
- (b) The informal committee will work in coordination with the UNODC and willing member states for funding and collaborative review;
- (c) This designation of efforts will cooperate with regional and local NGOs and nonprofit organizations to the protect the rights of especially neglected and vulnerable populations;
- 2. Suggests that all Member States adopt the Latin American Protocol on the Investigation of Gender-Related Killings of Women as a minimum standard of investigation:
- (a) This minimum standard need not be implemented immediately, but a gradual approach may be taken;
- 3. Suggests an increase in communication and information sharing among regions of the world, specifically in regards to the training of members of the judiciary, law enforcement, and public officials:
- 122 (a) The pooling of resources, trainings, practices, ideas, etc. will allow those states with a lack of 123 resources to implement policies that skip the developmental stage of policymaking, sometimes one of the most costly 124 and time-consuming steps;
- (b) Such training and facilitation of method sharing should be conducted by the International Criminal Police Organization (INTERPOL) and UNODC to improve police responses to sex and gender-based violence;
- (c) A clearer line of communication would allow regions with specific issues to more deliberately address those challenges;
- 130 4. Advocates for the classification of femicide as a separate crime from homicide:
- 131 (a) Such classification will consider aggravating factors for femicide, including but not limited to: do-132 mestic violence, lack of empowerment opportunities for women, civil and/or international conflict, human trafficking, 133 and economic insecurity.

134 3 Consideration of the status

3.1 A. Deliberations

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The 30th annual Committee of Crime Prevention and Criminal Justice (CCPCJ) meeting addressed the issue of gender-related killing of women and girls. The CCPCJ recognized that action must be taken to remedy this pervasive global concern. Femicide, or gender-related killing of women and girls, manifests itself differently in various regions of the world. As a result, solutions may look slightly different depending on the country being discussed. To thoroughly address all potential solutions, informal working groups were formed to collaborate on solutions relating to Economic, Social, Judicial sectors. An International Cooperation working group was also formed, though, in early discussion it was realized that many of the presented solutions overlapped with the economic, social, and judicial sectors. Due to this, the International Cooperation working group dissolved into the other working groups, and it was decided that any remaining solutions not addressed by the other working groups could be discussed as a large group after all solutions are heard. Discussions among the remaining three working groups were as follows.

The Working Group on Economic solutions addressed the importance of increasing economic equality for women as a remedy for women's economic dependence on men; a major factor influencing the prevalence of gender-related violence. Specifically discussed was: increasing job opportunities for women, increasing opportunities for women to acquire leadership positions within the workplace, and implementing professional training for women entering the workplace. All solutions aimed at ensuring economic independence for women.

The Working Group on Economic solutions also recognized that solutions involving professional development for women is relative to countries with a certain level of economic stability. To increase the percentage of women in the workplace, many countries agree that education must be more accessible for women. In many countries there are deterring factors preventing women from attending school, and from working. Eliminating these obstructions is an effort vital to succeeding in the Commission's goal to end femicide. Education was also discussed in the Social group, which is explained below.

The Working Group on Judicial matters and Criminality discussed the importance of scrutiny of domestic criminal codes, for the purpose of assessing the degree to which Member-States have institutions in place that effectively prevent and respond to all forms of gender-based violence. This scrutiny should pay special attention to regional and cultural norms and practices, so as to not step on sovereign toes, while maintaining a strong legal and normative foundation. Additionally, the group discussed the importance of paying special attention to those groups and demographics which are most vulnerable to gender-based violence.

The Judicial Working Group also discussed the vital role of on-the-ground training for the individuals who most commonly respond to gender-based violence, most often law enforcement. This training should be two-fold. Firstly, law enforcement should recognize the value of effective and accurate reporting. Secondly, law enforcement should be trained to recognize femicide as established in the Vienna Declaration on Femicide. This training could be facilitated by the International Criminal Police Organization, given that the organization has existing programs that work towards this end. Moreover, the Working Group also discussed how issues with governmental corruption often lower the rate of prosecutorial follow-through of reported violence. Therefore, the inclusion of Non-Governmental Organizations (NGOs) that specialize in victim/survivor advocacy as third-parties in receiving reports would provide additional help to victims seeking their case to enter the judicial system. NGOs lend impartial expertise, and provide on-the-ground cultural and regional understanding, which is vital to the effective implementation of recommendations.

On the criminalization front, the Working Group discussed the importance of special attention for femicide, beyond that of normal homicides. With that in mind, the group decided that femicide needed its own specific criminality designation. Designation of femicide as its own crime would lend itself well to better training of law enforcement, in an effort to improve recognition of femicide.

The Social and Cultural Working Group focused its discussion on education and the relationship between improved education and lower rates of gender-related killing of women and girls. The Working Group discussed the importance of implementing education programs that raise awareness on methods of reporting domestic violence, both in primary and secondary education levels. Education regarding how to report domestic violence would be best facilitated through primary and secondary schools globally, but specifically secondary schools. The group also discussed how education programs should address healthy relationships and what is considered emotional and physical abuse in order to increase reporting on domestic violence.

Additionally, the Working Group discussed the importance of voting, and the role that civic education could play in increasing female political participation. Female empowerment through civic education decreases the risks of violence against women, and would be an important long term goal. Increasing political participation of women would be efficiently achieved through education programs on voting, the political process and other forms of civic engagement.

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 The Working group briefly discussed potential funding partners, but eventually decided that funding for programs should be left to the Economic and Social Council during its Plenary session. The group discussed the efforts of the Spotlight Initiative in eradicating violence against women and girls and how the Initiative could possibly be a funding partner that the Economic and Social Council pursues. The group also identified the importance of the actions taken by United Nations Entity for Gender Equality and the Empowerment of Women regarding femicide and decided that it could also be a potential partner to the Economic and Social Council in order to fund education programs.

Representatives also discussed the tenuous situation of conflict zones, as it relates to gender-based violence. The purview of the CCPCJ over this matter was called into question, and representatives decided that the most the CCPCJ could do would be to ask the Economic and Social Council to look into the issue.

199 4 Chapter IV

200 4.1 Adoption of the report of the Commission

At its meeting on 25 November 2019, the draft report of the Commission was made available for consideration. The Commission considered the report, and with no amendments, adopted the report by consensus, with one abstention.

Passed by consensus, with 1 abstentions