

**Commission on the Status of Women  
Forty-seventh session  
3-14 March 2003**

**Women's human rights and elimination of all forms of violence against women and girls as defined in the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly**

**Agreed conclusions**

1. The Commission strongly condemns all forms of violence against women and girls and calls for the active promotion and protection of all human rights - civil, cultural, economic, political and social, including the right to development - and fundamental freedoms of women and girls. The Commission reiterates that violence against women violates and impairs or nullifies the enjoyment of these human rights and fundamental freedoms, and is an obstacle to the achievement of the objectives of equality, development and peace, as contained in the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the General Assembly entitled "Gender equality, development and peace in the twenty-first century", and therefore urges intensified efforts at all levels for the full and effective implementation of the commitments contained in these documents;
2. The Commission welcomes the resolve of the international community, confirmed at the highest level in the United Nations Millennium Declaration (2000), to combat all forms of violence against women and to implement the Convention on the Elimination of All Forms of Discrimination against Women;
3. The Commission welcomes the increasing attention given to violence against women at the national, regional and international levels since the adoption of the Declaration on the Elimination of Violence against Women, through various mechanisms, including the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;
4. The Commission acknowledges the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court;
5. The Commission urges Governments and, as appropriate, the relevant funds and programmes, organizations and specialized agencies of the United Nations system, the international financial institutions, civil society, including the private sector and non-governmental organizations, and other stakeholders, to take the following actions:
  - a) Ensure the full enjoyment by women and girls of all human rights and fundamental freedoms and take effective action against violations of these rights and freedoms;

- b) Consider signing and ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- c) Take active measures to achieve the Millennium Development Goals, including through enhanced international cooperation, and mainstream a gender perspective in these measures, taking into account the interconnected and mutually supportive objectives of achieving the Millennium Development Goals and gender equality;
- d) Ensure the economic, social and political empowerment of women and in this regard give priority to education, training and political participation of women as well as women's rights to own and inherit property and to have access to credit and to income-generating opportunities;
- e) Address factors that cause and contribute to the feminization of poverty, and review and reorient, as appropriate, macroeconomic, trade, and social sector policies, including through a gender perspective to ensure that they contribute to reduce economic disparities, which continue to increase among and within countries and exacerbate gender based violence and inequalities;
- f) Take an integrated multidisciplinary and multi-level approach in order to prevent and eliminate violence against women and girls, including through the use of a gender mainstreaming strategy in all policy areas related to violence against women and girls and policies aimed at the eradication of poverty and economic development and the sharing of best practices and lessons learned;
- g) Eliminate all forms of gender-based violence in the family, within the general community, and where perpetrated or condoned by the State, as defined by the Beijing Platform for Action and further deliberated in the outcome document of the twenty-third special session of the General Assembly;
- h) Remove all legislation that discriminates against women as soon as possible, preferably by 2005; review legislation in order to combat all forms of discrimination including multiple discrimination, and eliminate customs and practices which discriminate against women and girls and perpetuate their exploitation and the use of violence against them;
- i) Treat all forms of violence against women and girls, including violence based on all forms of discrimination, as a criminal offence punishable by law and take appropriate steps to redress the injustices done to women and girls subjected to any form of violence and ensure their protection through prompt and thorough investigation, effective prosecution, and adequate sanctions
- j) Establish, strengthen or facilitate support services to respond to the needs of victims of violence and promote the provision of appropriate protection, safe shelter,

counselling, legal aid, health-care services, and physical, social and psychological recovery;

- k) Create, strengthen, facilitate and publicize institutional mechanisms to address effectively complaints of violence against women so that victims and others can report complaints in a safe and confidential environment;
- l) Enact legislation making it a crime to use, procure or offer a child for prostitution, for the production of pornography or for pornographic performances;
- m) Support initiatives of non-governmental organizations, including women's organizations and community groups, in dealing with all forms of violence against women and girls;
- n) Address the specific circumstances facing girls and young women in relation to violence, especially sexual violence, including its immediate and long-term consequences;
- o) Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;
- p) Develop, adopt and fully implement laws and other measures, as appropriate, such as policies and educational programmes, to eradicate harmful customary or traditional practices, including female genital mutilation, early and forced marriage and so-called honour crimes, which are violations of the human rights of women and girls and obstacles to the full enjoyment by women of their human rights and fundamental freedoms, and intensify efforts, in cooperation with local women's groups, to raise collective and individual awareness on how these harmful traditional or customary practices violate women's human rights;
- q) Address gender stereotypes that contribute to the prevalence of violence against women, including through education, and support and implement measures aiming at attitudinal and behavioural change on the part of perpetrators of violence against women;
- r) Promote international cooperation to support regional and national efforts in the development and use of sex-disaggregated statistics and of gender related analysis;
- s) Gather, analyse and disseminate sex-disaggregated data and information on the occurrence of all forms of violence against women and girls, in particular information on groups of women that are particularly subjected to violence, and formulate, implement and promote plans of action to eliminate such violence, consider establishing mechanisms for monitoring and evaluating the implementation of such plans and of the impact of measures taken, including through the use of appropriate indicators;

- t) Allocate and mobilize resources to the activities related to the elimination of violence against women and children including resources to the implementation of plans of action and programmes and the establishment or strengthening of coordinating mechanisms;
- u) Ensure an integrated approach to eliminating violence against women by encouraging and supporting men to take an active part in the prevention of violence against women, and increase awareness of men's and boys' responsibility in ending the cycle of violence including by developing and implementing programmes for boys and girls in primary and secondary education aimed at sensitizing children to issues of gender discrimination and gender equality;
- v) Provide or promote human rights education and gender-sensitive training to all actors involved in dealing with victims of violence, particularly women and girls including sexual violence;
- w) Support and implement public campaigns aimed at ending all forms of violence against women and girls involving, as appropriate, public opinion leaders, educators, religious and community leaders, medical practitioners and the media, about the enjoyment of all human rights by women and girls and the unacceptability and the immense social, psychological, health and economic costs of violence against women and girls, whether occurring in public or private life;
- x) Raise awareness of the responsibility and important role of the media and the new communication technologies in eliminating patterns that generate violence against women and girls and also in empowering women and informing and educating people about causes and effects of violence against them. In this regard, encourage media professionals to adopt self-regulatory guidelines and codes of conduct. Develop measures to address the misuse of ICTs for sexual harassment, all forms of sexual exploitation and trafficking in women and girls;
- y) Take measures to prevent and eliminate all forms of violence against women in the work place, including physical, sexual and psychological violence, as well as sexual harassment, and to remove all barriers, as well as stereotypical attitudes and behaviours to ensure the full enjoyment of rights by women in the work place;
- z) Develop and accelerate the implementation of national strategies for women's empowerment and reduction of their vulnerability to HIV/AIDS through the elimination of all forms of discrimination, as well as all forms of violence against women and girls, including harmful traditional and customary practices, abuse, rape and other forms of sexual violence, battering and trafficking in women and girls;
- aa) Effectively address racism and racially motivated violence against all women and girls as well as other forms of discrimination and implement policies aimed at preventing the multiple forms of discrimination to which they are often subjected;

bb) Address domestic violence as a deep-rooted structural problem, the eradication of which requires an unstinting effort by all actors, including governments and society as a whole, and treat it as a criminal offence by protecting victims through measures, including effective prosecution, safe shelters, and appropriate treatment of perpetrators, including rehabilitation and, where necessary, consider removing the perpetrator from the home;

cc) Provide or promote training to all actors (in education, health, judiciary, police, social services) to be able to detect and to deal with domestic violence;

dd) Put an end to impunity and prosecute those responsible for violence against women committed in situations of armed conflict and post-conflict situations, such as murder, rape, including systematic rape, sexual slavery and forced pregnancy, support women's participation in conflict prevention and peace processes in line with all relevant resolutions of the General Assembly in this regard as well as Security Council resolution 1325 (2000), consider the different needs of women and girl ex-combatants in planning for disarmament, demobilization and reintegration, and address the specific dangers facing women and girls in situations of hostage taking and forced displacement;

ee) Strengthen the implementation of all relevant human rights instruments in order to combat and eliminate, including through international cooperation, organized and other forms of trafficking in women and children, including trafficking for the purposes of sexual exploitation, pornography, prostitution and sex tourism, and provide legal and social services to the victims; this should include provisions for international cooperation to prosecute and punish those responsible for organized exploitation of women and children;

ff) Consider ratifying the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea, and Air;

gg) Take effective action to prevent and combat trafficking in persons, especially women and children, which requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their human rights;

hh) Treat trafficking as a organized crime issues in accordance with the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, as well as a human rights issue and place it on the national, regional and international agenda.

ii) Strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunities;

- jj) Adopt and implement measures to reduce the demand for the purposes of the exploitation of prostitution, including the adoption and implementation of measures, where appropriate, to criminalize all forms of commercialised sexual exploitation as well as forced labour or services, slavery, servitude or the removal of organs in accordance with national law;
- kk) Adopt or strengthen legislative or other measures, such as educational, social, or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking;
- ll) Adopt and implement measures including, where appropriate, laws and mechanisms that address trafficking in persons, especially women and girls, using appropriate gender-sensitive investigation and prosecution techniques and methods, including financial investigation in combating trafficking in persons, especially women and girls, in the context of organized crime; and establish and strengthen as appropriate measures and cooperation with a view to dismantling national, regional and international criminal networks in trafficking in human beings and their links with groups involved in other transnational organized crime
- mm) Promote the incorporation of human rights education and gender sensitive training for policy makers, institutional service providers and law enforcement agencies and specifically for law enforcement, immigration and other front-line agencies dealing with trafficking issues;
- nn) Support and implement awareness campaigns that inform about the existence and manifestation of trafficking in persons, in particular women and girls and the negative impact on the full enjoyment of their human rights and target, inter alia, policy makers, police, judiciary, communities at risk, and potential clients;
- oo) In appropriate cases and to the extent possible under its domestic law, to protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential;
- pp) Develop, implement and monitor clear guidelines, procedures and mechanisms for the identification and treatment of victims of trafficking which include special protection for children based on the full respect of all human rights and fundamental freedoms, in consultation with the police, the judiciary, NGOs and other actors, as appropriate;
- qq) Develop and implement measures, including, as appropriate, legislation and programmes for effective counselling, training and reintegration into society of victims of trafficking and ensure the, preferably voluntary, return of victims of trafficking to their State of nationality or permanent residence, is with due regard to the safety of those persons, and consider adopting legislative or other appropriate measures that would

permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases;

rr) Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care related to reproduction and sexually transmitted diseases.

ss) Bearing in mind the above definition, reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents. In the exercise of this right, they should take into account the needs of their living and future children and their responsibilities towards the community. The promotion of the responsible exercise of these rights for all people should be the fundamental basis for government- and community-supported policies and programmes in the area of reproductive health, including family planning. As part of their commitment, full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality. Reproductive health eludes many of the world's people because of such factors as: inadequate levels of knowledge about human sexuality and inappropriate or poor-quality reproductive health information and services; the prevalence of high-risk sexual behaviour; discriminatory social practices; negative attitudes towards women and girls; and the limited power many women and girls have over their sexual and

reproductive lives. Adolescents are particularly vulnerable because of their lack of information and access to relevant services in most countries. Older women and men have distinct reproductive and sexual health issues which are often inadequately addressed.

tt) The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences.

6) The Commission requests the Secretary-General to bring these Agreed Conclusions to the attention of the Commission for Crime Prevention and Criminal Justice, the Commission on Human Rights and the World Summit for Information Society to enhance attention to gender perspectives in their work;