

Office for Women
Department of Prime Minister and Cabinet
By email to: WomensBranchInternational@pmc.gov.au
5 February 2019

Australian Women Against Violence Alliance

Submission to inform the Australian Government's priority-setting for the 63rd Session on the Commission on the Status of Women (CSW63)

Thank-you for the opportunity to inform the Australian Government's priority-setting for the 63rd Session on the Commission on the Status of Women (CSW63).

About the Australian Women Against Violence Alliance (AWAVA)

Australian Women Against Violence Alliance (AWAVA) is one of the six National Women's Alliances funded by the Australian Government to bring together women's organisations and individuals across Australia to share information, identify issues and contribute to solutions. AWAVA's focus is on responding to and preventing violence against women and their children. AWAVA's role is to ensure that women's voices and particularly marginalised women's voices are heard by Government, and to amplify the work of its member organisations and Friends and Supporters. AWAVA's members include organisations from every State and Territory in Australia, representing domestic and family violence services, sexual assault services, women's legal services, and services for women in the sex industry, as well as organisations representing or working with Aboriginal and Torres Strait Islander women, young women, women educators and other groups. AWAVA's contract manager is the Women's Services Network (WESNET).

Introduction

This submission highlights principles for language negotiations at CSW63, focusing on the intersection of the CSW63 priority theme (public services, social protection, and infrastructure for gender equality) with AWAVA's area of interest: gender-based violence against women.

Violence against women – definitions

AWAVA supports language that is grounded in a human rights framework and upholds the gendered nature of violence against women.

We support the definition of violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life' (United Nations Declaration on the Elimination of Violence against Women - A/RES/48/104).

We support the use of language that employs this **broad definition, rather than language that reduces violence against women to domestic violence or intimate partner violence** (although in places it may be appropriate to use the specific terms when referring directly to these forms of violence).

The concept of violence against women must be used in such a way that is understood to include: sexual violence of all forms including sexual harassment in the workplace and other settings; trafficking and sexual exploitation; early and forced marriage; dowry abuse; labour, domestic and sexual servitude; technology-facilitated abuse; reproductive coercion; forced sterilisation of women with disability; and medically unnecessary procedures on intersex infants and children - among other forms of violence.¹ We support definitions that conceptualise violence against women as more than physical and/or sexual violence or abuse.

Services for victims/survivors as essential services/infrastructure

We support language that:

- upholds the **importance of specialist services for victims/survivors of gender-based violence against women as essential services**
- upholds the principle of **universal access** to comprehensive social, health and legal services for all victims and survivors
- addresses the specific rights and needs of **women and girls facing multiple and intersecting forms of discrimination**
- upholds the principle that services for victims/survivors should be **specialised and geared to women's empowerment, culturally-appropriate and accessible.**
- Calls upon states to develop services in **collaboration** with women and girls facing multiple and intersecting forms of discrimination and, particularly **in relation to Indigenous women, to support women's community-controlled services.**²

General public services and social security payments

We support language that:

- Upholds **universal access to public services and payments** as essential to underpin women's ability to live free of violence
- Recognises that access to public services and social protection is **particularly important for women and girls facing facing multiple and intersecting forms of discrimination**, including women from migrant, refugee and asylum seeking backgrounds.
- Calls upon states to **eliminate strict and exclusionary eligibility criteria for services and payments**, which lead to gaps by which the most impoverished and marginalised women are left in situations of continuing violence.

¹ Paragraphs and documents that are relevant to these principles include: General Recommendations: No. 19 (1992), para. 14; No. 32 (2014), para. 14; Article 1, 2, 3, 5, 11, 12, 13, 15 and 16; Article 6 of CEDAW.

² We note that the Report of the Secretary-General on Social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls puts forward the following recommendation for consideration by the Commission on the Status of Women: "Scale up investment to increase the availability of public care services and coordinated, multisectoral services for women and girls who are survivors of violence" (<https://undocs.org/en/E/CN.6/2019/3>) Other paragraphs and documents that are relevant to these principles include: CSW57 E/2013/27-E/CN.6/2013/11, Agreed conclusions on the elimination and prevention of all forms of violence against women and girls, paras. 12; 34, C (ddd to III); CSW28 2014, E/CN.6/2014/L.7, CSW Agreed conclusions on Challenges and achievements in the implementation of the Millennium Development Goals for women and girls, para. 42 (I)); CSW 2017 Agreed Conclusions, para. 14; Essential Services Package for Women and Girls Subject to Violence.

- Calls upon states to **ensure workers in generalist public and social services are trained to identify and respond appropriately to gender-based violence against women**
- Recognises safe, affordable and reliable **access to the internet and online services** as essential for women to achieve lives free of violence, particularly for women living in rural, remote, and regional areas.³

Sexual and reproductive health and rights

We support language that:

- Upholds sexual and reproductive health and rights, including **universal access to comprehensive, quality and affordable, evidence-based education, information and services** to advance sexual and reproductive health and rights and the need for women to have control over their sexual and reproductive health.

Prevention of violence against women

We support language that:

- Calls upon states to **introduce and strengthen infrastructure for gender equality**
- Calls upon states to deliver well-resourced ongoing programs to prevent violence by promoting **respectful relationships and challenging harmful stereotypes** and male privilege, and providing age-appropriate **comprehensive sexuality education** to people across the life-span.⁴

We thank you for the opportunity to contribute to the Government’s priority-setting. If you would like to discuss the contents of the AWAVA submission further, please contact Merrindahl Andrew, AWAVA Program Manager, using the details below.

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³ The Report of the Secretary-General (E/CN.6/2019/3) puts forward the following recommendation for consideration by the Commission on the Status of Women: “Assess the need for conditionalities and ensure that, where they exist, non-compliance does not lead to punitive measures that exclude already marginalized women and girls.” (<https://undocs.org/en/E/CN.6/2019/3>) Other paragraphs that are relevant to these principles are: 2015, A/HRC/RES/29/614, HRC Resolution 29/14, Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence, OP.9 (f); 2017, A/HRC/RES/35/10, HRC Resolution 35/10, Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against all women and girls, OP.10 (d).

⁴ Some paragraphs that are relevant to these principles are: 2017, A/HRC/RES/35/10, HRC Resolution 35/10, Accelerating efforts to eliminate violence against women: engaging men and boys in preventing and responding to violence against all women and girls, OP. 9 (g); 2013, E/2013/27-E/CN.6/2013/11, CSW Agreed conclusions on the elimination and prevention of all forms of violence against women and girls, para. 34, (kk)