



United States Mission to the OSCE

Equality of Opportunity for Women and Men

As prepared for delivery by Ms. Janice Helwig, Member, U.S. Delegation
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Policy makers, lawmakers and law enforcement authorities often dismiss equality of opportunity for women and men as simply a "woman's issue" or "soft issue." This attitude overlooks the violations of human rights that continue to occur throughout the OSCE region as a result of the lack of equality of opportunity for both genders.

The denial of equal opportunity for women takes on many forms. In virtually all OSCE countries - including the United States - women sometimes face discrimination in the workplace and in access to education. Women's human rights are sometimes violated, including the right to freedom from torture or cruel, inhuman or degrading treatment, and the right to equal protection of the law without discrimination on the basis of gender. The refusal to directly and forcefully address such human rights violations inflicted upon women cannot be justified by culture, religion, or tradition.

In the OSCE, we are currently working on a new Action Plan to promote gender equality. This plan is based on the belief that the protection of human rights of women and equality of opportunity for women is just as fundamental to the overall security of our societies as protecting all other human rights. The Action Plan addresses the broad scope of issues related to equality of opportunity for women, in both OSCE institutions and participating States. We strongly support the new Action Plan, and hope that it will spur all countries to step up our efforts to address this issue.

Although the United States is concerned that the broad spectrum of issues in the Action Plan be addressed, today I would like to highlight one issue in particular: domestic violence. Many women - in all our countries - are the victims of violence and abuse within their own home. Conflicts and post-conflict stresses can exacerbate the problem. We hope that the OSCE will take a harder look at providing assistance to participating States in addressing this difficult issue.

Ignoring such abuses is a failure by governments to act in accordance with their OSCE commitments. The duty to protect human rights is fulfilled only when a state's laws, policies and practices prohibit acts of violence, provide remedies for victims of violence, and hold perpetrators legally accountable. Although participating States freely committed in the Charter for European Security and the Moscow Document "to undertake measures...to end violence against women," including domestic violence, many are failing to fulfill these commitments. In fact, through their actions or inaction, they reveal a deep unwillingness to address these violations.

Addressing domestic violence requires a multi-faceted, long-term commitment by governments and the active participation of civil society. A fundamental first step, however, is to ensure that a state's laws provide the necessary framework to hold abusers legally

accountable, and do not hinder police, judiciary, or victim support providers response to a victim's needs. While we all need to strengthen our efforts, I would like to point out situations in OSCE States where this fundamental legal framework is not yet in place, and to call on those countries to work with the OSCE to enact the necessary reforms.

In this regard, the United States notes that, while domestic violence can be prosecuted as assault in most states, there are no laws specifically defining domestic violence as a crime in Albania, Armenia, Azerbaijan, Estonia, Georgia, Kazakhstan, Lithuania, Macedonia, Moldova, Russia and Uzbekistan. Moreover, in Bulgaria, the law specifically exempts from state prosecution certain types of assault when they are committed by a family member. In Hungary, where there is a law against domestic violence, the lack of any prosecutions under the law last year seems to indicate a problem with its implementation.

OSCE participating States should also take steps to eliminate barriers to effective criminal prosecutions of domestic abuse. The burden for reporting and prosecuting the crime should be taken off the victim by giving the police a more active role in the process. For example, to remedy the current unwillingness of police to intervene in situations of ongoing violence in the home, laws can be written requiring police to arrest anyone who physically assaults or makes violent threats against an intimate partner. Many experts believe that an arrest and incarceration for domestic violence is the most successful technique for getting violent partners to stop the abuse.

As I said previously, the United States has been actively engaged in efforts to negotiate a new OSCE Action Plan on Gender Issues. As in those negotiations, and again today, the United States reiterates its view that the OSCE institutionally and the OSCE participating States individually should focus their efforts in this area on the very real violations of human rights that continue to occur throughout the OSCE region. The United States calls on all OSCE participating States to begin anew to fulfill our OSCE commitments to ensure equality of opportunity for women and men, including our commitment to prevent violence against women.