

C. Matters brought to the attention of the Council

3. The attention of the Council is also drawn to the following resolutions and decisions adopted by the Commission.

Resolution 3/1. Violence against women and children*

The Commission on Crime Prevention and Criminal Justice,

Welcoming the proclamation by the General Assembly, in its resolution 48/104 of 20 December 1993 of the Declaration on the Elimination of Violence against Women,

Recognizing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the Assembly in its resolution 34/180 of 18 December 1979, will contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women strengthens and complements that process,

Concerned that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, 44/ which recommend a set of measures to combat violence against women, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

Bearing in mind that the Declaration on the Elimination of Violence against Women sets out various forms of physical, sexual and psychological violence against women and provides that States should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to the elimination of violence against women,

Recalling General Assembly resolution 48/110 of 20 December 1993 on violence against women migrant workers, in which the Assembly urged States to ensure that the rights of women migrant workers were protected,

Recalling also Economic and Social Council resolution 1993/26 of 27 July 1993 on violence against women in all its forms,

Recalling further Commission on Human Rights resolution 1993/46 of 8 March 1993, in which the Commission, inter alia, condemned acts of violence and violations of human rights directed specifically against women, 45/

Recognizing the particular role of the Commission on the Status of Women in promoting equality between women and men,

* For the discussion, see chap. II.

44/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

45/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 and corrigenda (E/1993/23 and Corr.2 and 4), chap. II, sect. A.

Bearing in mind that the protection of human rights is a significant consideration in the criminal justice system as a whole,

Calling attention to the fact that it is important that perpetrators of domestic violence receive appropriate punishment and that appropriate crime prevention measures be instituted,

Recalling that the Vienna Declaration and Programme of Action 46/ affirmed that gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, were incompatible with the dignity and worth of the human person, and must be eliminated,

Recalling also that the Vienna Declaration and Programme of Action stated, inter alia, that effective measures were required against female infanticide, harmful child labour, the sale of children and their organs, child prostitution, child pornography and other forms of sexual abuse, 47/

Recalling further that article 19 of the Convention on the Rights of the Child, adopted by the General Assembly in its resolution 44/25 of 20 November 1989, states that States parties to the Convention should take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, including sexual abuse,

Noting with satisfaction the action taken under the auspices of the Council of Europe, aimed at setting up an effective instrument to secure the exercise by minors of their rights,

Looking forward to the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing in 1995,

Alarmed by the marked increase in acts of sexual violence directed notably against women and children, as expressed in the Final Declaration of the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993, and reiterating that such acts constitute grave breaches of international humanitarian law,

Further alarmed that armed conflicts severely affect the civilian population, in particular women and children, and that situations which lead to impoverishment of families and the serious deterioration of their living conditions contribute to the occurrence of violence against women and children,

Noting the Workshop on Domestic Violence Issues in Central and Eastern European Countries, held at Budapest on 8 and 9 April 1994, organized jointly by the European Institute for Crime Prevention and Control, affiliated with the United Nations, and the Ministry of Justice of the Government of Hungary,

Recognizing the work being done by non-governmental organizations in eliminating violence against women and children, in drawing attention to the nature, severity and magnitude of violence against women and children and in assisting women and children who are victims of violence,

46/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III, para. 18.

47/ Ibid., para. 48.

1. Calls for - in accordance with the Declaration on the Elimination of Violence against Women, the Convention on the Rights of the Child, adopted by the General Assembly in resolution 44/25 of 20 November 1989, and the United Nations Guidelines for the Prevention of Juvenile Delinquency, adopted by the General Assembly in resolution 45/112 of 14 December 1990 - the elimination of violence against women and children in the family, in the general community and where perpetrated or condoned by the State, and emphasizes the duty of Governments to refrain from engaging in violence against women and children and to exercise due diligence to prevent, investigate and, in accordance with national legislation, to punish acts of violence against women and children, whether those acts are perpetrated by the State or by private persons, and to provide access to just and effective remedies and specialized assistance to victims;

2. Calls upon all Governments, as well as intergovernmental bodies and non-governmental organizations, to take all possible steps to eliminate violence against women, in accordance with the Declaration on the Elimination of Violence against Women, and to take all possible steps to eliminate violence against children, in accordance with the Convention on the Rights of the Child, and to disseminate information on those instruments and to promote their understanding;

3. Urges Member States that are not already parties to the Convention on the Elimination of All Forms of Discrimination against Women and to the Convention on the Rights of the Child to become parties to those instruments, and urges Member States that are parties to those instruments to withdraw their reservations that may be relevant to the issue of violence against women and children, and that are contrary to the object and purpose of the conventions or that are otherwise incompatible with international treaty law;

4. Urges Governments, in accordance with their constitutional and legislative systems, to take appropriate action to discourage, in their educational systems and in the mass media, the perpetuation of stereotypes of women and children that may contribute to violence against women and children;

5. Expresses its appreciation of the decisions of the Commission on Human Rights to appoint, at its forty-sixth session, a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography 48/ and, at its fiftieth session, a Special Rapporteur on violence against women; 49/

6. Requests all Governments to cooperate with and assist the special rapporteurs in the performance of their tasks and duties and to furnish all relevant information requested;

7. Invites the special rapporteurs to cooperate closely with the Commission on Crime Prevention and Criminal Justice in the discharge of its functions and to attend the fourth session of the Commission;

8. Urges the Secretary-General to publicize the work of the special rapporteurs and to disseminate their findings and conclusions widely, including

48/ Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A, resolution 1990/68.

49/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A, resolution 1994/45.

bringing them to the attention of the Commission on Crime Prevention and Criminal Justice to assist it in its work in the area of violence against women and children;

9. Encourages the strengthening of cooperation and coordination between the Commission on Crime Prevention and Criminal Justice, the Commission on Human Rights, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and other treaty bodies, the United Nations Development Fund for Women, the United Nations Children's Fund, the United Nations Development Programme and other United Nations agencies, including the International Labour Organization;

10. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourth session on the activities of United Nations bodies and institutions with regard to the issue of violence against women and children;

11. Notes with appreciation the offer of the Government of Canada to translate into French the publication entitled Strategies for Confronting Domestic Violence: A Resource Manual, which was prepared in collaboration with the Government of Canada, the Crime Prevention and Criminal Justice Branch of the Secretariat and the European Institute for Crime Prevention and Control, affiliated with the United Nations, and published in English with the help of the European Institute, and requests the Secretary-General to publish it as soon as possible in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

12. Requests the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider violence against women and violence against children as separate questions under topic 4 and in the context of the workshop on the prevention of violent crime and to propose recommendations to the Commission in respect of legislation, procedures, policies, practices, and technical cooperation and assistance, as well as of social services, education and the dissemination of information;

13. Decides to continue its consideration of the issue at its fourth session by having its in-session working group examine, as separate questions, violence against women and violence against children in their crime prevention and criminal justice aspects and, more particularly, specific measures which can be taken in that respect, in the light of the international instruments referred to above and the recommendations of the Ninth Congress;

14. Invites the United Nations interregional, regional and affiliated institutes to undertake activities on issues relating to violence against women and children and to submit a report to the Commission on Crime Prevention and Criminal Justice at its fifth session on practical measures that could be taken in the field of crime prevention and criminal justice to combat violence against women and children.