

Statement of the VIII Conference on Femicide / Feminicide

The Duty of Due Diligence in Eradicating Feminicide/Femicide. Two years of EU-CELAC Bi-regional Dialogue on Gender Issues: what are the improvements?

Recommendations from civil society on violence against women and feminicide / femicide for the EU-CELAC Summit

- Civil society organisations in Latin America and Europe are convinced that the eradication of violence against women and girls (VAW) in all its forms and, in particular, its most extreme manifestation, namely femicide / feminicide, requires that **States must comply with the duty to exercise due diligence** to ensure the rights of women.
- One of the central issues in the **bi-regional EU-CELAC dialogue on gender** in the 2013 Santiago Summit was the struggle to eradicate violence against women and femicide or feminicide. This marked an important milestone for bi-regional cooperation; however, it has so far proved insufficient. As noted in the Santiago Summit, dialogue **should be strengthened through the participation of women's and feminist organisations** from both regions, who will share the progress made in each of their countries.
- We believe that the new Summit must agree effective measures to guarantee that progress is made in the eradication of this violence. Therefore, we ask that:
- In the new bi-regional EU-CELAC strategic action plan, the section on eradicating discrimination and the elimination of all forms of VAW is strengthened.
- The chapter on gender must be based on standards established under the CEDAW, the Convention of Belem do Para, the Istanbul Convention and regional human rights instruments, including the European Charter of Fundamental Rights.
- To combat all forms of VAW, the bi-regional dialogue on gender must include at least two annual sessions and must, with the participation of women's and feminist organisations, set time-bound operational objectives and activities, and effective mechanisms for evaluation and monitoring of their fulfilment.
- On the basis of the recognition of women's diversity due to ethnicity, age and sexual orientation, among others; this chapter should at least ensure:
 - 1) The visibility of all forms of VAW, in particular feminicide / femicide, sexual violence, trafficking for sexual exploitation and disappearances, as well as recognition of the interrelationship between all these expressions of violence.
 - 2) Access to effective and efficient justice for all women and the eradication of impunity, including adequate reparation for victims and their families, establishing guarantees of non-repetition and ensuring transitional justice.
 - 3) Recognition of the strategic role of feminist and women's organisations in the definition and evaluation of the State response to all forms of VAW, to ensure the sustainability of any progress made, the monitoring of processes undertaken and accountability.

In order for States to **show due diligence, which implies preventing, protecting, investigating and punishing all acts of violence and compensating the victims**, they must:

- Sign and ratify the Istanbul Convention and the Optional Protocol to the CEDAW, in order to make progress on implementing shared standards on women's rights.
- Make progress in implementing the recommendations and rulings of United Nations human rights bodies, particularly the CEDAW Committee, and promote collaboration and dialogue between the monitoring mechanisms of the Convention of Belem do Para and the Istanbul Convention.
- In coordination with the feminist and women's movement, produce official and accessible statistical information on all forms of VAW in the private or public sector and, in particular, on femicide / feminicide.
- Eliminate rules and practices that hinder the full exercise of citizenship for women, guaranteeing their sexual and reproductive rights and the secular state and promoting changes in cultural beliefs that contribute to the perpetuation of discrimination and violence against women, through sustained and high impact actions.
- Promote education for equality as a key tool in prevention and to counteract gender-based violence.
- Strengthen work with the media to make progress on the eradication of sexist stereotypes and set minimum ethical standards on the media's treatment of discrimination and violence against women, promoting and monitoring compliance with human rights, and recommending sanctions where necessary.
- Implement protective measures for women who have experienced violence, that do not restrict their autonomy and rights, which are not limited to complaints procedures, criminal proceedings or other measures, as well as effective protection mechanisms.
- Ensure the availability of protective measures with the most advanced existing technologies, appropriate to the situation of all women in their various roles including as social activists and defenders.
- Adopt specific legislation to criminalise all forms of VAW and femicide / feminicide, in accordance with international human rights standards. This legislation includes sanctions for state agents who fail in their duty to act with due diligence in this matter, through action or omission.
- Implement a feminist training programme on VAW for all professionals involved in these cases, including justice officials, health care workers, the police, educational institutions, neighbourhood associations, and the media.
- Improve and specialise judicial systems, ensuring that women have physical, economic and cultural access to justice, including appropriate tools for the effective investigation and punishment of crimes, and the availability of the necessary legal information for feedback and publicity on judgments to ensure accountability with civil society.
- Eliminate police, administrative or legal procedures that discriminate against women or place them in danger, including reconciliation processes. Concrete mechanisms and actions should be implemented to eradicate gender stereotypes in legal proceedings, at different investigation stages and / or during the processing of cases.

European and Latin American States must recognise the many interrelated factors that aggravate VAW, including transnational economic policies that affect the lives of women and girls, in particular:

- The disproportionate impact of strategies to combat gun violence and the “war on drugs” on the lives of women and their exposure to violence. These strategies also weaken States, thwarting their efforts to combat impunity. Recognising these impacts should lead States to promote a shift in global drug policy in the upcoming special session of the UN General Assembly (UNGASS 2016), placing at the centre the safeguarding of human rights, the urgency of eradicating extreme violence and the reduction of arms sales to Latin American countries.
- The consequences for women of trade agreements that favour large-scale industrial projects in Latin American countries, placing the lives of their communities at risk and increasing their vulnerability to various forms of violence. It must be ensured that trade agreements are consistent with international standards for individual and collective human rights.

Finally, we ask that:

- The European Union and Latin American States include as a priority the fight against all forms of VAW in their bilateral cooperation and regional development, economic relations and political dialogue.
- The chapter on gender is granted resources for its implementation, providing a specific fund to promote and strengthen the strategic work of feminist and women’s rights organisations.
- The EU applies its guidelines on VAW in its human rights and foreign policy and promotes the eradication of this violence in the Gender Action Plan on Women’s Empowerment and Development (GAP II) and the new European Strategy for Equality between Women and Men.
- Finally, the bi-regional CELAC EU action plan should promote a strong position from both regions at the 60th Session of the Commission on the Legal and Social Status of Women (CSW, March 2016) and thereby ensure the best possible outcome with regards to the international struggle against VAW, one fundamental objective of the post-2015 agenda.

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