



United States Mission to the OSCE

Session 10: Gender Aspects of Security (I)

As prepared for delivery by _Gael Strack, Executive Director
National and International Family Justice Center
to the OSCE Human Dimension Implementation Meeting
Warsaw, October 1, 2007

Mr. Moderator,

My name is Gael Strack, and I'm a public member of the United States delegation. Over the course of my career, I've served as a prosecutor, defense attorney, county counsel and now Executive Director of the International and National Family Justice Center Alliance.

As a result, I know violence against women is one of the most widespread human rights abuses in the world. It is a serious problem in every state and every country. The United Nations has recognized Domestic Violence as a human rights issue. Likewise, OSCE states agreed in the Helsinki Final Act to "respect human rights and fundamental freedoms ... for all without distinction as to race, sex, language, or religion." The UN has also called upon governments and NGOs to work together to develop strategies to eliminate violence against women in the home.

I would like to report some promising new practices in the United States, where Congress passed the Violence Against Women Act of 1994, making Domestic Violence a priority and giving grants to states to address the issue. Domestic Violence is a complicated issue and requires a multitude of strategies, as well as collaboration between government, NGOs and the private sector. We also know that the cycle of domestic violence must be stopped from spreading from generation to generation.

In 2003, President Bush launched the President's Family Justice Center, an initiative based on the work of many communities, including the San Diego Family Justice Center. The initiative commits resources to communities to help them create Family Justice Centers, where victims of

domestic violence can find the service they all in one location, instead of having to go from place to place to find help.

At its core a Family Justice Center represents a partnership between government, NGOs and the private sector to address the community problem of domestic violence. These centers provide a multi-disciplinary team of professionals, including police prosecutors, civil attorneys, chaplains, counselors, social workers, doctors, nurses, advocates and volunteers. Within five short years, we have seen promising results, including increased access to services, reduced violence and homicides and improved sharing of resources. Today there are 30 family justice centers in America and three in other countries.

The OSCE participating States agreed in the Helsinki Final Act to “respect human rights and fundamental freedoms ... for all without distinction as to race, sex, language, or religion.” Regrettably, in many OSCE States the necessary legal frameworks to protect the human rights of women are either missing or not effectively implemented. Accordingly, discrimination against women in access to education, economic opportunities, and political processes continues. Law enforcement authorities sometimes do not respond adequately to physical or sexual assaults against women, including those perpetrated by spouses or other family members. Women are victims of sexual abuse by combatants, peacekeepers and international mission members, including those from OSCE States, who are not always held accountable for abuses they commit.

Domestic violence continues to be a problem in virtually all OSCE countries – including my own. In most countries it is underreported and therefore harder to eradicate due to victims’ fears of retaliation, social censure, or a social stigma associated with rape cases. Thus it is difficult to gauge the actual scope of the problem. And as our governments work harder and more effectively to eradicate the problem, the number crimes often appears to rise as more women come forward to authorities for assistance. In order to gauge the scope of the problem in the United States, the National Network to End Domestic Violence conducted a one day data collection on November 2, 2006; some 62% of local domestic violence service providers participated. Participants reported that nearly 50,000 adults and children received assistance related to domestic violence on that day. The Bureau of Justice Statistics, a division of the U.S.

Department of Justice that collects and analyzes data about criminal acts, offenders, victims, and other issues, reports that during 2004 there were approximately 627,400 nonfatal intimate partner victimizations—475,900 against females and 151,500 against males. Approximately one-third of these offenses were serious violent crimes—rapes, sexual assaults, robberies and aggravated assaults—and involved either serious injuries, weapons or sexual offenses. Overall, 21 percent of female victims of domestic violence and 10 percent of male victims of domestic violence contacted an outside agency for assistance.

These astonishing figures do not necessarily mean that there is more domestic violence in the United States than in other countries – it simply means there is more data being collected and more victims coming forward.

Effectively addressing this problem requires as a basis a framework that provides legal accountability for abusers and fosters the ability of authorities or civil society to respond to specific incidents. While several States, like Lithuania, do prosecute domestic violence under general assault laws, specific laws would further strengthen authorities' ability to hold abusers accountable. OSCE States without specific laws against domestic violence include Armenia, Azerbaijan, Belarus, Kazakhstan, Lithuania, Russia and Uzbekistan. We would like to commend Greece for its new law against spousal rape.

But legal frameworks are not enough. States must do more to train law enforcement and social workers in how to respond to victims of domestic violence. And information and assistance must be available for victims. The OSCE has conducted several programs in these areas recently, including producing a manual for social workers in Kosovo, training police in Azerbaijan, and conducting a seminar on domestic violence law in Albania. The OSCE should continue to offer such assistance to States, including participating States that do not host missions. Perhaps some programs already developed could be adapted for use in other countries.

Another egregious form of violence against women is the so-called “honor killings.” We commend Turkey for strengthening its laws and programs to fight this problem, and Turkish Prime Minister Erdogan for speaking out against the practice. While not common, “honor

killings” have taken place in several OSCE States, including the United Kingdom, The Netherlands, and Germany. As a result, The Netherlands has put in place a new system to track “honor”-related violence and instituted a 5-year program to eradicate it. We hope The Netherlands will share its experiences and best practices.

Finally, Moderator, I would like to raise some issues related to the OSCE itself. We note that in the last year there has been a small but steady increase of women in professional posts in the OSCE. Training has also increased. According to the most recent report on the implementation of the 2004 Gender Action Plan, “the percentage of women in management positions, however, has not experienced any change over the past three years, still representing only 17%.” We welcome the new “Guide on the OSCE Policy against Harassment, Sexual Harassment, and Discrimination.” OSCE staff must know their rights and how to document and resolve any problems that may arise. We call on OSCE’s senior management to ensure more is done.

Thank You.