

# **Gender based violence and gender equality**

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# Overview

- Defining gender based violence (GBV)
- Forms and nature of GBV
- Prevalence
- From impunity to accountability
- Laws and enforcement
- Victimisation to justice
- Culture of impunity
- Challenges

# Defining gender based violence

‘Violence against women is a manifestation of historically unequal power relations between women and men and is a crucial social mechanism to force women into a subordinate position’ *Beijing Platform for Action 1995*

‘This is not random victimisation – these crimes are associated with inequality between women and men, and they entrench that inequality’ *Vienna declaration 1993*

‘Gender-based violence...shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately’ *Istanbul Convention 2011*

# Forms of gender based violence

**Identified forms:** Female foeticide, female infanticide, female genital mutilation (FGM) rape, sexual assault, male violence against their partners (male domestic violence) sexual harassment in the workplace, prostitution and trafficking for sexual exploitation

## **Intersection of inequalities**

Differential levels of risk for girls and women including poverty, race, ethnicity and disability

**Prevalence and extent** – one in 3 to one in 4 women directly victimised by sexual and domestic – wider impact

# Nature of GBV

- Not random – systematic, intentional, targeted
- Attacks the bodily and sexual integrity of girls and women
- Sexually controlling, sexualised and sexually abusive
- Causes unique and profound harm
- Men experience domestic abuse but Male DV results in serious injury, sexual assault, post separation violence and homicide
- Sexual violence perpetrated on boys and young men but also gendered as is primarily by other men

## From impunity to criminalisation and accountability

- Four decades of legislation in the area of rape, sexual assault, domestic violence and FGM
- Major shift in recognising these as crimes against the person even when in the privacy of the family
- Gap between incidence and victimisation, disclosure, reporting, to authorities attaining protection and justice for victims and accountability for perpetrators
- Front line services present here at the assembly will outline the mechanisms and systems change needed to ensure pathways to justice

## Cultural impunity vs legal impunity

- Laws are not only punitive - declarative and normative - marital rape law – but normative change takes longer
- Silence, fear, shame, stigma, victim blaming and collusion with the perpetrators remain
  - Why did she stay?
  - Why did she go home with him?
  - Was she drinking?
  - What was she wearing?
- Focus on the sexual behaviour of the victim not the actions of the perpetrator – rape trials

# Central tenet of gender equality

- Women's right to bodily integrity, sexual and reproductive autonomy and sexual identity
- The right to be free of unwanted sexual intrusions, sexual control and sexual violence
- Relationships based on equality, mutuality, reciprocity, respect and negotiation of meaningful sexual consent



## Undermined by the global commercial sex trade

**Prostitution** sexual contract - antithesis of these core values:

- Prostitution is not about women's sexual autonomy or being the subject of our own sexuality...it is being the object of someone's else's...men's... sexual demands
- It is not 'sex work' which legitimises and normalises
- Profoundly harmful, highly privatised form of sexual exploitation
- Based on **inequality** where meaningful sexual consent is disregarded, and economic power is used by the buyer to pay for acquiescence to his sexual demands

# The Criminal Law (Sexual Offences) Act 2017

- The Act criminalises the buyers and ensures that those exploited in prostitution are de-criminalised.
- Enforcement -The Garda National Protective Services Bureau (GNPSB) - sexual offences, online child exploitation, child protection, domestic violence, human trafficking and organised prostitution.

*It's a very, very broad area...coming under probably one heading of vulnerability, which is a really, really important area of (Chief Superintendent Declan Daly)*

- Normative change – to embed the principle at a cultural level that sexual access to women and sexual consent are not commodities that one can buy

# The online world

- Online sexual objectification, sexual harassment, sexting
- Message of pornography - women and girls are sexual objects and that when they say no they mean yes
- Almost all porn is now what used to be called hardcore -body-punishing sex in which women are demeaned and debased
- Anna Kriegel's tragic death should have been a wake up call
- Open our eyes, confront this reality, and be vigilant for our young people our girls and our boys
- Demand online responsibility

# Transformative change

## **Council of Europe (Istanbul) Convention – framework for national action plan on GBV**

- Prevent, protect, prosecute and co-ordinate policy
- Promote substantive equality between women and men
- ‘Aspiring to create a Europe free from violence against women and domestic violence’

# Ireland going forward

Gender inequality and gender based violence cast a shadow on and diminish us all - women and men, girls and boys

- Insert a clause in the **Constitution** which makes gender equality a value of Ireland -recognising all citizens as equal
- Ensure our **National Strategy on GBV** reflects the optimum not the minimum required and is truly aspirational