

Commemoration of the International Day for the Elimination of Violence against Women

Special meeting of the permanent council

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*Remarks by IACHR President, Commissioner **Roberta Clarke**,
Rapporteur on the Rights of Women*

On behalf of the Inter-American Commission on Human Rights, I extend greetings to all the authorities of this Permanent Council.

On this day we recall the courage of the Mirabel sisters; of what they lost in their resistance to political oppression and repression. The designation of November 25th as International Day for the Elimination of Violence against Women is one of the legacies of how they lived but also how they died. It is a day on which we make visible and vocal our individual and collective recommitment to ending the silence and therefore impunity that surrounds harms done to women, because they are women.

First commemorated in Latin America, this day is now universally observed. In our commemoration here in the OAS, we are using this important political platform to call for an effective and comprehensive approach that would prevent and bring justice for gender-based, inequality-motivated human rights violations that persists across all societies. These public acts are necessary because they focus our attention and our resolve.

It is undisputable that we have made progress in the development of laws and policies to prevent and respond effectively to all forms of violence against women and girls.

Yet the rates of violence against women in the Americas and the Caribbean are very troubling. It is estimated that 15% of women in North America and 11% in Latin America and the Caribbean have experienced sexual violence by someone other than their intimate partner at some point in their lives. The region also has high rates of femicides.

Additionally, challenges to democratic institutions, migration, and organized crime exacerbate the risk of violence against women in the region. Women human right defenders, working on indigenous land rights, environmental justice, LGBTI rights, state accountability and rule of law in our region are the targets of hate speech, stigmatisation, online abuse and violence. And the dangers

are exacerbated where these women human rights defenders come from historically marginalized communities.

Still, in the face of these risks of multi-dimensional threats and indeed because of these risks, strong normative standards exist on the range of state obligation to protect women and girls from harm in the home, community, workplace and now online.

The Belém do Pará Convention recognizes, in its preamble, that violence against women is "a manifestation of the historically unequal power relations between women and men," which "pervades every sector of society."

Ending gender-based violence therefore requires a whole of society commitment. The Inter-American Court of Human Rights has determined that the State duty "requires the formulation of legal norms and the design of public policies, institutions, and mechanisms to combat all forms of violence against women, but it also requires the adoption and implementation of measures to eradicate the prejudices, stereotypes, and practices that constitute the root causes of gender-based violence against women" (Case of Women Victims of Sexual Torture in *Atenco v. Mexico*, para. 215).

So, we have to start there because gender inequality and discrimination against women which remains embedded in culture, undermines the effectiveness of all those laws and policies.

Violence against women cannot be addressed without public policies implemented to dismantle the historical inequality between men and women. All states must work assiduously to ensure equal access to quality health care across the life cycle based on the principles such as autonomy. We need equal pay and opportunities, parity in women's participation in decision making, and we need sustained work to address poverty that disproportionately affects women, having regard to their care responsibilities.

In addition to these general prevention policies, we must continue to assess and strengthen the institutional policies to support women in situations of violence, including psychosocial support programs. But policing and the judicial processes remain central to ending impunity. In the emblematic case of the Commission from Brazil, *Maria de Penha*, the Commission reminded that women's access to justice is paramount to protecting their rights and freedoms as well as promoting respect for the rule of law.

It is not enough for states to have laws in place – they must also be enforced and upheld. This includes investigating and prosecuting complaints of violence against women and protecting women known to be at risk, as well as providing reparations to survivors in a timely manner.

But we cannot take progress for granted. Laws and policies are one thing. Implementation is where is where accountability is expressed. For effectiveness, we must maintain focus on the specificity of gender-based harms. These harms are not like any other violence, even though, violence against women is the most prevalent form of violence. The motivation is control and domination and the violence reinforce inequalities.

Implementation requires dedicated institutions, well-resourced and charged with monitoring progress and responding to ineffectiveness. All barriers to reporting of violence must be removed and we must be especially determined to protect children from sexual abuse, and its consequences, including through due diligence investigation, prosecution and punishment and non-discriminatory and non-stigmatizing access to health services.

I take this opportunity to call on all States here represented to reaffirm our international commitment to the constant fight against the historical roots that foster violence against women, promoting the deconstruction of gender stereotypes and discriminatory patterns, and providing adequate responses to address the needs of these women while ensuring fair accountability.

Thank you.