

Second day of the Twenty-First Meeting
MC(21) Journal No. 2, Agenda item 7

DECISION No. 7/14
PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN

The Ministerial Council,

Reaffirming the commitment to respect human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, as enshrined in the provision of the Helsinki Final Act of 1975,

Recalling that the full and equal exercise by women of their human rights is essential to achieving a more peaceful, prosperous and democratic OSCE area and that the OSCE participating States are committed to making equality between men and women an integral part of their policies, both at the level of their States and within the OSCE executive structures, as was declared at the OSCE Istanbul Summit in 1999,

Reaffirming that the inherent dignity of the individual is at the core of comprehensive security, as asserted in the Astana Commemorative Declaration in 2010,

Reaffirming all relevant OSCE commitments, including those contained in Ministerial Council Decision No. 14/04 on the Action Plan for the Promotion of Gender Equality and the Ministerial Council Decision No. 15/05 on preventing and combating violence against women,

Recalling that OSCE commitments on human rights and gender equality are inspired by the international human rights framework, including the Convention on the Elimination of all Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, and UN Security Council resolution 1325 on women and peace and security,

Acknowledging commitments that participating States have undertaken in international and regional fora on combating violence against women,

Taking note of international and regional initiatives to combat sexual violence, in particular in armed conflict,

1 Includes a correction to the format of attachment 2.

Taking note of the High-Level Gender Equality Review Conference, held in Vienna in July 2014, related to the progress of and gaps in implementation of relevant OSCE commitments,

Deeply concerned by the persistence of violence against women as one of the most pervasive human rights violations in the OSCE area, manifested as physical, sexual, and psychological violence and reiterating the particular need to take more vigorous measures in preventing and combating violence against women, to which gender inequality can be among the major contributing factors,

Reaffirming the importance of effective accountability with regard to violence against women and against children, including sexual violence, abuse and exploitation, and of undertaking adequate measures to combat such violence,

Calls on the participating States to take on the following measures related to combating and preventing violence against women in the areas of developing legal frameworks and partnerships, preventing and prosecuting violence against women, and protecting victims;

Calls on the participating States to ensure for all women the protection and full respect of human rights and fundamental freedoms;

Strongly condemns all forms of violence against women and refrain from justifying it, as described in the Declaration on the Elimination of Violence against Women;

(A) Legal framework

1. Calls on the participating States to:

- Request, as appropriate, opinions produced by the ODIHR on legal and policy frameworks for preventing and combating violence against women, including domestic violence;
- Collect, maintain and make public reliable, comparable, disaggregated, and comprehensive evidence based data and statistics regarding all forms of violence against women, including sexual and domestic violence, whilst ensuring compliance with their data protection laws, and include information on the number of cases reported to law enforcement bodies, the numbers investigated and prosecuted and the sentences imposed;
- Align national legislation with relevant international standards they have undertaken, if they have not done so already, and OSCE commitments on all forms of violence against women, and consider best practices when adopting relevant legislation;
- Give consideration to the signature and ratification of relevant regional and international instruments, such as the Council of Europe Convention on preventing and combating violence against women and domestic violence, where applicable.

2. Tasks the OSCE executive structures to, within their mandates:
 - Promote the exchange of best practices regarding legislation related to combating all forms of violence against women;

(B) Prevention

3. Encourages the participating States to:
 - Strengthen efforts to reach out to the public through public awareness and sensitization activities, in order to address negative stereotypes, attitudes, and prejudices which contribute to all forms of violence against women;
 - Take appropriate measures to increase the engagement and participation of men and boys in the prevention and elimination of all forms of violence against women, including sexual and domestic violence;
 - Take measures to raise awareness of the vicious cycle of violence that might emanate from physical, sexual, and psychological violence experienced in childhood and adolescence;
 - Develop programmes to work with the perpetrators of violence against women, both during and after their sentence in order to avoid repeat offenses;
 - Provide treatment, counselling and training courses and other measures to prevent re-victimization and trauma, including during judicial processes.
4. Tasks the OSCE executive structures to, within their mandates:
 - Improve co-operation with relevant stakeholders of international and regional organizations on efforts to collect sex-disaggregated data and statistics on the occurrence of all forms of violence against women in the OSCE area;
 - Assist the participating States, upon their request, in their efforts to promote comprehensive, effective and evidence-based approaches to combating all forms of violence against women, including sexual and domestic violence, and better respond to the needs of all victims.

(C) Protection

5. Encourages the participating States to:
 - Ensure that victims of all forms of violence against women receive timely and adequate information on available legal measures and support services, such as sexual violence crisis centres, shelters or other relevant structures, as well as healthcare, and to ensure that they are easily accessible;
 - Promote programmes and activities that empower and support women who have been victims of violence.

6. Tasks the OSCE executive structures to, within their mandates:
- Assist the participating States, upon their request, in strengthening their capacities for protection of victims of all forms of violence against women;
 - Facilitate the exchange between the participating States of information, experience, and best practices concerning protection;
 - Provide technical assistance to the participating States that request so, in organizing support services such as telephone hotlines, crisis centres, etc.;
 - Offer to participating States specialized training courses for relevant professionals from interested participating States dealing with victims or perpetrators of all forms of violence against women, including sexual and domestic violence.

(D) Prosecution

7. Encourages the participating States to:
- Strengthen the efforts to investigate, prosecute and punish the perpetrators of all forms of violence against women and provide victims with protection and appropriate remedies;
 - Ensure the development and effective implementation of legislation that criminalize violence against women and that provides for preventative and protective measures, such as emergency barring orders and protection orders, where they exist, as well as the investigation, and submission for prosecution and appropriate punishment of perpetrators, including with a view to end impunity.

(E) Partnership

8. Encourages the participating States to:
- Develop comprehensive and co-ordinated national policies aimed at combating all forms of violence against women, encompassing all relevant actors, such as law enforcement and the justice sector, parliaments, national human rights institutions, healthcare and social services as well as civil society organizations.
9. Tasks the OSCE executive structures to, within their mandates:
- Enhance co-operation with relevant stakeholders of international and regional organizations;

- Facilitate the exchange of information, experiences and best practices among the participating States and all relevant stakeholders with regard to combating all forms of violence against women.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

By the delegation of Azerbaijan:

“While joining the consensus on the Ministerial Council Decision on Preventing and Combating violence against Women, the Delegation of the Republic of Azerbaijan would like to make an interpretative statement under paragraph IV.1(A)6 of the Rules of Procedure of the OSCE.

The Delegation of the Republic of Azerbaijan has been actively engaged in the discussions on this Decision with a view to producing a comprehensive and substantial document that addresses the needs and concerns of all victims, including those of vulnerable groups referred to in the Ministerial Council Decision No. 15/05 on Preventing and Combating Violence against Women.

Azerbaijan regrets that only one delegation – the Delegation of Armenia demonstrated obstinate resistance to include the reference to the vulnerable groups in the adopted Decision only because these groups incorporate, *inter alia*, refugees and IDPs. This is yet another example of Armenia’s continuing disrespect to the rights of Azerbaijani refugees and IDPs, which have been gravely violated as a result of its military aggression against the Republic of Azerbaijan accompanied by massive ethnic cleansing and expulsion of Azerbaijanis from their native lands in Armenia and in the occupied territories of the Republic of Azerbaijan.

Azerbaijan considers this Decision as an additional instrument to respond to the needs of the Azerbaijani refugees and IDPs and it will continue utmost efforts, including through this Decision, to remedy the violations of their rights deriving from international law and as envisaged in relevant documents of international organizations.

We request that this statement be attached to the decision adopted and be included in the journal of today’s meeting.”

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
OF THE ORGANIZATION FOR SECURITY AND
CO-OPERATION IN EUROPE**

The delegation of Italy, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“Mr. Chairperson,

The EU wishes to make the following interpretative statement.

The EU supports the adoption of this decision. We would, however, like to clarify our views in relation to the following three points:

The EU is firmly committed to preventing and combating violence against women. In this respect we recall Ministerial Council Decision No. 15/05 adopted at the Ljubljana Ministerial Council and call for its full implementation.

Furthermore, we would like to emphasize that on the basis of the Helsinki Document from 1992, ODIHR has a general mandate to assist OSCE participating States in the implementation of their human dimension commitments. In the implementation of this mandate, ODIHR, as an autonomous institution, can develop guidelines, handbooks, organize workshops and other activities without the request of participating States.

Finally, we want to stress that human rights include reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences.

Mr. Chairperson,

We request that this interpretive statement be duly registered and appended to this decision and also to the journal of the day.”

1 Includes a correction to the format.