

Violence Against Women:

an introduction to key concepts and frameworks

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Definition

- The United Nations Declaration on **Violence Against Women** provides a basis for defining gender-based violence. According to Article 1 of the Declaration, violence against women is to be understood 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 deprivations of liberty, whether occurring in public or private life"***
- Gender Based Violence is often defines as: **"violence that is directed at a person on the basis of gender or sex. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty"**

Distinctive types of violence against women

- Physical (including threats of physical violence)
- Sexual (including unwanted sexual touching)
- Psychological (controlling behaviours)

Physical violence

Physical violence includes both physical assaults, which refer to the use of physical force with the intent to harm or frighten a woman, and physical attempts or threats, which refers to the verbal, and/or physical intent to inflict harm which the woman believed was able and likely to be carried out.

- having something thrown at or hit with something;
- being pushed or grabbed or having arm twisted or hair pulled;
- being slapped, kicked, bit or hit with a fist;
- attempt to strangle or suffocate or burn or scald on purpose;
- having a gun or knife used or attempted to be used;
- any other physical violence.

Sexual violence

Sexual violence is any form of non-consensual or forced sexual activity or touching including rape. It is carried out against the woman's consent using physical or threatened force, intimidation or coercion.

- being forced into sexual intercourse;
- attempted to be forced into sexual intercourse;
- being touched sexually in a way that was distressing;
- being sexually assaulted whilst under the influence of drugs without her knowledge so that she could not give her consent;
- being forced or attempted to be forced into sexual activity with someone else,
- including being forced to have sex for money or in exchange for goods;
- any other sexual violence.

Psychological violence

Psychological (or emotional) violence includes insults, humiliation, put-downs, restrictions of freedom and constant surveillance.

Many of these are known also as controlling behaviours. One of the most common examples of psychological violence against women is intimate partner psychological abuse.

- restricted or tried to prevent contact with other men by becoming angry if she spoke with other men;
- was not supportive if she engaged in activities outside the home;
- tried to limit her contact with family or friends;
- follows her or keeps track of her whereabouts;
- calls her names, insults her or behaves in a way to put her down or to make her feel bad;
- damages or destroys her possessions or property.

Ambiguity in defining 'violence against women'

It has been suggested that the term 'violence against women' is difficult to define - ambiguity centres on the question of whether being a female victim is sufficient to classify the aggressive act as 'violence against women'?

following example :

- Let us suppose that a burglar does not know if the occupier of a home is male or female. Then a residential break-in would surely not be a crime against women, even if the victim were female (Lobmann 2003: 310).
- In the above example, the victim was not specifically targeted because she was a female, in other words, because of her biological sex.

Ambiguity in defining 'violence against women'

There are some offences where the victim's biological sex is fundamental to the offence for example, rape.

- A heterosexual rapist would seek victims of the opposite sex. 'In this case, the victim's sex is a (necessary) condition for the offence to be committed' (Lobmann et al. 2003: 311).
- If however the rapist was targeting women as a means of asserting his male superiority and power over women, then it is not the women's biological sex but gender or social role that makes the act specifically violence directed against women.
- Therefore, **the concept of 'violence against women' as we understand it is the intentional physical, sexual and/or psychological abuse of women due to their biological sex and/or their social role.**

International Milestones in Addressing Violence Against Women

- **A Convention on the Elimination of All Forms of Discrimination Against Women, 1979** Guarantees women equal rights with men in all spheres of life, including education, employment, health care, the vote, nationality, and marriage. The Committee on the Elimination of Discrimination Against Women was established to review reports which all countries that are signatory to the Convention must submit on women's status.
- **World Conference on Human Rights, Vienna, 1993** Vienna Declaration and Programme of Action: Affirmed that women's human rights are a fundamental part of all human rights. The Declaration asserted for the first time that women's human rights must be protected, not only in courts, prisons, and other areas of public life, but also in the home. Progress made in implementing the Vienna Declaration was reviewed at the March–April 1998 session of the UN Commission on Human Rights.
- The 1993 UN **Declaration on the Elimination of Violence Against Women** for the first time provided a definition of violence, and included psychological violence in the definition.



- **International Conference on Population and Development (ICPD), Cairo, 1994**

Affirmed that women's rights are an integral part of all human rights. Stressed that "population and development programmes are most effective when steps have simultaneously been taken to improve the status of women". Women's empowerment was a central theme of the conference. Recommended actions for governments included prohibiting the trafficking of women and children, promoting discussion of the need to protect women from violence through education, and establishing preventative measures and rehabilitation programmes for victims of violence. ICPD was the first international forum to acknowledge that enjoyment of sexual health is an integral part of reproductive rights. Men's rights and responsibilities toward their partners were noted, *"Human sexuality and gender relations are closely interrelated and together affect the ability of men and women to achieve and maintain sexual health and manage their sexual lives. Equal relationships between men and women in matters of sexual relationships and reproduction, including full respect for the physical integrity of the human body, require mutual respect and willingness to accept responsibility for the consequences of sexual behaviour."* (ICPD Programme of Action, paragraph 7.37)

- **UN Fourth World Conference on Women, Beijing, 1995**

The Conference Platform for Action recognized that "all governments, irrespective of their political, economic, and cultural systems, are responsible for the promotion and protection of women's human rights". This document also specifically declared that violence against women is one of the 12 critical areas of concern and is an obstacle to the achievement of women's human rights. Section 106(q) states that countries should "integrate mental health services into primary health-care systems or other appropriate levels, develop supportive programmes and train primary health workers to recognize and care for girls and women of all ages who have experienced any form of violence, especially domestic violence, sexual abuse, or other abuse resulting from armed and non-armed conflict".



Data and statistics on violence against women in Cambodia

- The Cambodia Demographic and Health Survey (CDHS) in 2000, 2005, 2010 included domestic violence. (however, CDHS 2010 did not include the entire DV Module so prevalence could not be established in 2010)
- In 2005 and 2009 Ministry of Women's Affairs (MoWA) conducted baseline and follow-up surveys that measured perceptions about VAW/G.
- In 2012, Australian Agency for International Development (AusAID) supported a collaborative research project to better understand violence against women with disabilities (Triple Jeopardy)
- In 2013 Partners for Prevention completed a study on men's use of violence against women (P4P Study).

Cambodia institutional response and policy on **violence against women**

- The Constitution of Cambodia, adopted in 1993, explicitly prohibits discrimination against women in its Article 45 which states “All forms of discrimination against women shall be prohibited. The exploitation of women in employment shall be prohibited.”
- The Royal Governments’ Rectangular Strategy for Growth, Employment, Equity and Efficiency Phase II acknowledges that “women are the backbone of the economy and of the social development of the nation”

Cambodia institutional response and policy on **violence against women**

laws protecting women's rights have been enacted including:

- Labour Code (1997)
 - the Law on the Prevention of Domestic Violence and the Protection of Victims (2005) (DV Law)
 - the Law on Monogamy (2006)
 - the Laws on the Suppression of Human Trafficking and Sexual Exploitation (2008)
 - the Civil Code (2007) and Civil Procedure Code (2006) and the Criminal Code (2010) and Criminal Procedure Code (2010)
- In order to provide an effective framework to implement these laws, a policy framework The National Strategic Development Plan (NSDP) 2009-2013 has been developed by the RGC which has indicators on VAW/G. Also Cambodia's Millennium Development Goals (CMDGs) address VAW/G

Cambodia institutional response and policy on **violence against women**

other policies include:

- In 2010, the RGC issued the Safe Village/Commune/Sangkat Policy in which the Ministry of Interior (Mol).
- 5-year strategic plan, Neary Rattanak 4 (2014-2018)
- the 2nd National Action Plan to Prevent Violence Against Women (2nd NAPVAW).
- the National Action Plan on Suppression of Human Trafficking, Smuggling, Labour, and Sexual Exploitation for 2011-13 (NPA-S.T.S.L.S)

Cambodia institutional response and policy on **violence against women**

international conventions and frameworks ratified include:

- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1992 and its' Optional Protocol in 2010
- the United Nations Convention on the Rights of the Child (CRC), and its optional protocols in 1992
- the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD)
- the United Nations Declaration on the Rights of Indigenous People (UNDRIP)
- Cambodia is bound by all UN Security Council Resolutions (SCR), in particular to the Women, Peace and Security (WPS) related SCR 1325, 1820 and 1888



United Nations Entity for Gender Equality
and the Empowerment of Women

Thank you