



Women in the world

Specific violence, specific rights?



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados

White paper

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This white paper has been produced in partnership with the IAL.



**Urquiola
DE PALACIO,**

President at Union
Internationale des Avocats (UIA),
Managing Partner Palacio & Asociados,
President Madrid Court of Arbitration

"The UIA has consistently argued that lawyers have a crucial role to play in the defence human rights and the rule of law. The rule of law. It is therefore with pleasure that we to present this White Paper in the framework of the partnership with LexisNexis; a partnership firmly rooted in the common defense of the rule of law. This publication is intended to to reaffirm the indispensable commitment of our our profession in the fight for the cause of women and, in particular, the defense of women and girls women and girls who are victims of violence."



**Sébastien
BARDOU,**

VP Strategy for
Continental Europe
Middle-East and Africa at LexisNexis

"This white paper has been created thanks to the partnership between the International Association of Lawyers and LexisNexis. This partnership is part of our common will to promote the right to access legal information and to defend fundamental rights across the world. LexisNexis is committed to support IAL actions in the long term, assisting in particular the IAL Women's Committee that works towards promoting and strengthening women's status."



Editorial



Elisabeth ZAKHARIA SIOUFI

Lawyer, President of the IAL Women's Committee

"The International Association of Lawyers (IAL) Women's Committee works towards the improvement of women's status anywhere it is needed, and more particularly towards the suppression all types of violence against women.

All women without distinction of any kind should be able to exert their right without any constraint and to lead a life free from violence. It is not acceptable anymore that a woman finds herself fighting alone against any demonstration or threat of violence, whoever the perpetrator may be.

With this in mind, the Women's Committee announced on the 8th of March 2022 in Paris, on the occasion of International Women's Day, the Charter of Fundamental Principles on Access to Justice for Women Victims of Violence, and pursues its effective implementation with the bars and lawyers' associations from different countries.

This white paper, created and published as part of the partnership between LexisNexis and the IAL, follows the same purpose and highlights the most blatant infringements on women rights perpetrated in different spheres and often generated by wrong concepts and prejudices devoid of any reason. We thus share with you our reflection on this topic and invite you all to join us to reject any discriminatory and abusive behaviours towards women.

Feeling indignant and condemning constant and continuous infringements on women's rights is not enough. An urgent, appropriate, and structured answer is vital. This white paper is a call to spare no effort to strengthen the respect of these rights, to preserve them and to protect them."



Sophie COIN-DELEAU

Head of Development – Lawyers' Activity, LexisNexis France

"Violence is unacceptable. In this white paper, we tackle a multiform topic: the different types of violence against women – physical violence of course, but also moral violence and infringement on their fundamental rights as a whole: economic rights, freedom of speech, right to take part in public life. The purpose of this white paper isn't to draw up an exhaus-

tive inventory of all the types of violence against women, but to alert about the necessity to act to change things – a responsibility that falls to everyone. Thus, this white paper is aimed at lawyers and legal experts as well as any citizen of the world anxious to make the rule of law progress. It is a plea to take daily, collective, and immediate action. LexisNexis is a committed player for the rule of law. We're a long-term partner of the Internal Association of Lawyers and have produced this white paper with the Women's Committee to share the same analysis and to suggest solutions."



Introduction

Be it in the economic sector, public space or private sphere, the topic “women in the world” seems to arise in all debates. Each new crisis highlights the consequences that bring about specific damage to women.

Violence against girls and women is unquestionably a **serious infringement on fundamental rights**, but how does Justice, in every sense, can position itself and act?

First, “*violence against women*” is a locution that should be investigated: **defining violence** is a way to better understand it, **in order to fight it more efficiently**. Violence can be **physical, sexual, psychological, economic**. It can happen in the private sphere or the public space. **On all five continents**.

Are there several “*violences*”? Or, on the opposite, a variety of expressions of one and only violence, that would be specific to women? In which case, shouldn’t we provide specific legal answers?

With its **Charter of Fundamental Principles on Access to Justice for Women Victims of Violence**, the International Association of Lawyers, through its Women’s Committee, laid the foundations for a holistic answer adapted to a systemic issue. An issue that is, as we’ll see, universally rooted.



I. Violence against women: specific types of violence?

Before asking ourselves how the legal system could deal with violence against women, let's define these types of violence. How do they happen, are they specifically aimed at women and how? Are some parts of the world or some cultures spared or is it a universal issue?

A/ Cognitive bias and gender stereotypes

Working on cognitive bias helps understanding the specificities of violence against women, seeing it as **a violence against a part of the population identifiable by its sex or gender**. We know now that violence happens in many ways and is not only physical. That's what makes **it difficult to recognise**. **Cognitive bias and gender stereotypes help us looking** at violence against women as a cultural phenomenon, structural to our societies. Indeed, studies about inequalities between men and women always highlight **the role of gender cognitive bias**.



COGNITIVE BIAS Cognitive bias are **mechanisms of thought that distort information processing in relation to a rational behaviour or reality**. While a person is convinced of thinking objectively, their perception, and above all their decisions, result from leaps coming from unconscious mental associations fed on traditions and their cultural and social environment. In other words, prejudices.

Cognitive bias are so strong that they can lead to **a self-fulfilling prophecy**: these prejudices shape beliefs integrated by women themselves, constraining them in their actions. That's why while we often hear that girls are more literary and less good at science than boys – a statement never proven – we observe that women are insufficiently represented in science jobs: 41% in France and in Europe.¹ They represent 30% of researchers in the world, and only 20% of women work in the field of Artificial Intelligence.



HOWARD & HEIDI CASE

Among many studies and trials, the Howard & Heidi case, led by Harvard Business School at the beginning of the 2000s, is particularly meaningful. Two applications were presented to two groups of students in management: Howard Roizen's application and Heidi Roizen's application. Though their résumés and careers were exactly the same, reactions were very different. The students approved of Howard's profile – he seemed skilful and efficient – but expressed more negative opinions about Heidi, whom they considered selfish and not very amiable, when the only difference between those two was their gender.

1. 2019 Eurostat figures



Consequently, **women's reality** in their professional life, in their married life, in the public space, when facing a banker, a member of the forces of order, a lawyer or a judge, **should be observed in the light of these cognitive bias.**



“ *Being a victim of gender stereotype is a kind of violation of your fundamental rights, as women find themselves held up in their personal and professional development. I think this is a violence in itself, that law professionals can integrate in the way they read the law to make it evolve* ”

**Sophie COIN-DELEAU, Head of Development –
Lawyers Activity, LexisNexis France**

B/ No sector spared

Gender cognitive bias are therefore **a structural violence that is effectively exerted by men as well as by women.** It's even interesting to notice that these bias are even stronger among those who deny them.² For all that, they don't summarise violence against women **that seem to happen in all fields and in many ways.** Here's a quick and non-exhaustive tour d'horizon.

B.1. Professional sphere: economic violence

As we've just seen, the professional sphere is a notable field for gender violence.

The Covid-19 crisis had harmful consequences upon women employment: on a global scale, women lost 54 million jobs in 2019 and 2020.³

Hopefully, today's business world no longer looks like the American series *Mad Men*, but 21st century reality still isn't egalitarian in any country in the world.

In addition, women are under-represented in decision-making roles. More generally, they're far less represented in the working population than men are. Gender inequalities also put women at the bottom of the world value scale: as explained by UN Women on their website, they hold the lowest-paid jobs, subcontracting jobs paid on a piecework basis, and various precarious independent jobs, with no access or limited access to acceptable jobs and social security.

2. In some professions, women have become well represented, yet gender bias persists, perpetuated by those who think it is not happening. Study published in *Science Advances* and led by researchers from the University of Exeter and Skidmore College (29 June 2020).

3. Source: UN Women, "Beyond COVID-19: A feminist plan for sustainability and social justice".



At the Rwanda Bar: Maître Céline Karugu's viewpoint⁴

Lawyer at the Rwanda Bar, member of the governing board of the Rwanda Bar and president of the gender commission.

In 2022, the Rwanda Bar counts 352 women among 1440 lawyers.

Out of 134 legally created law firms, only 23 are headed by women.

The governing board, that counts 6 women out of 13 members, offers measures to raise women's participation in decision-making bodies within the professional sphere.

Among other subjects, we especially ask for:

- 】 the Law and/or the Rwanda Bar Internal Order Rule to be amended, including measures for parity and alternation within decision-making bodies;
- 】 courses on women's leadership to be included in continuing education;
- 】 bars to be educated on the notion of **positive masculinity**.

In France

The **Copé-Zimmermann law** (2011) imposes **40% of women in the 120 French Stock Exchange companies' boards of directors and supervisory boards**.

In 2019, France ranks first with 49,6% of women in big companies' boards of directors.

The **Rixain law** (2021) plans that 40% of directors and members of the governing bodies of companies with more than 1000 employees should be women by 2030.

Though these laws aim at accelerating economic and professional equality, they never impose parity.

4 . Words received at the seminar co-organised by the IAL Women's Committee and the Bars National Board on International Women's Day (8th of March 2022).



B.2. Public sphere: offline and online harassment

In the public sphere, violence against women is indifferently expressed in the street, at the workplace or online. Sexual harassment is a violation of human rights. Each assault can bring about multiple consequences on women victims. **In France, among women victims of sexist and sexual violence at work, 26% encountered health problems, 21% encountered professional difficulties and 19% encountered economic difficulties.**⁵

Though many countries do have a legislation against this violence, the impact is still inadequate.

Online harassment is a new kind of violence and offence against physical integrity. According to the UN, 73% of women have already been exposed to online violence.



In the European Union, 55% of women have been victims of sexual harassment at least once since they were 15 years old. For 32% of those women, this happened at the workplace. 114 countries have implemented measures taking into account harassment at the workplace.⁶

B.3. Private sphere: physical and sexual violence

Women aren't safer in the private sphere, and fight against **domestic violence** has become an important political issue. In France, 102 women were killed by their partner or ex-partner in 2020. More than one third (36) were already victims of physical, psychological and/or sexual violence. Out of these 36 women, 24 had reported those facts to the forces of order, 18 had filed a complaint. In 23% of the cases, the perpetrator was already known for domestic violence exerted on the victim and/or on an ex-partner.⁷

These figures pose a challenge for the judicial system. The 2019 French 'Grenelle' about domestic violence brought two new laws: one aiming to take action against violence happening within the family sphere (28 December 2019) and one aiming to protect victims of domestic violence (30 July 2020).

In **Luxembourg, Nathalie Barthélémy**,⁸ **president of the family rights commission at the Luxembourg bar**, explains that the Department for Equality between women and men, the Department for Justice and the Department for National Security work hand in hand on this topic. The legal answer seeks to help victims and to apply significant and justified sanctions to the perpetrators. For instance: possibility to evict the perpetrator from home for 14 (unchangeable) days ordered by the public prosecutor's department that recorded the fact; possible consequences coming under criminal courts; exclusion of criminal courts mediation; loss of right to get a personal alimony...

5. Field: whole of France. Source: Ministry of the Interior (Home Office), study "Living Environment and Security" (2019).

6. Sources: "Violence against women: an EU-wide survey" (2014), European Union Agency for Fundamental Rights; "Women, Business and the Law", World Bank (2016).

7. Source: national study about violent deaths within the couple, year 2020, DAV (victims' delegation), Ministry of the Interior (Home Office).

8. Words received at the seminar co-organised by the IAL Women's Committee and the Bars National Board on International Women's Day (8th of March 2022).



To move away from Europe and the Western world, in **Koweit, Jumanah Behbehani**,⁹ **IAL President's adviser**, admits that the penal code, established in 1960, covered violence against women. But she adds that the legislator considered necessary to announce a new law in 2020, offering a more specific and precise definition of the very concept of domestic violence.

Forced marriages and female genital mutilation could also be added to the list of domestic violence exerted on girls. Again, this is about offence to physical integrity and psychological integrity.

C/ Armed conflicts areas

When presenting widely and non-exhaustively the different types of violence against women, we should mention violence brought to a fever pitch: when it becomes an economic and geopolitical strategy, a weapon of war.

In 2021, UN Women published *Identifying gender persecution in conflict and atrocities: a toolkit for documenters, investigators, and adjudicators of crimes against humanity*.¹⁰ This work aims to fill the gap of liability, providing a framework to admit and understand illegal behaviours that constitute a gender-based persecution. This text is directed at all people involved in identifying gender-based crimes or their victims in a situation of conflict and atrocities.

Gender violence isn't recognised as such in situations of organised violence. Therefore, the perpetrators of those crimes are hardly ever held responsible for their persecution crimes, which are often excluded of National and International Courts examinations. This is another type of violence for the victims, a violence that can be seized by legal systems in order to be solved.

9. Words received at the seminar co-organised by the IAL Women's Committee and the Bars National Board on International Women's Day (8th of March 2022).

10. <https://www.unwomen.org/fr/digital-library/publications/2022/01/identifying-gender-persecution-in-conflict-and-atrocities>



II. Facing this analysis, what can the rule of law do about it?

There is no official definition for the rule of law, an Anglo-Saxon concept born in Germany at the beginning of the 19th century. However, all great institutions (UN, World Bank, Rule of Law index etc.) agree on the founding facts, the first one being equality in the face of the law. But this fundamental principle isn't always respected.

What are the legal answers to specific violence against women? How do international law and national legislation, even local initiatives, act? We'll also ask ourselves if access to justice is sufficiently guaranteed for women. The complexities surrounding this issue need no further proof, and we'll consider an answer tending toward a holistic vision, including all concerned professionals.

Finally, we'll see with Elisabeth Sioufi, President of the IAL Women's Committee, why writing a Charter of Fundamental Principles on Access to Justice for Women Victims of Violence was important and what are the ambitions of this charter.



BEYOND COVID-19: A FEMINIST PLAN FOR SUSTAINABILITY AND SOCIAL JUSTICE

The UN Women new "feminist plan"¹¹ provides a visionary but practical road map, aiming to put gender equality, social justice and sustainability at the heart of transformation revival. Local initiatives have already been taken.

For example: Sub-Saharan Africa countries rely on more than 900 000 community health centres to support their fragile health systems: more than two third of people working in those centres are women. 86% are not paid. In this context, community health agencies in Ethiopia and Pakistan got organised to demand a salary and working conditions up to the crucial role they play in their countries health systems.

11 . <https://www.unwomen.org/sites/default/files/2021-12/Feminist-plan-Key-messages-fr.pdf>

The four pillars of Rule of Law according to LexisNexis

The Rule of Law principle is the idea that law takes precedence over all other rules for the organisation of a society. LexisNexis identifies four "pillars" of this principle. The stronger each of these components are, the greater the rule of law.

- **Equality Under the Law.** All people, businesses and governments are accountable, and the law applies to everyone in the same way, no matter who you are.
- **Transparency of Law.** Laws must be clear, precise, affordable and accessible while protecting fundamental human rights.
- **Independent Judiciary.** An independent judiciary ensures equality and fairness of law between people and public officials.
- **Accessible Legal Remedy.** There must be access to timely resolution in a court of law.



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Sébastien BARDOU,
VP Strategy for Continental Europe Middle-East and Africa at LexisNexis

Rule of Law Equation

The Rule of Law is the foundation for the development of peaceful, equitable and prosperous societies. We believe there are four key areas that form the umbrella protection of the rule law.

Equality Under the Law + Transparency of Law + Independent Judiciary + Accessible Legal Remedy

= The Rule of Law



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A/ International law and national initiatives

On a global scale, many rules and norms have been established since the 1979 **Convention on the Elimination of all forms of Discrimination Against Women**, especially in the 1990s. In **1993, the World Conference on Human Rights** recognised that violence against women was a violation of human rights and, through the Vienna Declaration, called for the appointment of a special Rapporteur on Violence against Women. That same year, **the Declaration on Elimination of all forms of Discrimination Against Women was the first international tool to explicitly tackle this specific violence**, providing a national and international framework.

In **1995, the Beijing Programme of Action** defined the significant measures that States need to take to prevent and fight violence against women and girls. Elimination of violence ranked among the 12 priority scopes. More recently, one of the objectives of the **2030 UN Agenda for Sustainable Development is to achieve gender equality and universal access to justice (goals 5 and 16)**.¹²

All geopolitical ensembles have also presented their own charters and established their ambitions during various conventions: **Protocol on Women's Rights in Africa (2003 Maputo Protocol)**, **Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (1994 Belém do Pará Convention)**, the **Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (2011 Istanbul Convention)** etc.

Despite these tools aiming for equality and protection, the pre-eminence of discriminatory laws in the world is still very strong. The **World Bank annual report "Women, Business and the Law"** identifies existing obstacles to women economic participation and encourages the reform of discriminatory laws. This project presents **eight indicators** structured around women interactions with the law during their career: Mobility, Work, Remuneration, Marriage, Parenthood, Entrepreneurship, Assets and Retirement. According to the **2021 report**, it is considered that **women have a legal status similar to men's in all assessed sectors in only 10 countries out of the 190 included in the study: Belgium, Canada, Denmark, France, Iceland, Ireland, Latvia, Luxembourg, Portugal and Sweden**.¹³

12. "Goal 5: Achieve gender equality and empower all women and girls."; "Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels".

13. "Women, Business and the Law", World Bank (2021). [Online] World Bank. Available at: <<https://openknowledge.worldbank.org/bitstream/handle/10986/35094/9781464816529.pdf>> [Accessed 20 September 2021]



B/ Access to justice: a fundamental issue

For rights **primacy to be exerted, access to justice must be guaranteed**. As the Council of Europe is aware that it isn't absolutely the case, its **strategy for gender equality (2018-2023) includes six goals**, among which "*Guaranteeing women equality for access to justice*". Moreover, as part of the Partnership for Good Governance (PGG), a European Union and Council of Europe joint programme aims to strengthen access to justice for women – especially for women victims of violence – in compliance with the Council of Europe standards regarding gender equality.

UN Women often warns to the exclusion of women from the rule of law and calls governments to strengthen women's access to justice, as well as to promote a receptive legal system supporting equal rights, equal opportunities, and equal participation.

Despite texts, standards and laws, access to justice remains difficult and a worldwide problem, with more or less alarming realities according to the different legislations. Laws are not enough: they should be known by women victims, they should be respected by societies, institutions, and the judicial system staff. And difficult access to justice appears the moment a victim fears being treated suspiciously by a member of the forces of order and therefore gives up by herself to file a complaint.

C/ A holistic vision

It appears that the lack of training of the judicial system staff on psychology, victimology and gender violence puts a curb on the guarantee of access to justice for women, including in the countries demanding the pre-eminence of the law. For all that, a corporation cannot embrace all the knowledge of another; a professional cannot sensibly assume the responsibilities of another profession.

Even if it probably represents one of the most universally shared issue, violence against women is an extremely complex problem: cognitive bias, various types of societal, cultural and psychological violence that are still very difficult to recognise, physical violence which is more and more spoken about but painful to comprehend (even juridically)... The answer to a complex problem can only be polymorphous.



III. A Charter of Fundamental Principles on Access to Justice for Women Victims of Violence



“ Women should no more be victims of violence. Once this principle is stated, there remains much to be done! Access to justice is a central issue, not only for our societies that would decline if they didn't guarantee this fundamental right to women citizens, but also for women themselves, who could not put themselves back together thereafter.

That's why we take a stance today. The Charter of Fundamental Principles on Access to Justice for Women Victims of Violence is a first. It establishes fundamental principles that bars and associations of lawyers can absorb, in order to adapt them to their legislation so as to apply them and ensure an effective access to justice to the victims. It includes all types of violence against girls and women.

As lawyers, we play an essential role of guidance and support. We want to go further and to offer a holistic approach aiming at the creation of adequate multi-professional structures that would include psychologists, doctors, members of the forces of order and all concerned players at the lawyers' side. The Charter already ratifies the bars of different countries, sets up a framework to protect and defend victims so that one day, violence against women can be definitely eliminated. Together, we'll reach this goal.

”

Elisabeth ZAKHARIA SIOUFI,
President of the IAL Women's Committee

The IAL Women's Committee proclaimed the Charter of Fundamental Principles on Access to Justice for Women Victims of Violence on the 8th of March 2022 in Paris, at the end of the seminar it had organised jointly with the French Bars National Board, and the participation of the European Bars Federation for International Women's Day.



Charter of Fundamental Principles

On Access to Justice for Women Victims of Violence

The Women's Committee of the International Association of Lawyers (UIA),

Recalling the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966, which affirm the equal rights of women and men to enjoy all rights and freedoms set forth therein,

Considering the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979, which condemns all forms of discrimination concerning women and establishes the obligations of States to ensure through competent tribunals and other public institutions the protection of women from any act of discrimination,

Recalling the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power of 1985, which sets forth that victims are entitled to have access to the appropriate mechanisms of justice and to prompt redress for the harm they have suffered,

Noting that the United Nations Basic Principles on the Role of Lawyers of 1990 recognizes that adequate protection of rights and fundamental freedoms to which all persons are entitled requires an effective access to justice and highlights that professional associations of lawyers have a vital role in providing legal services to all in need of them,

Recalling that the Declaration on the Elimination of Violence against Women proclaimed by the United Nations General Assembly resolution 48/104 of 1993, specifically expressed concern that violence against women is an obstacle to the achievement of equality, development and peace and constitutes a violation of Women's rights and fundamental freedoms,

Considering the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women in 1995 which reaffirms the commitment of States to the promotion and protection of Women's rights,

Recalling the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human rights Law and Serious Violations of International Humanitarian Law adopted by the United Nations General Assembly in 2005,

Noting that the United Nations Principles and Guidelines on access to Legal Aid in Criminal Justice Systems of 2012 encourages the provision of legal aid for victims in the criminal justice process,



Recalling the United Nations 2030 Agenda for sustainable Development which aims to achieve gender equality and universal access to justice (Goals 5 and 16),

Considering:

- 】 The European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950,
- 】 The American Convention on Human Rights of 1969,
- 】 The African Charter on Human and People Rights (Banjul Charter) of 1981 and its Protocol on the Rights of Women in Africa (Maputo Protocol) of 2003,
- 】 The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) of 1994,
- 】 The Arab Charter on Human Rights of 2004,
- 】 The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) of 2011,

Declaring expressly its deep concern about the phenomenon of violence against women globally, the new forms it takes with the development of information and communication technologies and its aggravation due to the Covid 19 pandemic,

And

Determined to combat violence against women and to undertake appropriate measures to promote and protect the fundamental rights of victims as enshrined in the texts referenced above with the effective and concrete support of Bar Associations,

Proclaims this Charter:

Article 1:

For the purposes of this Charter,

- The term “Women” should be understood to include women of all ages as well as girls under 18 years of age.

- The term “Violence against Women” means any act of gender-based violence or omission that results in, or is likely to result in, death or physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, harassment, coercion or arbitrary deprivation of liberty, whether occurring in private or public spheres, offline or online.

Violence can take multiple forms such as, but not limited to:

- a) Physical, sexual and psychological abuse occurring in the family, including battering, sexual abuse of female children in the household, non-spousal violence and violence related to exploitation,
- b) Physical, sexual and psychological abuse occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution,
- c) Neglect, emotional, verbal or societal violence,
- d) Legal violence (Laws that discriminate against women, lack of laws protecting them)

Violence against women can be perpetrated by States, private persons and non-state actors, including business entities.



- The term “Gender-Based Violence” means, as stated by the Committee for the Elimination of Discrimination against Women in its general recommendation No 19 of 1992 and No 35 of 2017, violence which is directed against a woman because she is a woman or that affects women disproportionately.
- The term “Online Violence against Women”, as commonly defined, extends to any act of gender-based violence against women that is committed, assisted or aggravated fully or in part by the use of information and communication technology such as mobile phones and smartphones, the Internet, social media platforms or emails.
- The term “Bar Associations” will include Law Societies, “Ordres d’avocats” and, in general, all professional associations of lawyers.

Article 2:

Women everywhere have the right to live a life free from gender-based violence.

Article 3:

Violence against women is a form of discrimination and constitutes a violation of human rights and fundamental freedoms which impairs or nullifies the enjoyment by women of their rights, mainly the right to life, the right to liberty and security of person, the right to health, the right to equal protection under the law, the right to equality in the family, the right to participate in public and political life, the right to fair and favorable conditions of work, freedom of expression and freedom of movement.

Article 4:

Violence against women evolves rapidly and affects women across the world, whatever their age, familial, cultural, religious, social, educational and economic background.

Women belonging to minority groups including but not limited to indigenous women, refugee and migrant women, women in poverty, and women with disabilities are especially vulnerable to violence.

Internal and international armed conflicts, natural disasters, pandemics, and the destruction or degradation of natural resources also put women at particular risk of violence.

Article 5:

Violence against women shall be considered a criminal offence.

Rape and other forms of sexual abuse can constitute international crimes such as war crimes, crimes against humanity and genocide.

**Article 6:**

Women victims of violence have the right to an unhindered and easy access to justice as well as to an effective remedy for the harm they have suffered.

They are entitled to competent and highly qualified legal services and representation during judicial proceedings and to legal aid if they lack sufficient means.

They must always be treated with respect of their dignity and their privacy and protected from repeated violence.

Article 7:

Bar Associations have a fundamental role in supporting women victims of violence who seek protection and legal assistance as well as in providing them an effective access to pro bono legal services and to legal aid.

Article 8:

Lawyers should be encouraged to volunteer in this process and, to enhance their skills, Bar Associations will organize continuous and specialized training focusing on the different forms of violence and the appropriate legal services in cases of women victims of any of these forms of violence.

Article 9:

Speed in the procedure, effective enforcement of judgements, and ending the delay of justice are necessary in cases of violence against women.

Bar Associations should identify issues that have to be addressed in this regard to streamline procedures and work to reform, repeal and enact new laws where necessary.

Article 10:

Response to violence against women and helping the victims requires a multi-professional approach involving all stakeholders concerned with the various issues related to the subject.

Bar Associations play a pivotal role in this field. They should initiate or support the creation of a national multi-professional committee to combat violence against women, implement the appropriate structures to protect victims and prosecute perpetrators.

Article 11:

Bar Associations should advocate for and take part in training other professionals of the justice system (including police officers, law enforcement agencies and the judiciary) on the best practices to handle cases of women victims of violence and on the application of international standards in order to increase the effectiveness of their work.



Article 12:

Bar Associations must engage actively in combating stereotypes and prejudices that are still hindering access to justice for women victims of violence and their right to an effective remedy.

Article 13:

Bar Associations should organize outreach events to raise general awareness on the issue of violence against women and the rights of the victims.

They also must contribute to the easy access of women victims of violence to information about their rights and legal proceedings by publishing such information on the internet, social media, or through hotlines or helplines and to create departments within the Bar to provide legal free advice to victims, start the legal proceedings, and coordinate the various services that support victims.

Article 14:

The Women’s Committee undertakes to implement this Charter with the support of the International Association of Lawyers (UIA) and in partnership with its collective and individual members.

This Charter was proclaimed in Paris by the Women’s Committee of the International Association of Lawyers (UIA), on March 8, 2022, on International Women’s Day.



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Presentation

International Association of Lawyers (IAL)

Founded in 1927, the IAL is a worldwide and multicultural organisation for legal professions. Today, it gathers more than two million lawyers – individual or collective members – (bars, federations, associations) spread over 110 countries. Open to all lawyers in the world, the IAL is the only big organisation of lawyers that is international, multicultural and promotes the rule of law while helping professional development, training, and networking.

The IAL defends harassed or threatened lawyers in the world through lobbying actions and pleas, and often denounces hindrances to the smooth operating of justice and legally instituted bars. Through the IAL-IROL (Institute for the Rule of Law), this organisation campaigns for the respect and defence of the rule of law. Since 1971, as a Non-Governmental Organisation (NGO), it has benefited from a specific consultative status with the United Nations and from a participative status with the Council of Europe. It is also represented at the main United Nations headquarters (New York, Geneva and Vienna).

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