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### **Violence Against Women in Politics**

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\* The views expressed in this paper are those of the authors and do not necessarily represent those of the United Nations.

*This contribution by Dubravka Šimonović, the UN Special Rapporteur on violence against women, its causes and consequences is a summary of her “Report on violence against women in politics” (A/73/301) prepared by her and presented to the UN General Assembly in 2019<sup>1</sup>. It provides an analysis with recommendations on preventing and combating gender based violence against women in politics, including in elections.*

Spread of the COVID 19 pandemic at the beginning of the 2020 and restrictive lockdown measures imposed by States have negatively affected women in all areas of life including women in politics and public life.

The Special Rapporteur issued a call for more information on violence against women during the COVID 19 pandemic and based on the 274 inputs received prepared for the General Assembly report on the **“Intersection of the COVID-19 pandemic and the pandemic of gender-based violence against women, with a particular focus on domestic violence, while encouraging the “peace at home” initiative of the Secretary General”** (A/75/44).<sup>2</sup>

The main findings of this report reveal that the intersection of two pandemics ( COVID-19 pandemic, and its lockdown measures, and the pandemic of violence against women) has increased the risk of gender based violence against women **and exposed and exacerbated pre-existing gaps and shortcomings**. It also addresses shortcomings of inclusion of women in the design of COVID-19 response plans and notes that **in the majority of States**, women were **absent from local**, national and global COVID-19 response teams, policy spaces and decision-making, reflecting the low number of women Members of Parliament and leaders at the global and national levels.<sup>3</sup> Although many recommendations from this report could be relevant for women in politics and public life two are specifically addressing political participation of women during the COVID 19 pandemic.

*“States also have a human rights obligation to guarantee women’s full and meaningful participation and equal representation in policymaking and decision-making in the COVID-19 response and recovery efforts, including social and economic recovery plans, at all levels and to recognize women as significant agents for societal change in the present and post-COVID-19 period” .<sup>4</sup>*

*“States should bring national legal frameworks and policies in line with international human rights standards on preventing and combating violence against women, as set out in the Declaration on the Elimination of Violence against Women, the Beijing Platform for Action and general recommendations No. 19 (1992) on violence against women and No. 35 of the Committee on the Elimination of Discrimination against Women and relevant regional instruments. “<sup>5</sup>*

## **Violence against women in politics**

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<sup>1</sup>A/73/301, available at: <https://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/AnnualReports.aspx>

<sup>2</sup><http://undocs.org/A/75/144>

<sup>3</sup> Ibid para 26

<sup>4</sup> Ibid 91. (b)

<sup>5</sup> Ibid 91 (c)

Violence against women in politics has, until recently, received little attention. The report on the Special Rapporteur **Violence against women in politics ( A/73/301)** helped raise visibility of violence against women in politics and calls for urgent action by States, by non-State actors, including political parties, as well as the UN and other international organizations and independent expert monitoring mechanisms on women rights, civil society organisations, and independent human rights institutions, to prevent and combat gender-based violence against women in politics and elections and by doing so enabling their increased political participation, and to support and provide redress to women who are willing to speak up.

Women should courage to speak up, when they speak up they must be listened and supported without re-victimization by a gender blind legal norms and practice. All women in politics, whether at the national or international levels, must be empowered to tackle the culture of silence against gender-based violence, to speak up and report such violence to appropriate national and international mechanisms, in order to hold the perpetrators accountable and to advance system-wide change on the path to achieving equality between women and men in all areas of life and parity in political and public life without gender-based violence against women.

### ***Links between discrimination and gender based violence against women in politics and in public life***

The scourge of widespread and systematic gender based violence against women is deeply rooted in inequalities and discrimination against women and continues to shape the lives of female politicians, activists, and voters around the world, often with devastating affect not only on the victims and their families, but also on democracy itself.

The international human rights framework explicitly addresses the right to no discrimination based on sex and the right to the equal participation by women in political and public life, yet despite the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (art. 7 and 8) that explicitly addresses the right to equal participation by women in political and public life women remain significantly **underrepresented**, at all levels of political decision-making. Indeed, as of 1 January 2017, only 7.2 per cent of heads of State, 5.7 per cent of heads of government and 23.3 per cent of members of parliament were women.

This imbalance of women's political participation in political and public life **is a form of discrimination against women that contravenes the CEDAW Convention as well as the Beijing Platform for Action and the Sustainable Development Goal 5 (target 5.5)**, which provide for the elimination of all forms of violence against all women and girls in the public and private spheres.

**Violence against women in politics contributes to this effect and violates women's human right to live free from gender-based violence in political and public life, and affects the realization of all other human**

rights, including the ability of elected women to represent their constituents effectively.

The Special Rapporteur also calls for the elimination of violence against women in politics within the context of implementing Security Council resolution 1325 (2000), which includes the participation of women in transitional political and peace processes.

The underrepresentation of women in politics and in public life, including in the institutions of all States and in representative positions at the international level (such as ambassadors in permanent missions) is **caused and exacerbated by sex and gender based discrimination, harmful stereotypes and gender-based violence.**

### *Definition of violence against women in politics*

Definition of violence against women as contained in the Declaration on the Elimination of Violence against Women (art. 1) complemented by the definition of violence against women in the CEDAW General recommendation No. 19 (1992) on violence against women (para. 7) **is applicable on violence against women in politics, including in and beyond elections. Violence against women in politics** consists of “any act of gender-based violence, or threat of such acts, that results in, or is likely to result in, physical, sexual or psychological harm or suffering” and is “**directed against a woman in politics because she is a woman, or affects women disproportionately**”.<sup>6</sup>

**Violence against women in politics violates women’s human right to live free from gender-based violence in political and public life and affects the realization of all other human rights, including the ability of elected women to represent their constituents effectively.**<sup>7</sup>

### *Manifestations of violence against women in politics*

Violence against women in politics is often manifested through misogynistic and sexist verbal attacks, to the most commonplace acts of harassment and sexual harassment, much of it increasingly online, or even femicide.

The murder of Jo Cox, a Member of Parliament in the United Kingdom of Great Britain and Northern Ireland in 2016; of a prominent Afro-Brazilian human rights defender, Marielle Franco in 2018; and of of Honduran environmental activist Berta Cáceres, in 2016, demonstrated, tragically, that women continue to suffer gender-based oppression when engaging in public and political life .

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<sup>6</sup> Report by the Special Rapporteur on violence against women in politics, A /73/301, para 12

<sup>7</sup> Ibid para 42.

The aim of such violence is to **discourage women** from being politically active, and to preserve traditional gender roles and stereotypes and maintain structural and gender-based inequalities.

While violence against women in politics may be carried out by State and non-State actors, including members of political parties, fellow or opposition parliamentarians, voters, media representatives or religious leaders, political adversaries are not the only perpetrators, and in many cases, women can be subjected to violence by their peers, family members or friends in an attempt to discourage them from engaging in political life.

Persisting stereotypes associating men with interaction in the public sphere and women with the private, will only seek to further restrict women's access to the political arena, while a culture of silence, stigma and impunity associated with gender-based violence, lead to under-reporting and impunity for perpetrators.

### ***Intersectional discrimination and gender based violence against women in politics***

Some women in politics may be more exposed to risks of gender-based violence than others, including: human rights defenders; young, indigenous, lesbian, bisexual and transgender and intersex activists; members of opposition or minority groups; and those voicing minority, dissenting or "controversial" views.

### ***The normalization of violence against women in politics***

Violence against women in politics is **often normalized and tolerated**, especially in contexts where patriarchy is deeply embedded in society. Stereotypes associating men with interaction in the public sphere and women with the private, domestic sphere of family and home persist in most parts of the world today. Such norms include perceptions that a woman's role should be restricted to the private domain (home and caretaking), that politics is not relevant to the daily lives and needs of women and that women are incapable and ineffective leaders.<sup>8</sup>

### ***Data on violence against women in politics***

Data on the level of violence against women in politics and during elections are lacking at all levels. Acts of such violence tend to be treated as isolated incidents rather than manifestations of widespread, structural discrimination against women in political and public life. Many cases are underreported due to possible impact on the political ambition of women.

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<sup>8</sup>ibid , para 16

## **SRVAW communication procedure as a tool to report VAWP**

<sup>9</sup> Since 2010, the mandate of the Special Rapporteur on violence against women has sent five joint communications to States related to violence against women in politics and the Special Rapporteur encourages all relevant stakeholders to use the complaints mechanism to report cases of violence against women in politics.

### ***Recommendations<sup>10</sup> by the Special Rapporteur to relevant stakeholders***

There are two dominant conclusions in my report, first, violence against women in politics constitutes a serious violation of women's human rights and is an obstacle to achieving equal political participation and gender equality; and second, there is an urgent and real need to design, adopt and enforce laws and policies that will effectively combat and prevent violence against women, inclusive of political violence, and to guarantee the equal participation of women in political and public life, in compliance with international human rights law that prohibits all forms of gender-based violence against women and protects their right to equal political participation.

The mandate of the Special Rapporteur on violence against women and other **UN and regional independent expert monitoring mechanisms<sup>11</sup>** are key expert mechanism to provide guidance to States on combating and preventing such violence in line with their international and regional human rights commitments.

#### **States should:**

- Adopt and implement legislation prohibiting and criminalizing violence against women in politics or incorporate adequate provisions into existing laws on eliminating violence against women, con-

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<sup>9</sup> See SRVAW communication procedure

<sup>10</sup> *ibid* para 77 to 89

<sup>11</sup> UN Special Rapporteur on violence against women (SRVAW); UN Committee on the Elimination of Discrimination against Women (CEDAW); UN Working Group on the issue of discrimination against women and girls (WGDAW); Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI); Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) African Commission on Human and Peoples' Rights Special Rapporteur on the Rights of Women in Africa (A SRWHR); Inter-American Commission on Human Rights Rapporteur on the Rights of Women (IA RWHR)

sistent with international and regional human rights standards. That includes laws to prohibit sexism, harassment and other forms gender-based violence against women in politics, public life and parliament. Laws must be comprehensive enough to cover new forms of violence, including online or ICT-facilitated violence against women;

- Build the capacity of all State institutions, including parliaments and election bodies, to guarantee that women can work in security, free from gender- based violence, including sexual harassment, and engage in transparent discussions about the prevention of violence against women, including by conducting surveys on prevalence and creating mechanisms for efficient complaints procedures;
- Strengthen the legislative basis for **gender parity** in all branches and at all levels of government to guarantee women's full participation in political and public life
- Strengthen complaint mechanisms and response protocols in line with international and regional standards by, for instance, issuing guidelines, codes of conduct and protocols for institutions like parliaments, electoral management bodies, political parties, electoral courts, legislative chambers or local administrations, and ensure enforcement mechanisms are functional;
- Collect and monitor data on violence against women, including on femicide, in politics nationally and analyse each case to design prevention strategies.
- Establish access to justice mechanisms and reparation measures for women victims of violence in politics,
- Ensure, that human rights protected offline are protected online, and that all forms of ICT-facilitated violence against women in politics are criminalized and prosecuted;
- Encourage the media to promote public awareness and actions to mitigate gender-based stereotypes and violence against women in politics, develop media campaigns and increase the visibility of women's empowerment initiatives to tackle violence against women in politics;
- Ensure that sentences issued by the judiciary, including electoral justice bodies, on cases of violence against women in politics are made public and include a gender perspective in line with international standards;
- Strengthen efforts and build capacity to protect women who belong to categories that are particularly targeted by violence against women in politics;
- Train law enforcement officials, including members of the security services and judges, to apply laws consistent with international human rights standards when investigating complaints and prosecuting perpetrators.

**National parliaments are encouraged to:**

- Adopt new legislation or adapt existing legislation to protect women in politics against violence and use oversight powers to ensure its strict implementation;
- Adopt new codes of conduct and reporting mechanisms, or revise existing ones, stating clearly the zero tolerance of parliament for sexual harassment, intimidation and any other form of violence against women in politics;

- Conduct surveys and public debates periodically to raise awareness of the issue of violence against women in politics and the crucial role that male parliamentarians can play in preventing violence against women in politics;
- Address the impunity of members of parliament with regard to violence against women in politics and examine immunity rules that should not, by any means, protect the perpetrators of such violence.

***Political parties are encouraged to:***

- Address violence against women in politics in the founding documents and codes of conduct of political parties, making public their rejection of any form of violence against women in politics and effectively sanctioning such violence perpetrated by members;
- Adopt internal regulations, codes of conduct and zero-tolerance policies for perpetrators of any form of violence against women in politics and elections, including sexual harassment and violence perpetrated through media releases and statements;
- Include male parliamentarians in efforts to prevent and respond to violence against women in politics and elections as advocates and agents of change

***Electoral stakeholders are encouraged to:***

- Electoral management bodies: monitor and report violence against women in elections, analyse voter and candidate registration procedures to prevent the erection of barriers to women's participation; ensure that voting arrangements guarantee women's safety in registration centres and polling stations; integrate information about violence against women in politics and elections and respective mitigation measures into training programmes for electoral administrators; and ensure that early warning systems for election violence and electoral security assessment address gender-based forms of violence;
- National and international election observation missions: include information in mission reports on the number or percentage of women who vote and are elected and quantitative and qualitative data on violence against women in politics and elections throughout electoral processes; and train election observers.

***Independent UN and regional expert monitoring mechanisms on violence against women and women's rights are encouraged to:***

- Strengthen monitoring roles to address the shortcomings of States in eliminating violence against women in politics. In particular, the Committee on the Elimination of Discrimination against Women should systematically integrate violence against women in politics into its reporting process and guidelines, which are being revised in line with the Sustainable Development Goals, while the Special Rapporteur on violence against women and other mandate holders should use their communications procedures and those of the human rights treaty bodies, including that provided

for under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, to address violence against women in politics;

- Encourage women's human rights organizations and victims of violence against women in politics to file complaints with the Special Rapporteur on violence against women and to other relevant special procedures and treaty bodies through their respective complaints procedures;
- All women in politics, whether at the national or international levels, are encouraged to tackle the culture of silence against gender-based violence and to speak up and report such violence to the appropriate national and international mechanisms, in order to hold the perpetrators accountable and advance system-wide changes on the path to achieving equality between women
- Expand cooperation with election observation and human rights monitoring communities to conduct analysis of violence against women in elections, such as by sharing data-driven findings on violence against women in elections and encouraging formal submissions to the treaty-monitoring bodies and the universal periodic review process, using the communications procedures of human rights mechanisms and sharing reports with special procedures mandate holders;
- Cooperate with civil society organizations, and other stakeholders to prevent and combat violence against women in politics and eliminate gender discrimination.

***The United Nations system and other international and regional organizations are encouraged to:***

- Support and complement the efforts of Member States to prevent and combat violence against women in politics, including by developing standards for data collection and supporting monitoring initiatives over the entire election cycle, in cooperation with independent expert mechanisms on violence against women and women's rights;
- Raise awareness of violence against women in politics in United Nations offices and missions in order to ensure the implementation of the provisions of Security Council resolution 1325 (2000), which includes the participation of women in transitional political and peace processes.

***The Commission on the Status of Women should:***

- Include violence against women as a standing item on the agenda and elaborate a global implementation plan to eliminate violence against women; and include violence against women in politics in its annual discussion.