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**HOW PARLIAMENTS CAN AND MUST PROMOTE EFFECTIVE WAYS OF COMBATING  
VIOLENCE AGAINST WOMEN IN ALL FIELDS**

***Report prepared by the co-Rapporteurs***  
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**Introduction**

1. The 111th IPU Assembly adopted by consensus a resolution entitled Beijing + 10: An evaluation from a parliamentary perspective, as a contribution to the forty-ninth session of the United Nations Commission on the Status of Women (CSW) held in 2005, with the aim of reviewing and appraising the 1995 Beijing Declaration and Platform for Action and the outcome document of the twenty-third United Nations General Assembly Special Session.
2. In that resolution, the IPU offered guidance to parliaments regarding the role of parliamentarians and their contribution to such an important event. It expressed its concern regarding the degree and pervasiveness of violence against women (VAW), and considered that combating VAW was essential to achieving equality between the sexes, and was also a prerequisite for women's empowerment and their full enjoyment of human rights. The IPU also urged States inter alia to commit themselves to eradicate VAW in all its forms and to adopt measures to that end.
3. The resolution, as well as all the documents adopted previously on this subject by the IPU Assembly, is still relevant today, as combating VAW is unfortunately an ongoing and complex process which, in many cases, has not yet been initiated.
4. According to the Report of the Secretary-General on measures taken and progress achieved in the follow-up to and implementation of the Fourth World Conference on Women and the twenty-third United Nations General Assembly special Session, with an assessment of progress made in mainstreaming a gender perspective within the United Nations system, which was submitted to the forty-ninth session of the CSW, violence against women and girls is a problem worldwide. This idea was highlighted by the work carried out on the ground by the five regional commissions of the United Nations during the evaluation process prior to the forty-ninth session of the CSW, as well as questionnaires compiled at the national level.

5. Governments attending the forty-ninth session of the CSW stressed the continued relevance of the Beijing Declaration and Platform for Action and their key role in achieving the Millennium Development Goals. They also highlighted that their implementation complemented the Convention on the Elimination of All Forms of Discrimination against Women in achieving gender equality and the empowerment of women.

6. By debating the resolution attached to this report, the IPU will be responding to the international appeal of the Beijing Declaration as part of the Union's commitment to intensify its efforts to achieve set objectives.

7. This report is intended to stimulate further debate likely to promote future actions in all parliaments with an aim to eradicating VAW.

#### **I. HUMAN RIGHTS AND VAW: DEFINITION AND INTERNATIONAL LEGAL FRAMEWORK**

1. VAW, in the words of United Nations Secretary-General (SG/SM/6334), is "the most pervasive human rights violation, respecting no distinction of geography, culture or wealth".

2. Twenty years ago, the Third World Conference on Women (Nairobi, 1985) recognized that this form of violence "is an obstacle to the achievement of equality, development and peace (...) and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women".

3. The Convention on the Elimination of All Forms of Discrimination against Women includes a specific reference to trafficking of women and their exploitation through prostitution (Article 6). General Recommendation No. 12 (eighth session, 1989) of the Committee on the Elimination of Discrimination against Women (also known as the Committee of the Convention, or the Convention's treaty body) proclaims that "Articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of any kind occurring within the family, at the workplace or in any other area of social life".

4. The Committee's General Recommendation No. 19 (1992) offered the first definition of VAW within the framework of the Convention, unambiguously stating that it is based on discrimination and describing it as "a discrimination which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms".

5. A United Nations General Assembly resolution entitled Declaration on the Elimination of Violence against Women (resolution 48/104 adopted on 20 December 1993) developed the most broadly accepted definition of VAW as being "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". This definition includes physical, sexual or psychological violence occurring in the family, within the general community or perpetrated or condoned by the State. It also qualifies practices such as sterilization and forced abortions, coercive or forced use of contraceptives, prenatal sex selection and female infanticide as acts of VAW.

6. The Beijing Platform stresses that "violence against women and girls is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental

freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed.”

#### **A. International legal framework**

1. VAW violates the rights enshrined in the Universal Declaration of Human Rights, the United Nations Charter and the Convention on the Elimination of All Forms of Discrimination against Women. It has been, and still is, such a serious problem throughout the world that it has been the subject of many international, regional and national agreements, conventions and resolutions. The most relevant are:

- The Convention for the amelioration of the condition of the wounded and sick in armed forces in the field (1949);
- The Convention for the amelioration of the condition of wounded, sick and shipwrecked members of the armed forces at sea (1949);
- The Convention relative to the treatment of prisoners of war (1949);
- The convention relative to the protection of civilian persons in time of war (1949);
- The Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international conflicts (Protocol I) (1977);
- The Protocol additional to the Geneva conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), (1977);
- The Convention on the Elimination of All Forms of Discrimination against Women (1979);
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999);
- The Convention on the Rights of the Child (1989);
- The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (1993);
- The Declaration on the Elimination of Violence against Women (A/RES/48/104, of 1993);
- The Programme of Action of the International Conference on Population and Development, (Cairo, 1994);
- The Convention on the Prevention, Punishment and Eradication of Violence against Women (the Belém do Pará Convention) (1994);
- The Copenhagen Declaration and Programme of Action (1995);
- The Beijing Declaration and Platform for Action (1995);
- Follow-up measures concerning violence against women adopted by the CSW and the outcome documents of the twenty-third United Nations General Assembly Special Session entitled Women 2000: Gender Equality, Development and Peace for the Twenty-First Century (2000);
- The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo, 2003);
- The Millennium Declaration (2000);
- United Nations Security Council resolution 1325 (2000) on women and peace and security;
- United Nations General Assembly resolution 56/139 of 2002 on the girl child;
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (2003);
- United Nations General Assembly resolution 58/143 of 2004 on violence against women migrant workers;

- United Nations General Assembly resolution 58/147 of 2004 on the elimination of domestic violence against women;
  - Resolutions adopted by the Third European Ministerial Conference on Equality between Women and Men on ways of combating violence against women (Rome, 1993).
2. After the forty-ninth session of the CSW, a number of important instruments were adopted within the framework of the United Nations system, including the United Nations Commission on Human Rights, on the elimination of violence against women (2005/41) and on integrating the human rights of women throughout the United Nations system (2005/42).
3. Significant progress has also been made in the consideration of rape and other acts of VAW as war crimes, crimes against humanity and elements of the crimes of genocide, torture and inhuman and degrading treatment that are covered by the Statutes of the International Criminal Court (in force since 2002).
4. The Heads of State and Government of the Council of Europe, in their Declaration adopted in Warsaw in May 2005, stated that they "are committed to eradicating violence against women and children, including domestic violence".

## **B. Legal framework of the IPU**

1. Paragraph 4 of the IPU's Universal Declaration on Democracy states that "the achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences".
2. Consequently, the IPU has repeatedly called for States to ratify the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol. It has also worked increasingly with the United Nations agencies that specialize in women's issues. The treaty body for the Convention has designated a permanent coordinator to liaise with the IPU.
3. With regard to the prevention and eradication of VAW, the IPU has adopted a number of resolutions, the most relevant being the following:
- Policies to put an end to violence against children and women (Pyongyang, 1991);
  - Promoting greater respect and protection of human rights in general and in particular for women and children (Beijing, 1996);
  - Dialogue among civilizations and cultures (Amman, 2000);
  - Education and culture as essential factors in promoting the participation of men and women in political life and as prerequisites for the development of peoples (Havana, 2001);
  - The role of parliaments in advocating and enforcing observance of human rights in the strategies for the prevention, management and treatment of the HIV/AIDS pandemic (Manila, 2005);
  - Beijing + 10: An evaluation from a parliamentary perspective (Geneva, 2004).

## **II. CONSEQUENCES AND COSTS OF VAW**

1. VAW is an obstacle to human development and to achieving the Millennium Development Goals. Countries cannot reach their full potential as long as women's potential to participate fully in their societies is denied. Health consequences are of great importance as well; while physical

injuries are one of the most visible forms of VAW, they represent only part of its negative health impact. The impact of violence on women's mental health has severe and even fatal consequences: stress, stress-related illnesses, panic attacks, depression, sleeping and eating disorders, high blood pressure, alcoholism, drug abuse and low self-esteem – all these are factors that can potentially lead to suicide.

2. The socio-economic costs of VAW also need to be taken into account. In particular, it should be noted that VAW has a serious impact on future generations, thereby perpetuating socio-economic costs. Many children of women who are victims of violence witness violence while growing up or suffer physical and mental abuse as victims of violence themselves. Moreover, since it is widely recognized that in certain cases these children also grow up to become perpetrators of violence, it is feared that this creates a chain of violence spanning generations.

3. For policymakers, assessing and calculating the costs of violence is strategic and crucial. It also serves to highlight the importance of prevention.

4. According to a study carried out by the Inter-American Development Bank, there are four types of socio-economic costs of VAW:

- Direct costs: These include the value of all goods and services devoted to prevention, treatment of victims or apprehending and/or prosecuting perpetrators;
- Non-monetary costs: Pain and suffering. These include health-related impacts that do not necessarily entail the provision of health-care services, such as higher morbidity and mortality rates due to homicides and suicides, alcohol and drug abuse and depression;
- Economic multiplier effects: Violence generates a number of significant multiplier effects on the economy, such as a lower accumulation of human capital, a lower rate of participation in the labour market, lower productivity, higher rates of absenteeism from work, lower incomes, and an impact on the future productivity of children, as well as (at the macro-economic level) lower rates of savings and investment. Another economic multiplier effect of domestic violence is the intergenerational impact it can have on the economic future of children. Children who are victims or witnesses of domestic abuse are more likely to have disciplinary problems in school;
- Social multiplier effects: Social effects include intergenerational transmission of violence, reduced quality of life and reduced participation in democratic processes.

#### **A. Magnitude of the problem and specific cases**

##### **(a) Challenge of collecting data**

1. The extent, validity and reliability of available data are critical in determining the magnitude of the problem, in identifying priority areas for intervention and in developing effective policies. According to a recent United Nations expert group meeting on collection of data on VAW, substantial progress had been made in the past 10 years developing methodologies and procedures for data collection, and a reliable body of evidence on the extent, nature and consequences of VAW is currently available. However, this data is difficult to compare across countries and regions. Challenges also remain, including a lack of data collection on certain forms of VAW and a lack of reporting or under-reporting of VAW.

2. Countries need to strengthen their capacity to systematically and accurately collect, process and disseminate data on VAW. The design and collection of data on VAW should however be an inclusive process whereby all stakeholders are involved (including government, parliament, women's organizations and non-governmental organizations (NGOs)).

3. When designing research on VAW, it is important that the research itself should not put women at risk. The specific ethical and safety guidelines developed by the World Health Organization (WHO) take into account, among other issues, the safety of the respondents and the research team, protection of confidentiality and specialized training of interviewers.

4. Statistical data should be complemented by qualitative methods to capture the complexity, variety and depth of women's experiences with violence.

(b) Current situation: achievements and challenges

1. Violence against women and girls is on the rise and affects all States, regardless of differing identity factors, traditions, cultures and stages of development, as revealed by the various studies conducted at the national, regional and international levels by different agencies and NGOs and presented at the forty-ninth session of the CSW.

2. Despite efforts carried out over many years at the international, regional and national levels, VAW continues to be a major problem throughout the world.

- One out of three women has been beaten, forced to engage in sexual relations or suffered some kind of abuse in her lifetime. On many occasions the aggressor is a friend or relative (according to L. Heise, M. Ellsberg and M. Gottemoeller);
- At least 54 countries have laws that discriminate against women, and at least 79 have no legislation against VAW.

3. After the Fourth World Conference on Women, many States implemented laws and carried out important legislative reforms and policy changes with a view to combating VAW, as revealed by a number of reports.

4. The United Nations Member States, in their Millennium Declaration, committed themselves to "combat all forms of violence against women" (paragraph 25). Significant progress has been made under the scope of the Belém do Pará Convention (Fourth Biannual Report, 23 March 2005) and the African Charter on Human and Peoples' Rights and its Protocol on the Rights of Women in Africa (Special Rapporteur's report, 2005).

5. There is therefore a solid international, regional and, in many cases, national legal framework in place to combat VAW, which, despite the progress achieved, has not been able to curb the spread and worsening of the problem. Existing laws are very often breached. A recent study found that of 91 countries that declared they had applicable legislation on VAW, only 21 were enforcing them (UNFPA Global Survey 2004). The main reason is that despite existing laws, the root causes that sustain discrimination are still in place - namely, unequal power relations between men and women that are perpetuated by traditions, and customs which are used to legitimize violence as a means to resolve conflicts.

6. It is now clear that as well as laws (which are of course necessary, all the more so where they have not yet been enacted), we also need political will, financial means and an unavoidable shift in women's and men's roles and stereotypes among the world's peoples and cultures, all of which requires a joint public and private effort. This will require the active involvement of men throughout the process. They must be willing to analyse and change their attitudes so as to achieve the true equality enshrined in the Convention on the Elimination of All Forms of Discrimination against Women.

7. Achievements and outstanding challenges, as well as further actions and initiatives under each of the Beijing strategic objectives (D1, D2 and D3) with regard to VAW, are analysed in depth in the report of the United Nations Secretary-General to the forty-ninth session of the CSW, quoted above (E/CN.6/2005/2). The present report outlines only the most pervasive difficulties: the shortage of financial means, the lack of precise and reliable data on the causes, prevalence and consequences of VAW at all levels, and the persistence of deep-rooted customs and traditions that place women in a subordinate position.

## **B. Types of VAW**

### **(a) Domestic VAW**

1. WHO reports that over half the murders of women in many countries are perpetrated by their husbands or partners, and not always following a situation of sustained abuse.

2. United Nations General Assembly resolution 58/147 on the elimination of domestic violence against women calls on all States "not to invoke any custom, tradition or religious consideration to avoid their obligations to eliminate violence against women".

3. The resolution states that women are subject to this form of violence throughout the world, that the perpetrators are often not prosecuted or punished and that in some countries domestic violence, including sexual violence within marriage, is still considered a private affair.

4. Despite the fact that domestic violence is the most prevalent form of VAW, only 51 States class rape within marriage as a criminal offence (Special Rapporteur's report, 2003). A number of countries are currently adopting stricter measures (Spain).

5. In the context of domestic violence, children living with their mothers often also become victims of abuse. Therefore, they must be taken into account when designing policies for the prevention of VAW and specialized support. Studies tend to show as well that children who are victims of violence grow up to be violent themselves.

6. A number of local and national studies and assessments already exist (generally based on accounts of police reports and prosecutions or surveys). However, the forthcoming multi-country study on women's health and domestic violence carried out by WHO over five years in eight very different countries (Bangladesh, Brazil, Japan, Namibia, Peru, Thailand, the United Republic of Tanzania and Samoa) promises to be useful and revealing. WHO's Ethical and Safety Recommendations for Research on Domestic Violence against Women offer a preview of the many positive effects of a study of this type, not least WHO's willingness to work and engage with all States.

7. Some of the far-reaching recommendations they have kindly shared with us are the following:

- Prioritize prevention and treatment of sexual abuse in childhood (under the age of 15). Between 10 and 20 per cent of these acts of violence against women and girls are perpetrated in the home or in the child's close environment;
- Carry out prevention campaigns targeted at children and young men (tied in with other campaigns);
- Emphasize the close link between violence and HIV/AIDS.

8. The study currently under way on the costs of violence will also be a relevant contribution and a stimulus for States to take action.

(b) Harmful traditional practices

1. The best approach to this form of VAW is summed up in the final report of the Special Rapporteur on traditional practices affecting the health of women and the girl child, Ms. Halima Embarek Warzazi.

2. The report analyses traditions and practices that are a special source of concern: female genital mutilation; the preference for male offspring and its consequences, such as granting males advantages in terms of nutrition, female infanticide and pre-natal selection; harmful practices linked to marriage, such as forced marriage or early marriage, crime and violence with regard to dowries and the subordinate status of women; traditional practices for childbirth; and crimes committed in the name of honour or crimes of passion. The report acknowledges and praises achievements, and concludes with a number of recommendations to States. Some of the figures it includes, however, are demoralising.

3. Female genital mutilation has been carried out on 130 million girls and women located mainly in 28 African States, in parts of Asia, in the Middle East and in some immigrant communities in Europe, Australia, Canada and the United States of America.

4. The report gives evidence of an increase in female genital mutilation in host countries and reveals that the practice is applied increasingly early on newborn girls, and is carried out in clandestine conditions. All our efforts will be required to ensure the full eradication of such practices.

5. Worthy of praise is the adoption of legislation in 16 African and Western States. The Council of Europe, the European Parliament and the Western European Union have also adopted relevant resolutions (Special Rapporteur's report, paragraphs 44 and 54).

6. The HIV/AIDS phenomenon, among other perverse effects, has brought about a considerable increase in the number of girls married at a very early age, as young girls are less likely to be infected with HIV/AIDS and therefore are seen as fit and healthy brides (paragraph 73).

7. The number of girls and young women forced into marriages arranged by their families is also increasing, also in the West (paragraph 85).

8. United Nations General Assembly resolution 57/179 on work towards the elimination of crimes against women committed in the name of honour is an important step in the right direction in combating this type of violence, which is deeply rooted in some parts of the world.

(c) VAW in the workplace

1. The forms of VAW vary: it includes sexual or psychological harassment in the workplace, violence in the context of forced labour and violence against migrant workers.

2. An ILO study, *Violence at Work* (Chappell and Di Martino) states that physical and psychological violence in the workplace has taken worldwide proportions. A recent ILO report recognized the fact that “women are especially vulnerable” and sets out guidelines for the adoption of policies for the prevention and eradication of such violence.

3. The economic cost is also extremely high, as proven by a number of national studies.

4. At the workplace, many women are subject to a double form of abuse. The same is true for migrant workers and workers from ethnic minorities in duty-free zones exempt from labour laws.

5. There is also an obvious link between female migration and the trafficking of women and girls with a view to sexual exploitation.

6. This form of violence may be perpetrated by family members, colleagues or clients.

7. The 1998 ILO Declaration on Fundamental Principles and Rights at Work stresses the need to eliminate all forms of forced and compulsory labour, laying down a number of recommendations.

8. General Recommendation No. 19 (regarding Article 11, paragraphs 17 and 18 of the Convention) issued by the treaty body for the Convention on the Elimination of All Forms of Discrimination against Women defines this form of VAW, and sets forth a number of relevant guidelines.

9. United Nations General Assembly resolution 58/143 on violence against women migrant workers (December 2003) expressed grave concern about abuse and acts of violence perpetrated against migrant workers and about the arrangement of marriages with a view to migration.

10. European trade unions are also working on the issue of violence linked to stress. Some States have already enacted relevant legislation on the issue, together with sexual and psychological harassment (Sweden being the pioneer).

(d) Sexual violence

1. WHO published an alarming report in 2002 revealing that “in some countries nearly one in four women may experience sexual violence by an intimate partner, and up to one third of adolescent girls report their first sexual experience as being forced.”<sup>1</sup> Sexual violence is indeed a grave challenge with a profound and long-lasting impact. Cognizant of this, the international community has made multifaceted efforts to combat sexual violence.

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1 Krug, E.G., et al., eds. *World report on violence and health*. Geneva, World Health Organization, 2002.

2. Since the World Conference on Human Rights was held in Vienna in June 1993 and expressed concern that VAW constituted a serious infringement of women's human rights and also the underlying cause and result of gender inequalities, a number of international legal frameworks have been introduced, inter alia, the Declaration on the Elimination of Violence against Women, adopted during the forty-eighth session of the United Nations General Assembly, the Beijing Declaration and Platform for Action,<sup>2</sup> which reaffirmed the former Declaration and expanded the scope of VAW, and the United Nations General Assembly Special Session on Women (2000), which reviewed the follow-up measures for the Beijing Declaration. Such measures are credited with having brought to the understanding of the international community the seriousness of sexual violence, provided the definition of sexual violence, and set the standard for the punishment of the perpetrators.

3. In accordance with such international efforts, individual countries have introduced various types of legislation and policies to prevent sexual violence, namely, the Violence against Women Act (United States), the Sex Offenders Act (United Kingdom of Great Britain and Northern Ireland), the Domestic Violence Act (Australia), the Protection of Women from Domestic Violence Act (India) and the Act on the Punishment of Sexual Crimes and Protection of Victims Thereof (Republic of Korea). The Juvenile Sex Protection Act of the Republic of Korea in particular prescribes the publication of detailed personal information (name, age, occupation, type of sex crimes committed, date and year of birth and home address) of sex offenders, including those who introduce, arrange or purchase underage prostitution services. Although some criticize the Act as a "twenty-first century version of a penalty against honor", the Juvenile Sex Protection Act has been in effect for some time for the greater public good of protecting the sexual integrity of children and juveniles.

4. In order to effectively combat sexual violence, national parliaments need to review the efficacy and relevance of their legal instruments aimed at preventing sexual violence. Furthermore, they need to raise the awareness of the international community of this issue by sharing with other countries their experiences with the laws and policies related to sexual violence.

5. It is also important to realize the need for a far more systematic approach to effectively thwart sexual violence. Combating sexual violence requires a sophisticated policy that incorporates three aspects that are intricately connected with each other, namely; prevention, punishment, and the protection of victims. With regard to prevention, special attention needs to be paid to providing a more comprehensive preventive programme as well as introducing and activating programmes to avoid recidivism. With regard to punishment, it is necessary to consider measures that are appropriate and that will deter sexual violence in the future in view of the grave physical and mental impact that sexual violence has on women. Particular attention should also be paid to the punishment of perpetrators and the protection of victims so that the devastated victims are spared from further afflictions during police and judicial proceedings.

6. Stronger legislative steps need to be taken especially to eradicate sexual violence against children, for there are many obstacles on the road to punishing the aggressor. While the mental

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<sup>2</sup> The Beijing Declaration broadened the scope of sexual violence to include any aggression against women in armed conflict, systematic rape, sexual slavery, forced pregnancy, coercive abortion and sterilization, forced use of contraceptives, female infanticide, and parental sex selection, etc.

and psychological distress inflicted upon young girl victims are indescribable, their testimony is hardly accepted as court evidence, which makes it extremely difficult to bring the perpetrators to justice. In this light, a more rigorous legal framework needs to be devised to clear such obstacles.

(e) Trafficking in women and girls

1. The United Nations Development Fund for Women reports that human trafficking grew almost 50 per cent from 1995 to 2000, and the International Organization for Migration estimates that as many as 2 million women are trafficked across borders annually. Women who fall into the trap of human trafficking often come from poor families in the Third World. Their parents or relatives sell them for financial gain. They may also come from regions subject to social and political unrest, where they are left with no other alternative to economically sustain themselves. Demand for trafficked women in countries of destination is another factor fuelling human trafficking.

2. It is forecast that human trafficking or illegal transactions involving women's bodies, particularly their sexuality, will grow as the speed of transactions of goods and services moving across borders further accelerates with the surge of globalization. This is precisely why international cooperation is called for in addressing the problem of human trafficking.

3. The international community has made various efforts to eradicate human trafficking, which takes a disproportionate toll on women and children. Ever since defining trafficking in women as a type of VAW in the United Nations Fourth World Conference on Women in 1995, the international community has taken diverse regional and global initiatives, such as the Bangkok Accord and Plan of Action to Combat Trafficking in Women (1998), the convening of the fifty-sixth session of the United Nations Human Rights Committee (2000), and the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).

4. Notwithstanding such international efforts, however, human traffickers still enjoy the benefit of low risk and high return due to the shortcomings in the legal systems of many countries. Therefore, parliaments need to pay special heed to stepping up international collaboration to effectively gain information, prosecute, and punish human traffickers, who know no national borders or boundaries.

5. The victims of human trafficking in many countries are granted no protection, and may even be deported by the state authorities for breaking the law. For this reason, the victims tend to hide from police and investigators the fact of human trafficking and the inhuman treatment they suffer. To protect the human rights of trafficked women, parliaments need to work out a comprehensive programme for the protection and rehabilitation of the victims of human trafficking, regardless of their nationalities, and introduce an appropriate legal framework to support that programme.

(f) Violence in situations of armed conflict

1. VAW, especially in the sexual context, increases during times of armed conflicts. In times of conflict, violence against women and girls often goes unpunished and may even be tolerated, as usual the protective systems, values, social order, and judicial system of peacetime are disrupted and become irrelevant. In particular, sexual violence can be used as a strategic and systematic method of warfare to torture, extract information, humiliate, threaten, intimidate and forcibly displace persons and to destroy communities.

2. Numerous reports issued by the United Nations Development Fund for Women and the Office of the United Nations High Commissioner for Refugees have indicated that mass rape has been used systematically on the battlegrounds of Bosnia and Herzegovina, Cambodia, Liberia, Peru, Somalia, and Uganda. It is estimated that more than 20,000 Muslim women were raped during the war in Bosnia and Herzegovina, and in some 94 per cent of displaced households surveyed in Sierra Leone there were reports of rape, torture and sexual slavery.

3. Parliaments are urged to commit themselves to implementing the recommendations highlighted by the Panel on Violence against Women and Children in Armed Conflict Situations (112th IPU Assembly) and to combat abhorrent crimes committed against women in situations of armed conflict. The recommendations include but are not limited to developing a legal framework to uproot violence against women and children, exercising an effective oversight system, developing and funding programmes of support for women and children and establishing a code of conduct for the military and peacekeepers, in accordance with the standards of international human rights law and humanitarian law. In so doing, parliamentarians must, of course, recognize the fact that while the requirements of women and children may often overlap, each group has its specific needs.

4. One of the effective measures to deter crimes against women and girls in armed conflict involves holding perpetrators accountable for their acts of violence, thus avoiding impunity. In this context, it is noteworthy that the Rome Statute of the International Criminal Court has laid the foundation to define and punish violence against women and girls in armed conflict situations as war crimes and crimes against humanity. Those States which have not yet done so are strongly advised to ratify or accede to the Statute. Furthermore, parliaments need to encourage governments to carry out in-depth investigations of the crimes and human rights violations committed against women and children in the past that have yet to be brought to light, and should urge them to take the necessary steps against the perpetrators of such crimes, on the basis of the rule of law.

## **Conclusion**

1. The forty-ninth session of the CSW (2005) marked the beginning of a new period in which we must draw on all our public and private efforts if we are to boost our effectiveness in reaching the objectives spelled out in the Beijing Platform and the Millennium Declaration.

2. The IPU Assembly should celebrate the fact that the world's governments that came together on that occasion ratified the Beijing Declaration and Platform for Action as optimal instruments in the struggle for the equality of men and women in all spheres. On the occasion of this Assembly, the IPU must confirm its commitment to achieving these objectives, especially Strategic Objectives D1, D2 and D3 with regard to VAW in all its forms, and throughout the world.

3. The IPU should therefore stress the role of parliaments and parliamentarians in combating domestic VAW, harmful traditional practices, VAW in the workplace, trafficking in girls and women and VAW in situations of armed conflict, strengthening actions focused on groups that are especially vulnerable and placing this issue at the top of the parliamentary agenda, and ensuring that governments meet their national, regional and international commitments, above all in the protection of human rights. This task requires sensibility, political drive and sufficient funding, since there can be no true development without equality, and there can be no equality so long as there is violence.