



## **ANNEX TO REPORT OF NEEDS ASSESSMENT**

### **SETTING THE PARAMETERS FOR THE DEVELOPMENT OF A HUMAN RIGHTS COMPLIANCE INSTRUMENT ON DOMESTIC VIOLENCE**

*Prepared by Loeky Droesen, program officer women's Human Rights*

#### **INTRODUCTION**

*This annex contains the rough data that came out of the interviews and the brainstorm session conducted in the fall of 2007 as a needs assessment for the development of a Human Rights Compliance Instrument on Domestic Violence. The information given in answer to the questions reflects the general impression and knowledge of the people involved in the interviews. NB The answers that refer to the situation in a specific country, it gives an impression of the situation in October/November 2007.*

#### **PARTICIPANTS**

*Aim for Human Rights wants to thank and acknowledge the time and expertise share by the following people during the needs assessment interviews in the fall of 2007.*

*Ms Lucy Minayo and Ms Christine Alai; Kenya National Commission on Human Rights, Nairobi, Kenya*

*Ms Karen Trueman, Ipas South Africa, Johannesburg, South Africa*

*Ms Philda Muzofa, ms Thandekile Ngwenya and Fadzai Precious Chatiza; Zimbabwe Women's Lawyers Association, Harare, Zimbabwe*

*Ms Tamara Idrobo Tapia; Women's global Network for Reproductive Rights, WGNRR, Amsterdam, the Netherlands, but who answered the question in relation to her country of origin Ecuador*

*Ms Lungiswa Memela; Western Cape Network on Violence Against Women, Cape Town, South Africa*

*Ms Marieta de Vos, Mosaic, training, service & and healing centre for women, Cape Town, South Africa.*

*Ms Lilian Artz, The Gender, Health and Justice research Unit, Cape Town, South Africa*

*Ms Sandra Bencic; Babe and Center for peace studies, Zagreb, Croatia*

*Ms Daniela Dabeska; Macedonian Women's Rights Centre, Skopje, Macedonia*

*Ms Marija Gelevska; ESE, Skopje, Macedonia*

*Ms Bernice Sam; Women in Law and development Africa, WILDAF, Accra, Ghana*

*Aim for Human Rights wants to thank and acknowledge the time and expertise share by the following people during the brainstorm day on the 28<sup>th</sup> of November 2007, in Zandvoort, the Netherlands*

*Ms. Ramona Biholar, SIM, Utrecht, the Netherlands*

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## **THE OUTCOMES OF THE INTERVIEWS**

*The outcomes of the interviews are presented by first introducing the questions as they were asked. Next the variety of responses obtained are noted. Please note that in some cases the information about one country was obtained by speaking to 2 or more people from that country, so a varied response may occur. The numbers behind some Statements indicate the number of times the response was given.*

### **1. How would you/your organization define Domestic Violence? What are key components of the definition in your/your organization's opinion.?**

South Africa; The definition from South African Domestic Violence act was presented as a good example of an inclusive and encompassing definition of both the term Domestic Violence as the concept of Domestic relationship. See definition below

Domestic Violence"

means--

- a) physical abuse;
- b) sexual abuse;
- c) emotional, verbal and psychological abuse;
- d) economic abuse;

- e) intimidation;
- f) harassment;
- g) stalking;
- h) damage to property;
- i) entry into the complainant's residence without consent, where the parties do not share the same residence; or
- j) any other controlling or abusive behaviour towards a complainant, where such conduct harms, or may cause imminent harm to, the safety, health or wellbeing of the complainant;

"domestic relationship"

means a relationship between a complainant and a respondent in any of the following ways:

- a) they are or were married to each other, including marriage according to any law, custom or religion;
- b) they (whether they are of the same or of the opposite sex) live or lived together in a relationship in the nature of marriage, although they are not, or were not, married to each other, or are not able to be married to each other;
- c) they are the parents of a child or are persons who have or had parental responsibility for that child (whether or not at the same time);
- d) they are family members related by consanguinity, affinity or adoption;
- e) they are or were in an engagement, dating or customary relationship, including an actual or perceived romantic, intimate or sexual relationship of any duration; or
- f) they share or recently shared the same residence;

Macedonia; "Any (direct or indirect) act of violence (psychological, sexual, physical) towards a women.+ "cruel act of discrimination= form of discrimination of women, which expresses male domination."

Ghana; "DV act is very broad, contains 5 areas physical, cultural, mental, sexual, ect. Single and multiple cases are possible. Family is very broad includes ex-partners and tenants"

Kenya; "Violence that is perpetrated by someone with whom the victim has a domestic relations, family relation/spouse/mother/sister/brother."

Zimbabwe; "Violence perpetrated on an individual by people living together or who are in some sort of relationship, can be domestics//maids as well."

Croatia; "Violence can include economic and psychological violence. The law has a narrow definition of family, Domestic Violence can only occur in marriage, ex marriage and registered partnerships (gay couples are excluded)"

**2. What do you/your organization think are the three main reasons for Domestic Violence to occur in your country?**

Traditional values and patriarchy; 7

Current weak social and economic conditions in the country; 6

Additional information given about this reason. The conditions cause emotional stress because of lack of resources; overcrowding, break down of family structure in shanty towns, child headed household, due to a.o. HIV/aids

Substance abuse; alcohol and drugs (Tic); 3

Stereotypes about roles men and women; 3

No repercussions for the use of violence in society; 2

Discrimination of women; 2

Emasculation of men due to apartheid years; 1

Socialization of men in culture; learnt behavior that violence acceptable; 1

Political oppression; 1

Catholic church; 1

**3. What do you/your organization think are the three most effective ways to reduce Domestic Violence?**

Ongoing Public awareness campaigns; 4

Effective legal mechanisms to protect the victims; 4

Achieving gender equality and awareness of rights; 2

Addressing and reshaping the ascribed gender roles; 2

Access to legal mechanisms; 1

Re-socialization perpetrator and education; 1

Treatment programs for perpetrators; 1

Rehabilitation/counseling for families; 1

Adequate data and information needs to be collected; stop underreporting of cases; 1

Need to make Domestic Violence a specific criminal offence, do not let prosecution rest on other categories of crimes; 1

Focus on prevention; 1

Multi-sectoral approach; including social justice, economic framework, awareness raising; 1

Breaking the silence; 1

Building self esteem of women; 1

Economic independence of women 1

Involvement of men in the discussion on stopping DV; 1

Education from young age on right not to be victim of violence;1

**4. What do you perceive as the main obstacles in your situation to effectively reduce Domestic Violence?**

Lack of/or non functioning of legal mechanisms to protect the victims; 4

High esteem of marriage in society, stigma on leaving a marriage for any reason; 3

Lack of reporting of cases by women; due to stigma attached in society; 3

Cultural change towards violence is needed; 3

Lack of awareness among institutions; 3

Indifference of leadership/institutions in the country; 2

Perceived gender roles on what a (good) woman is, breaking that mold makes you more vulnerable to violence; 2

Lack of awareness among victims, right to live without violence; 2

Infra structure; services are not implemented; 1

Gender inequality; 1

Practice of FGM continues despite good legal standards; 1

Cultural norms; wife battery is the norm, is seen as a sign of love; 1

Weak court system; 1

Current weak economic situation in country, economic dependency of women, 1

HIV aids crisis; surviving children are extra vulnerable to DV; 1

Dowry system, wives are seem as property; 1

Machismo; cultural norms around role of men; 1

Blaming the victim and enforcement of staying in violent relationship by other women, mother in law syndrome; 1

Traditional institutes/church support the gender roles; 1

Post conflict society issues; need to redefine family; 1

**5. Is the legal framework in your situation adequate to tackle Domestic Violence?**

South Africa; yes, legal framework is strong; 4

Macedonia; yes legal framework is ok; 2

Ghana; once pending draft law is adopted, it will be strong (lobby by NGO's ongoing)

Kenya, ok legislation pending.

Zimbabwe, Domestic Violence act is adequate, but not yet operational.

Ecuador; legal framework exist but could be improved.

Croatia; relatively good but could be improved.

**5A. Is Domestic Violence approached in a gender neutral way or is there attention in the legislation and policy for the gendered aspects of Domestic Violence?**

South Africa; law recognizes the position of women caught up in Domestic Violence.

Macedonia, definition in law does not address gender aspects; broad group of victims is defined, which recognizes gender aspects.

Ghana; law is gender neutral, but it does address the differences in power relationships (memorandum attached to the law does explain gender differences)

Kenya; Discussion on Domestic Violence focuses on women, although some men have come forward as victims recently.

Zimbabwe; act gender neutral formulation.

Ecuador; gendered nature of violence is taken into consideration in policy.

Croatia; gender neutral in law and policy, although the policy does mention it mostly happens to women.

**6. Is the implementation of the legal framework in your situation adequate to tackle Domestic Violence in general?**

South Africa; State service providers still lack proper attitude towards the problem. Only in cases of serious physical harm do they take it seriously; Lack of (skilled) staff; More collaboration among services is needed; Government officials give misinformation to victims and do not want to face too much work.

Macedonia; Understaffing and undertrained staffing in the relevant government agencies; civil restraining orders exist, but are not put in place as they are perceived as punishment for perpetrator, not as prevention measure.

Ghana; Lack of training but, the new pending act in Ghana includes the obligation to train law enforcement agents and there is a budget allocated.

Zimbabwe: No, and even if the Domestic Violence act comes into force it is likely that the inadequate structure will not be improved, due to the overall crisis, making implementation almost impossible.

Ecuador; Access to the legal mechanisms and shelters are organized by civil society organizations, those organizations tend to give good services but no such service made available by State.

Croatia; Implementation is hindered by the fact that Domestic Violence is still not really seen as a public problem. And the lack of budget also hinders implementation.

**7. Are the policies in place to combat Domestic Violence adequate to tackle Domestic Violence?**

South Africa; Has well developed policies on paper, e.g. strong medical legal protocol. Top down approach to policy making, implementation still needs attention, lack of shelters.

Macedonia; National plan is under development; very limited level of developed protocols, most of the work is still in project status.

Ghana; Gender and children policy does address DV and some other policies touch on the issue.

Kenya; Issue is mixed into some policies, such as the HIV policy which addresses DV, but there is not an separate policy.

Zimbabwe; no separate national plan, some issues are rolled into gender policy and scattered throughout other policies.

Croatia; there are policies but those do not address the fight against the patriarchal structure, so do not address causes of the violence

## **8. Are the justice mechanisms (police, prosecutors, judges) in your situation adequately prepared to deal with Domestic Violence?**

### **Police:**

South Africa; In general problem with under resourcing, overworking and lack of adequate training of the services. And response varies from place to place; police does not take the issue seriously; Corruption is a problem; Police does not implement the law in practice; Good services depend on the willingness of individual station commanders to do something.

Macedonia; Project for dealing with victims under development, does not give Domestic Violence cases high priority, low level of training on the issue; need training on recognizing psychological violence; see Domestic Violence as a private matter.

Ghana; Police needs to be trained on new Domestic Violence act in society.

Kenya; Police does not pay adequate attention; reporting often leads to re-victimization, Nairobi now has one police station with a gender desk.

Zimbabwe; All of the services are understaffed and under resources. Police response depends a lot on individual police person. Often cases are not investigated but referred to counseling by police, who mainly try to convince the women to remain in the marriage.

Ecuador; Legal justice mechanisms in general operate from gender prejudices in society. If you husband beats you it is an act of love.

Croatia; Police received a lot of training on the issue and are doing well. They even engage by for instance participating in round table debates. They tend to be more engaged than social services in the country.

### **Prosecutors**

South Africa; Prosecutors do not prioritize Domestic Violence and depends on the individual prosecutor whether they take the issue seriously; lack of training; Corruption is a problem.

Macedonia; Need training on recognizing psychological violence; will only prosecute severe physical violence cases.

Ghana; Prosecutors needs to be trained on new DV act.

Kenya; Prosecutors do not pay adequate attention.

Zimbabwe; All of the services are understaffed and under resourced, do not give Domestic Violence any priority. NB the general collapse of the infrastructure in the country means that people cannot make it to court, lack of access to justice.

Ecuador; Legal mechanisms in general operate from gender prejudices in society; Corruption is a problem in the prosecution services so getting justice depends on who can pay. Often men have more access to funds.

Croatia; Prosecutors tend to act only in cases with serious physical violence; less likely to act in cases of repeated misdemeanor/smaller infractions.

### **Judges**

South Africa; Research shows that judgments are very varied, depends a lot on the individual judges opinion not much consistent jurisprudence; Corruption is a problem

Macedonia; Low sentences, probation, do not take it very seriously.

Ghana; Judges needs to be trained on new DV act; Ongoing training for all the three groups is required as knowledge tends to slip away when people leave posts ect.

Zimbabwe, All of the services are understaffed and under resources, and corruption is a major concern.

Ecuador; In general the legal system does not function well, e.g. the supreme court is elected by political parties.

Croatia; Depends on the individual judge, some do well some don't.

## **9. How would you rate the situation on the Domestic Violence in your country, if compared to other countries in the region?**

*Please note that Many participants indicated they did not have much information on the specific situation in other countries in the regions*

### **-better or worse in terms of level and occurrence of Domestic Violence**

South Africa; about the same as on other post conflict countries; other person from South Africa, maybe worse then surrounding countries.

Macedonia; more or less the same as the rest of region.

Zimbabwe; lower then rest of the region, but number of cases is going up.

Croatia; more or less the same

### **-better or worse in terms of legislation**

South Africa; generally stronger than surrounding countries.

Macedonia; quite good compared to region.

**-better or worse in implementation**

South Africa; ahead of the rest of the region.

Ecuador; lower than rest of region.

Croatia; better.

**-better or worse in policies in place**

South Africa; ahead of the rest of the region.

Ecuador; about the same as rest of region.

Croatia; better in most areas except social services.

**-better or worse in legal justice mechanisms**

South Africa; ahead of the rest of the region.

Zimbabwe; system used to be adequate but is collapsing.

Croatia; more or less the same.

Ecuador; lower than rest of region.

**10. Which country provides a good model in the way it handles Domestic Violence?**

South Africa; does have a good legal model.

Kenya; 1

Uganda; 1

Ghana; 1

Chile; 1

Colombia; 1

Argentina; 1

Uganda; good on community access not on law

**11. Do you think there are any specific African problems linked to domestic violence that differ from the rest of the world?**

*Question asked of the African participants*

Lack of resources; 3

The battle between the traditional leaders (tribal leaders, church leaders) and formal legal structure; 2

Gender inequality in general; 2

High number and severity of the violence; 1

Weak legal/social mechanisms; 1

Lack of social control; 1

Lack of feeling of care in society; 1

Break down of family structure; 1

Male dominated culture; 1

Kenya marital rape; is not yet a crime; 1

High status of Marriage in Africa; 1

**12. Do you think there are any specific regional problems linked to domestic violence that differ from the rest of the world?**

*Question asked of the Croatian and Macedonian participants*

Post conflict societies in Balkan; 2

Patriarchal structure Balkan; 1

**12 A. Do you think there are any specific regional problems linked to Domestic Violence that differ from the rest of the world?**

*Question asked of the Ecuadorian participant*

Cultural norms; machismo for men and marianism (Maria complex) for women, women need to be like holy Mary.

**13. What do you think are the main contributors to DV world wide?**

Hard to get male dominated systems to pay attention; 3

Patriarchy; 3

Women treated as object; 1

Discrimination of women; 1

Power Imbalance; 1

**The next group of questions serve to collect background on your organization and their work on Domestic Violence**

**14. Does your organization work specifically on Domestic Violence?**

Yes; 10

No; 2

Only as part of our work on safe termination of pregnancy as Domestic Violence often leads to a request to determinate

Only a bit as part of our work on SRHR

**If yes does your organization work in a regional, national or international setting?**

All of these levels; 5

Regional; 2

National; 6

**15. Can you describe the type of activities/programs your organization carries out in the field of Domestic Violence?**

Lobby on improved legislation and policies; 10

Provides shelter to victims; 2

Training and awareness raising; 2

Empirical research into causes; 1

Legal education; 1

Legal aid; 1

**16. Name one or two points that could help your organization to improve it's capacity to combating Domestic Violence or the main stumbling blocks in your own work on Domestic Violence.**

Lack of (sustainable) funding; 4

Need more staff; 3

Capacity of staff needs to be improved; 1

Staff needs more in depth knowledge on Domestic Violence; 1

More outreach capacity and capacity to provide legal aid and awareness raising at local level; 1

More legal expertise is needed to analyze draft laws; 1

More expertise on psychological support; 1

More outreach and awareness raising activities should be carried out; 1

Stronger networks among NGO's need to be built; 1

**17. Does your organization collaborate with other's on Domestic Violence?**

Yes; 10

**If yes, what are the main benefits of the collaboration ?**

Pooling lobby activities and strengthening campaigns; 6

Pooling expertise; 4

Coordinating and more efficient efforts; 4

Strengthen legitimacy of your position; 3

Pooling resources; 3

Getting right services to the victim; 1

Exchange of information; 1

Reducing duplication; 1

You can draw in a variety of organizations, including unlikely partners such as traditional leaders; holistic approach; 1

Collaboration on an international level or with international organizations can raise your local status and add to the impact of your work as it scares the government; 1

**What are the main challenges of the collaboration ?**

Keeping commitment going; 1

Distrust among organizations, often based on donor funding fears; donor competition; 5

Not all partners put in the same amount of work; 3

Time consuming; 2

Finding compromise, if opinions differ; 2

Agreeing on strategy and setting clear goals can be difficult; 2

Competition among the partners for credit and recognition, ownership; 2

Trying to cover all the needed areas; 1

We need to take more time for good quality legislation 1

Getting things done on time; 1

If you collaborate with government you can be seen as their ally, can be problem in country in crisis; 1

**18. Is your organization involved in lobbying the government to improve the law and policy on Domestic Violence?**

Yes, 10

No, not specifically on Domestic Violence; 2

**If yes can you please tell me what kind of activities have been undertaken?**

Working on Draft laws; 8

Lobby; 7

Court monitoring; 2

**19. Do you, Does your organization have a solid knowledge on Human Rights Treaties and Law?**

Yes; 4

Some knowledge, but not sufficient; 4

**20. Does your government/authorities in your situation have a solid knowledge on Human Rights Treaties and Law?**

No; 7

*Some additional comments on this point*

Kenya; Government gets training but it varies from service to service and often the knowledge is not internalized.

Ecuador, the new government has an understanding of the concepts

Croatia; No and hard to see possibilities for improvement, as it is not taught at university.

Yes, 1

*Some additional comments on this point*

South Africa, overall commitment to implement HR.

**21. Do you/ does your organization use the law in it's work on Domestic Violence (e.g. providing legal advise)?**

Yes; 8

**22. Does your organization use a Human Rights framework (in it's activities on Domestic Violence?)/ Do you ever rely on Human rights standards in your work?**

Yes; 9

*Some additional comments on this point*

Ghana; Even in mediation in Domestic Violence and divorce cases, Human Rights standards are referred to by us. At times judges also try to help in cases even if the law is not adequate, based on their understanding of the right to a decent life.

**23. Are you aware of any tool kits; instruments that are available for bringing a Human Rights based approach to the work on Domestic Violence?**

South Africa; the South African Human Rights Commission may have collected Human Rights tools in general; a training manual on Gender, Domestic Violence and Human Rights does exist but no policy analysis tool.

Zimbabwe; UNICEF works with rights based approach in general.

Some organizations in Latin America work with prevention tool kits that include reference to Human Rights.

Some courses at universities such as Colombia university address the issue.

Ghana; Ark foundation document on Domestic Violence is rights based; WILDAF uses this document and therefore knows that these type of documents can be very useful.

**The next group of questions serves to collect information on the possible use and impact of human standards**

**25. Do you think having a Human Rights based approach in your work on Domestic Violence could strengthen your activities and/or help to reduce Domestic Violence in your situation**

Yes, it could influence policy change.

It would help to Combat Domestic Violence more efficiently.

It would add strength to the arguments; shift focus from it only being a women's issue to it being considered a serious issue.

It can be convincing to advocate for change, based on Human Rights standards, but that will vary from local setting to local setting.

Having an Human Rights based approach would help strengthen the analysis even though national law arguments are more convincing to South African authorities.

Human Rights approach would strengthen the approach to see Domestic Violence as Human Rights issue and not a private matter.

Zimbabwe; Yes as it makes you start by looking at the affected person and it would help to solve their problem and you can find special solutions. Is effective to meet their needs and expectations.

Yes, Human Rights approach on any topic is helpful, it looks at the whole person as a rights carrying being, not just at the specific problem and short term solutions

Yes, 1

Yes, but a balance must be struck between making it a practical instrument without losing a strong theoretical background and using it, should not put too many demands on the time of the user.

**26. Is your country a member State to CEDAW?**

South Africa, yes

Macedonia, yes

Kenya, yes

Zimbabwe, yes

Ecuador, yes

Croatia, yes

**27. Does your country report to the CEDAW Committee  
Is there a shadow reporting system in place and does it address  
Domestic Violence?**

South Africa; Yes, coordinated by the organization Masimanyane, but in South Africa CEDAW is not taken very seriously, arguments based on national law have more impact  
Macedonia, yes  
Kenya, yes  
Zimbabwe, yes  
Ecuador, not known  
Croatia, yes

**28. CEDAW requires that countries have a national action plan on Domestic Violence. (see general recommendation). Does your country have an action plan on Domestic Violence?**

South Africa, No, but there is a general victim's charter that serves the purpose. There are plans under development at provincial level. Big gap is in lack of prevention measures.

Macedonia, under development.

Kenya, no.

Zimbabwe; Domestic Violence Act in Zimbabwean administration falls under the ministry of women's affairs and she held consultations with civil society to draw up a national action plan.

Ecuador, not known.

Croatia, yes.

**If yes, who is involved in developing the plan**

Macedonia, Government and civil society.

Zimbabwe; The ministry of women's affairs and civil society.

Croatia, Collaboration of ministry and NGO's

**29. Has your country signed the optional protocol to the CEDAW?**

South Africa, yes  
Macedonia, yes  
Kenya, no  
Zimbabwe, no  
Ecuador, not known  
Croatia, not sure

**If yes, is there awareness on this protocol in your situation and would people use it to advance the work on Domestic Violence. E.g. filling individual cases?**

South Africa, probably not but perhaps not so relevant as constitutional court can go very far

Macedonia, some ngo's yes, government no

**30. What would be the most relevant legal standard to rely on in your situation**

- **National law**

South Africa; Human Right standards have been rolled into the national law (and into jurisprudence national court), three South African participants stated that National law was most important

Macedonia; national law hold some importance.

Kenya; national law holds importance

Zimbabwe, relying on national law would be the 2d strongest argument

- **CEDAW**

Ghana; Perhaps not so much in court as it has not been domesticated but very useful in education.

Kenya, could be additional argument

Zimbabwe; most convincing argument on women's issues

South Africa; as additional argument on top of national bill of rights

But other South African participant rated it as 1<sup>st</sup> relevant standard

Ecuador; most important argument

- **Other international Human Rights standards**

Croatia; As the constitution is weak, United Nations Human Rights standards come third after European Union standards and European Convention on Human Rights.

- **Relevant regional Human Rights standards**

South Africa, Second relevant legal standard would be the African Charter on Human Rights; although perhaps less known, politically criticism from the African system may have more political impact. 3

Another South African participant rated African charter as the most relevant standard.

Zimbabwe: Although protocol to African charter has not been ratified by Zimbabwe, it does convinces if relied upon

Ghana; References have been made in court to the African Charter but not for Women's rights cases, despite strong women's protocol.

Kenya; Africa system convinces, especially the peer review mechanism.

Ecuador, The Inter American Human Rights system would be the second strongest legal standards.

The Macedonian government is most receptive to European Union standards and a bit to arguments based on European Convention on Human Rights.  
The same is true in Croatia.

NB Macedonia; Pointing to economic and political arguments helps as well

**31 Do Judges in your situation rely/refer to international legal standards and if yes which are the most relevant standards?**

South Africa; The Constitutional Court takes Human Rights standards seriously, but lower courts not enough

Macedonia; very rarely, judges are not trained in Human Rights Law, nor are the lawyers trained in it.

Ghana; Sometimes, but lawyers are not necessarily feminists, so might use the standards for issues we would not agree with.

Kenya; Level of knowledge of judges could be improved, but judges do refer to international standards at times.

Zimbabwe, To a limited extent as the Human Rights standards need to be domesticated first and none have been so far.

Croatia; No as they generally know very little about Human Rights.

**32. What would be the most relevant consensus documents such as Beijing, Beijing +5, MDG's, on Domestic Violence in your situation?**

South Africa; These documents are used in lobby, as they are popular in the government, 3.

Macedonia; The government more aware of these documents, as they are involved in the negotiations. National action plan in part based on Beijing and MDG3.

Ghana; Depends on the context. MDG's are convincing for analysis for the growth and poverty reduction strategy (WILDAF coordinates platform on MDG3)

Kenya; A link up to MDG3's would add strength, government takes it seriously also Beijing platform for action and ICPD.

Zimbabwe; MDG are very influential, as they provide platform for action

Croatia; Government does not refer much to consensus documents

**33. If you had to make a choice, which do you think would have more of**

**an impact, referring to a violation of Human Rights law or the consensus documents, in a lobby to your government?**

South Africa; Most convincing would be a ruling that a law or practice was unconstitutional, being told an issue was a violation of Human Rights standards would perhaps have an impact if it came from the United Nations. In general the Human Rights dialogue is strong and can have an impact, especially at a local or regional level.

Macedonia; It is hard to convince the government that they have international obligations; but Human Rights would have more impact, than consensus documents.

Kenya; MDG3 are perceived as easier to achieve, can be benchmarked, talking about Human Rights makes the government afraid of their sovereignty.

Zimbabwe; Relying on Human Rights has more impact, and for Africa we should add in the protocol to the African Charter as it addresses specific African issues such as the witch problem.

Ecuador; MDG's carry more weight, are well known in Latin America.

Croatia; Human Rights references would have more impact, but also pressure from the European Union, because of the desired European Union accession.

**34. In your opinion, what type of organization would be mostly likely to use and benefit from a Human Rights impact assessment tool on domestic violence (grass roots, Human Rights NGO, government, courts??)**

South Africa; Community based organization in rural setting, where there is a lack of networks with Human Rights knowledge.

Another South African respondent had the opposite approach, and found it would not be useful to community based organizations. More useful for nationally based bigger NGO's and perhaps government at provincial level. Yet another South African respondent said NGO's working on Domestic Violence would be most likely to use such an instrument. It would help in lobby and in specific court cases. She does not see space for tool for government, as they are very unlikely to use it.

Macedonia; A research and analysis organization with experience in research, but lobby and grass roots organizations might use it as well and Human Rights organizations.

Ghana; NGO's, that do policy work, government agencies, Human Rights groups and University and research institutes (Gender departments, in Ghana they do research that can back up lobby)

Kenya; Women's organizations, Human Rights organizations and grass roots if it was very easy to use.

Zimbabwe; Women's rights or gender rights organizations, would be good to try and make it relevant to governments as well.

Ecuador; NGO's

Croatia; An organization with some research experience and knowledge of lobby; not so much grass roots organizations

*Respondents made some additional comments on the issue.*

Do not limit the tool to Domestic Violence and women, but include Domestic Violence that happens to men and children.

Developing an instrument would help to improve policies on the ground, moreover it will help with the professionalization of the NGO's who are often doing competing and overlapping work. A tool could help them compare and evaluate their own work

**Would you recommend a tool to have a regional approach or an international approach**

Creating an global instrument which leaves room for regional Human Rights standards such as the African system would seem to be the most strategic choice according to the respondents

**BRAIN STORM; 28<sup>th</sup> November 2007 from 11.30 till 18.00**

Besides the individual interviews held with a variety of organizations, the needs assessment outcomes is also based on the input of a day long brainstorm session held on the 28<sup>th</sup> of November 2007. Seven people participated in the brainstorm. The goal of the brainstorm was to further explore options and choices around the development of the instrument. The Brainstorm relied on the Human Rights Impact Assessment Checklist, developed by Aim for Human Rights. The full format of the checklist we used in the brain storm is given below. Next you will find outcomes of the brainstorm session. The brainstorm session did not make it possible for the participants to discuss all of the questions in detail.

Topic	Suggested in Proposal and Questions	Your comments / Additions/ Suggestions
A. <b>Identification of the problem</b>	<ol style="list-style-type: none"><li>1. Lack of protection of HR of victims of Domestic Violence</li><li>2. Gaps in national legislation; policies and implementation</li><li>3. Unwillingness to deal with structural causes : Roles of men and women, violence in society, power structures.</li></ol>	

	<p>Questions:</p> <ul style="list-style-type: none"> <li>i. Does this reflect your own knowledge and experience?</li> <li>ii. Are there specific needs in the different affected groups?</li> </ul> <p><b><u>iii. Can they all be (at least partially) addressed by the envisioned tool?</u></b></p>	
<p><b>B. Objectives/ Goals of the tool</b></p>	<p>Long term:</p> <ul style="list-style-type: none"> <li>1. To bring about laws and policies that effectively respect, promote and protect the Human Rights of people affected by Domestic Violence.</li> </ul> <p>Short term:</p> <ul style="list-style-type: none"> <li>2. To gather evidence for advocacy to improve existing law and policies</li> <li>3. To increase awareness and expertise on Human Rights in the context of Domestic Violence</li> </ul> <p>Questions:</p> <ul style="list-style-type: none"> <li>i. Do you agree with these goals? Are there others? Should we prioritise?</li> </ul> <p><b><u>ii. Can they all be (at least partially) addressed by the envisioned tool?</u></b></p>	
<p><b>C. Functions/ Uses</b></p>	<ul style="list-style-type: none"> <li>1. <u>Monitoring:</u> Domestic Violence law, policies and implementation in the framework of Human Rights</li> <li>2. <u>Identify accountability:</u> of various actors for Human Rights violations as well as identify good practices which promote Human Rights in</li> </ul>	

	<p>combating Domestic Violence</p> <ol style="list-style-type: none"> <li>3. <u>Strategic planning</u>: translation of the outcomes into strategic objectives and activities for NGOs</li> <li>4. <u>Advocacy</u>: lobbying relevant bodies in local and international arenas and providing input to relevant Human Rights discourses and documents, on basis of HR benchmarks and indicators</li> <li>5. <u>Capacity building</u>: increasing knowledge and understanding of, and commitment to defence of Human Rights in general</li> </ol> <p>Questions:</p> <ol style="list-style-type: none"> <li>i. Do you agree that the tool should be used for all these purposes?</li> <li>ii. Are there any others? What should be the principal function(s) of the tool?</li> </ol>	
<p><b>D. Users of the Tool</b></p>	<ol style="list-style-type: none"> <li>1. NGOs in all related fields – Women’s rights, shelter organisations, Human Rights NGO’s</li> <li>2. National and International (UN) agencies, rapporteurs</li> <li>3. HR &amp; other civil society institutions</li> <li>4. Government agencies</li> <li>5. Professionals – researchers, lawyers, social workers</li> <li>6. Donor organisations</li> </ol> <p>Questions:</p>	

	<ul style="list-style-type: none"> <li>i. Which are priority user groups in your opinion?</li> <li>ii. Should we endeavour to make to tool user friendly for users outside of the priority groups</li> </ul>	
<b>E. Target of advocacy</b>	<ul style="list-style-type: none"> <li>1. national governments</li> <li>2. international organisations</li> <li>3. donors</li> <li>4. others?</li> </ul> <p>Questions:</p> <ul style="list-style-type: none"> <li>i. Should the tool be usable to lobby all these potential targets?</li> <li>ii. Is there a priority target?</li> </ul>	
<b>F. Scope and Content</b>	<ul style="list-style-type: none"> <li>1. The tool should be <u>applicable to all policies and interventions</u> that are undertaken under the denominator of preventing or combating Domestic Violence and/or assistance of its victims, independent of the group the policy formally targets.</li> <li>2. <u>Gender &amp; Age perspective</u>: should the tool address Domestic Violence and <ul style="list-style-type: none"> <li>- women only</li> <li>- women and men</li> <li>- minors, children?</li> <li>-</li> </ul> </li> <li>3. <u>Impact on other groups</u>:</li> <li>4 <u>Geographical /cultural scope</u>: can the tool have a universal scope – applicable in all geographical and cultural contexts?</li> <li>5. <u>Universality and Indivisibility of Rights</u>: Should the tool address ALL</li> </ul>	

	<p>rights issues – is it possible to limit the scope of rights addressed?</p> <ol style="list-style-type: none"> <li>5. What are the most important rights to be addressed?</li> <li>6. <u>Consensus documents</u>: Should the tool address standards set in consensus documents.</li> <li>7. What are the most important consensus documents to be addressed?</li> <li>8. Should the tool be applicable to monitoring impact <u>before, during or after</u>, the implementation of policies and measures? Or all?</li> <li>9. <u>Types of indicators and sources of information</u>: what type of indicators should be developed? On what kind of information should they build?</li> </ol> <p>Questions:</p> <ol style="list-style-type: none"> <li>i. More?</li> </ol>	
<p><b>G. Human Rights Principles to be observed in the processes of development and usage of the tool</b></p>	<ol style="list-style-type: none"> <li>1. Participatory and consultative processes</li> <li>2. Reflecting the concerns of interested and affected parties, so that they see the relevance to their daily reality</li> <li>3. Contributing to capacity building of NGOs as potential users, in analysis and application of Human Rights principles in their various fields</li> <li>4. Building on local knowledge</li> </ol> <p>Questions:</p>	

	ii. More?  iii. How can we structure the organisation of the project to ensure the observance of these working principles?	
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**A. Identification of the problem of stopping Domestic Violence**

**Presented analysis**

- 1 Lack of protection of Human Rights of victims of Domestic Violence**
- 2. Gaps in national legislation; policies and implementation**
- 3 Unwillingness to deal with structural causes : Roles of men and women, violence in society, power structures.**

**Questions raised in the brainstorm;**

**j. Does this reflect your own knowledge and experience?**

The suggestion was made to add lack of awareness of structural causes to point three, so it would read

3. lack of awareness of structural causes and unwillingness to deal with structural causes : Roles of men and women, violence in society, public/private divide; power structures.

And a fourth level was identified. The personal perspective of the victim/the individual level.

4. A personal lack of awareness of the victim that they have rights.

Victims views are influenced by traditions, cultural norms and customs ("If he beats me, it means that he loves me.") and are not aware they have rights. They need to be aware before they can act/change/demand change

But even if a victims is aware they have rights they may be unwilling to leave the situation, due to feelings of love for the perpetrator; by being trapped in a psychological cycle; by their economic situation; by their responsibility for their children and family

A suggestion was made to rephrase the heading of the identification of the problem to What needs to be addressed to combat Domestic Violence. And a new listing was proposed

1. Lack of action on behalf of the State; legislation
2. Lack of implementation (police; health care centres ect)
3. Awareness; both at the personal as at the structural level

See also general recommendation 19 of CEDAW and article 5 of CEDAW about stereotypes

**ii. Are there specific needs in the different affected groups?**

In order to find answers to this question we did a mapping exercise. We put up three sheets; one with the heading Men; one with the heading Women and one with the heading Children. All participants where asked to describe how the group is affected by Domestic Violence. In the follow up part of this exercise, participants were asked to write down a specific Human Right that is being violated by exposure to Domestic Violence. Participants were then asked to stick the identified Human Right on the sheet of the group they think faced this violation the most.

Below you will find the responses as given

**WOMEN**

- Victim
- Part of relational system
- Poor women
- Perpetrators
- Aunts/mothers in law; encourage Domestic Violence
- Service providers
- Keepers of tradition; "shame on you or us if you do not stay with your man"
- Responsibility and love for children
- Minority group
- Positive role; creating awareness on rights and options
- Heads of house holds

Human Rights most likely to be violated in relation to women where

- Sexual and reproductive rights (CEDAW/Cairo)
- Right to health (CEDAW article 12, General recommendation 19; ICESCR article 12, African Charter protocol)
- Freedom from discrimination (CEDAW article 1)
- Right to shelter (African Charter protocol)
- Right to legal aid
- Access to justice (ICCPR)
- Protection of the law
- Right to bodily integrity (African Charter protocol)
- Right to privacy
- Right to life (African Charter protocol)

Non torture (CAT/ECHR)  
Freedom to make your own choices  
Right to family life (article 8 European convention on Human Rights + article 16 CEDAW)  
Economic rights (ICESR)  
Right to housing  
Right to education  
Right to work  
Positive obligation for State to combat stereotypes (article 5 CEDAW)

#### MEN

- Perpetrators
- Policy makers
- Victims
- Key persons in protection; police, justice ect.
- Keepers of tradition; change in patriarchal roles is "dangerous"
- Homosexual relationships
- Fathers
- Part of the solutions

Human Rights most likely to be violated in relation to men where

Right to privacy  
Right to fair trial  
Right to rehabilitation (programs) (general recommendation 19 CEDAW)  
Right to shelter  
Right to education

#### CHILDREN

- Distortion of ideas about what is normal
- Perpetrators; often have (seen) abuse themselves
- Victims
- Witnesses
- Need special help
- Through being educated in a certain environment; they continue the mentality; prevalence of violence

Human Rights most likely to be violated in relation to children where

Right to health  
Right to education  
Right to family life (Convention for the rights of the child)  
Right to grow up without violence (Convention for the rights of the child)  
Right to privacy

### **F. Scope and Content**

#### **2. Gender & Age perspective: should the tool address Domestic Violence and**

- **women only**
- **women and men**
- **minors, children?**

A discussion was held about the fact whether we should include in the tool only the perspective as women as the main victims of Domestic Violence or if we should include men and children. The participants seemed to agree we should include all three groups, if only for a strategic motivation. Including all three groups would create more willingness on the part of the government to act. Leaving them men and children out could be a risk.

A suggestion was also made to look at the issue of age in relation to being a perpetrator. (example in Jamaica; women are seen as adults from age 12 in sexual violence cases)

**iii. Can all of the identified problems be (at least partially) addressed by the envisioned tool?**

**1. Lack of protection of Human Rights of victims of Domestic Violence**

**2. Gaps in national legislation; policies and implementation**

**3. lack of awareness of structural causes and unwillingness to deal with structural causes : Roles of men and women, violence in society, public/private divide; power structures.**

**4. A personal lack of awareness of the victim that they have rights.**

You can start from two angles:

- the individual rights of the victim, or
- the positive obligations of the State; if you take the second angle you automatically include all victim groups

To determine what angle would be most useful we would have to look at the main goal of the instrument: if it is to influence policies, then we should focus on the positive obligations of the State.

If the tool also want to address awareness raising ect, then we could focus on the position of the victim. The point was made that the State through it's positive obligations of course also needs to address the underlying stereotypes and work on structural changes. Making the government is the focus of the instrument, might be a strategic choice and you would be able to reach the other actors through the State, as the State as to provide the enabling structure.

E.g. HeRWAI is based on the individual rights, but if you look at policies the positive obligations of the State should be the focus. ( they include a range of measures both preventive and protective. You could actually include them both but they would have to be clearly separated in the tool.

Looking at the existing set of legal and Human Rights standards and consensus documents, they seem to give a good framework on "what should be done by the State". The standards seem to be pretty well established. So perhaps the instrument should focus on how we can investigate whether what is supposed to be done is actually being done!. What is my government actually doing with these standards.

The experience of the HOM (former name of aim for Human Rights) Western Balkan project on Domestic Violence and Human Rights also point in this direction. In the Balkan project at the start of the research, an situational research took place and this situation was analyzed with the help of a checklist/matrix based on the international Human Rights standards in relation to the obligation of the State. While the project was ongoing a difference became clear that showed the gap between the existing legal and policy framework and the implementation. So the main question seems to be: What can be done to make the legal and policy framework work. Perhaps we should try to develop a format on how you can improve the practice; What do you need to look at to identify the gaps in the implementation practice.

An additional side benefit of the development of the instrument might be that we might identify in which, if any, areas the Human Rights standards are inadequate to address the problems related to Domestic Violence.

One participants raised the issue that once we have identified the gaps in the implementation, improving the situation would most likely mean the government would have to invest money and resources to improve the situation. In her country Zimbabwe the women's ministry is getting less and less funds.

## **F. Scope and Content**

### **5. Universality and Indivisibility of Rights: Should the tool address ALL rights issues – is it possible to limit the scope of rights addressed**

#### Arguments to convince your government to stop Domestic Violence

We did another mapping exercise in which all of wrote down arguments that might convince you government to work on stopping Domestic Violence

- High level/increasing levels of death rates due to Domestic Violence
- Increased transmission of HIV/aids
- Working on Domestic Violence might get you more votes
- If you do not act you might face public pressure or outrage
- If women can live a life free of Domestic Violence they can be much more productive and active members of the community and help develop the country
- Domestic violence might lead to emigration
- Increased prison costs if you have to put perpetrators in prison if you do not act to prevent cases from happening
- Domestic Violence breeds Domestic Violence; intervention/prevention can lower the prevalence of violence in society

- Children are victims of Domestic Violence (as victim and witness) and tend to become perpetrators or victims themselves again as adults; Domestic Violence reproduces itself
- You can show in the international arena that you are implementing Human Rights and care about the rights of women
- As State party to CEDAW, making a policy on Domestic Violence can prove compliance with Human Rights obligations
- Domestic Violence breaks up families
- Domestic Violence costs money (e.g. health and social services)
- Acting might free up resources (money, health services) that can be allocated elsewhere

We looked at the arguments presented and discussed them in relation to the instrument

Research has been done into the costs of Domestic Violence for the society. Could/should the costs of Domestic Violence become part of the instrument. Would that be a useful strategy? The participants felt it might be but we are not sure if that could be fit into a Human Rights based instrument.

If you might want to include looking at the budget made available to implement policy. There are gender budgeting tools available to help with that. Moreover, Beijing does mention funding of NGO's.

Domestic Violence breaks up families. This is a double edged argument to use. It can be based on the positive obligation of the State; the responsibility to protect. But in some political contexts, giving women rights is seen as something that "breaks up families" Relying in your instrument on using the concept of family also brings with it the risk of entrenching traditional values/norms on family. So we have to be very careful if we want to use the concept of family. If we use the concept we should focus the concept Safe families. We should also be careful not loose out on showing the gendered nature of Domestic Violence.

Then, we took at step back we saw that many of the arguments, we think could convince our government, are not actually about Human Rights!!

The question we discussed next was, so is it still worthwhile to put time and effort into developing a Human Rights instrument on Domestic Violence

The participants still supported the idea of developing a Human Rights instrument on Domestic Violence. An over arching argument was that once States commit to Human Rights they have to be implemented. The government have made these commitment and must be held to account. An instrument would assist the NGO's in holding the government to account. Using the instrument could help to educated the government on what their obligations actually mean and to give more insight into what really happens to women on the ground. It links the Human Rights standards to reality

As a follow up to the discussion the point was made that we might want to add a part to the tool that encourages NGO's to push for the ratification of the CEDAW optional protocol. The CEDAW committee has give some strong views in Domestic Violence cases

on the due diligence obligations of the State. Perhaps the instrument could therefore also roll in a chapter on the possible use of the optional protocol.

Should we include the non legal used arguments we listed, into the instrument.

We might want to consider that and also add the risks to using some of them. But you would need to always stress what the instrument thinks are the main arguments to be made; Women have rights.

Including additional arguments might make it easier for users of the instrument to identify possible alliances with other civil society actors, and they can help strengthen the main point.

The question was discussed if from their own regional perspective the participants felt it would be more strategic to develop a regional instrument, focusing on regional Human Rights standards.

None of the participants felt it would be efficient or strategic to develop a regional instrument. The question then became how the instrument could roll in the relevant regional instruments. E.g. the Inter American commission has given interesting rulings in relation to cases from Peru, Mexico and the USA. And the European Court of Human Rights has addressed Human Rights in at least one of its judgments.

Our impression is that the standards set in the regional systems are not that different from the standards set by the international standards. Perhaps you should try to describe the different sets of provisions (articles from the different instruments with similar content) and to mention in the instrument, where exactly you can locate these standards in the different Human Rights Treaties.

But some standards do add additional standards such as the additional protocol to the African Charter which refers, for instance to the specific situation of widows, old women and to certain cultural practices in Africa. Perhaps you should also look at using the internet as a creative way to make the Human Rights standards available.

We should also try to add into the tool the reference to the relevant case law. The following hierarchy was determined in order to establish the relevant case law to add to the instrument. 1 CEDAW; 2 regional; 3 national.

The brain storm session concluded that you would need to include into the co-developer group, people who have knowledge on the regional standards. The co-developer group should, as much as possible, include representative from the different regions of the world. Moreover, the participants agreed that by developing an instrument that can be used world wide, you can strengthen the possibility of cross world comparison.

## **D Users of the Tool**

### **7. NGOs in all related fields – Women’s rights, shelter organisations, Human Rights NGO’s**

8. **National and International (UN) agencies, rapporteurs**

9. **HR & other civil society institutions**

10. **Government agencies**

11. **Professionals – researchers, lawyers, social workers**

12. **Donor organisations**

**Questions:**

**iii. Which are priority user groups in your opinion?**

**iv. Should we endeavour to make to tool user friendly for users outside of the priority groups**

We started finding the answer to this question by mapping the main actors/organizations/bodies involved in Domestic Violence

- Shelter
- Police
- Justice department/ministry of law and justice
- Home ministry
- Ministry of women, children and social welfare
- NGO's
- Churches
- Traditional and religious leaders
- Lawyers/judges
- Schools/teachers
- Politicians
- Media
- Women's NGO;s
- General practitioners/health care providers/health workers
- Courts
- International Human Rights bodies
- Regional Human Rights bodies
- National Government
- Local Government/municipalities
- Advice centers/ social services
- Researchers/training institutes

After mapping the actors we divided them according to their link to the instrument  
The group above can be divided into

- Direct (possible users) of the instrument  
E.g. Shelter organizations,(Women's rights) NGO's

-Strategic partners  
E.g. Police, service providers, health workers

-Those who can use the results.  
E.g. teachers, churches, traditional leaders

The instrument developers could consider adding in a chapter about identifying strategic partners; both at the stage of using the instrument (drawing in other stakeholder in the process of analysis) or in the lobby and advocacy that could be the outcome of the use of the instrument.

### Comparing different models of participation in the development process

HeRWAI; the co-developers group consisted of different groups from, and different backgrounds. They met 3 times in three meetings lasting about 5 days. Saskia, would prepare the issues for the group to discuss and would work on the new questions and proposals for the next meeting. It was rather difficult for the co-developers to give a lot of feedback in between the meetings. After a draft version was written, it was tested by the co-developers, and based on the feed back HeRWAI was redrafted.

Balkan project model: the project was very intensive. 14 organizations collaborated and the staff members involved where paid by the project. This means you can require much more from the organizations involved and do more in-depth studies. The benefit of this model was that it had a great capacity building effect that has remained in the organizations. It was not the best model for instrument development, as the focus was in the national in depth research.

Bellagio: IWRAP AP brought together a group of people for 5 days to work on writing a chapter in a book on strategic uses of CEDAW. The writing process was started together, but the texts needed to be further developed once participants came home. This model worked as participants maintained end control over their own chapter.

### Who should be part the co-developers of a Human Rights instrument on Domestic Violence

We discussed if there are grass roots organizations that work directly on Domestic Violence. In Zimbabwe there are community based support groups of victims. Grass roots groups should be used to record their experiences, as advocacy should be based on what happens on the ground. These types of groups are not really suited to become part of the co-developers group, nor would they be likely to become direct users by themselves

There are also organizations that combine service and shelter provision, with giving legal aid and advocacy. They would be good to have in the co developer group, as for instance changes in the law in Croatia were based on information collected by such service providers. You cannot get information about the impact of legislation without the knowledge of the service providers.

A suggestion was discussed to draw in different groups or levels of expertise at different stages of the development of the instrument

The research on the relevant legal standards could be done by one group made up of primarily Human Rights lawyers, as this is a fairly technical exercise.

The choices that need to be made on what to include in the instrument needs the input of non legal experts. You need people who are in touch with the reality.

The testing phase should include the service linked organizations. Groups in the co-developers could draw in local partners in the testing phase.

We should also not forget to involve minority groups in the testing face. Moreover the tool should pay attention to the fact that Domestic Violence issues may be different for certain groups such as rural women; LGBT community; handicapped; religious background. The vulnerable groups that need to be looked at in the analysis should be made explicit in the tool.

We all agreed the co-developers group should include people who have expertise with the development and/ or of Human Rights assessment/compliance instrument, such as HerWAI. It could also be beneficial to include some participants from the HOM Balkan project as the current plans where developed from the expertise build up in that program.

We also discussed if we should involve government representatives in the development group. We concluded that it would be hard to identify a government official who could represent the government voice in the process. Government officials' level of knowledge tends to be very diverse and be different for department to department. Not a very strong candidate to involve in the development process. Only if the government would be identified as a possible user of the tool, would it be very relevant to include them in the development process.

We discussed if we should involve international organizations, e.g. Council of Europe (VAW program), amnesty international. UNFPA or United Nations women's program in the co-development group. We looked at what they could bring to the table. They would add expertise but that would be present already in the co-developers group. They could be beneficial as promoters of the instrument and to give it credibility. For instance, if we could get a representative of the special rapporteur on Violence Against Women, but we realized that would be difficult as the capacity of the special rapporteur is very limited and her schedule very full. We are not convinced that drawing in these organizations into the co-developer group should have priority.

## **E Target of advocacy**

### **10.national governments**

### **11.international organisations**

**12.donors**

**13.others?**

**Questions:**

**iii. Should the tool be usable to lobby all these potential targets?**

**iv. Is there a priority target?**

This issue was briefly discussed and there was clear agreement on this issue. The government should be the main potential target of the instrument. Only if possible should we try to adapt the instrument to also suit International organizations and/donors. No additional potential targets were identified.