



National Conference on Gender Violence

Maputo, Mozambique,

28-29 November 2012



Reino dos Países Baixos



WLSA MOÇAMBIQUE

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The National Conference on Gender Violence

The National Conference on Gender Violence is a space created for debate and reflection; and strengthening cooperation in preventing and combating gender violence. The conference is a working group meeting for representatives from all the provinces of Mozambique, government officials, civil society, and development partners who deal with cases of domestic violence.

Over the course of two days, the participants will be provided an opportunity to evaluate the achievements that have been made so far, address the core challenges of the Domestic Violence Law (Law No. 29/2009) and strengthen cooperation and establish partnerships. Additionally, the participants will develop concrete actions for the furtherance of a common work agenda on gender violence.

The conference is an initiative of Women and Law in Southern Africa (WLSA) Mozambique in cooperation with the Mozambican Association of Women in Legal Careers (AMMCJ), Mozambican Association of Judges (AMJ), Coordination for Women in Development (Women's Forum), League of Human Rights (LDH), Women, Law and Development (MULEIDE), Men for Change Network (HOPEM Network) Ministry of Interior, Ministry of Women and Social Action and Ministry of Justice and Ministry of Health.

Background to the National Conference on Gender Violence

There are many women who have one thing in common: they are denied their rights and have shared experiences of violence based on their gender. The story of human rights is a narrative of inclusion and exclusion of women, which gives certain rights to men while women are denied those same rights.

Recognising the systematic discrimination that women have faced and are still facing, several international and regional conventions have enshrined equality between men and women. The Convention on the Elimination of All Forms of Discrimination (CEDAW) adopted in 1979 by the General Assembly and ratified by Mozambique in 1997 recommends State Parties in Article 7 to take 'appropriate measures to eliminate discrimination against women.' Ratifying countries are obliged to combat various forms of discrimination against women through legal reform to ensure gender equality and challenge cultural practices that violate women's rights.

Women's rights were recognised as human rights at the World Conference on Human Rights held in Vienna in 1993. This was an important milestone as it highlights the progress made in terms of global recognition and awareness of paradigm shift in relation to equality, social justice and human rights.

As a build up to international gains, the Heads of States of the Assembly of the Southern Africa Development Cooperation (SADC) pledged to prevent and eradicate Violence Against Women (VAW) and children. The SADC Protocol on Gender and Development adopted in 2008, furthers this with its aim of ensuring women's gender equality and empowerment.

The culmination of the harmonization of these international and sub-regional instruments resulted to a Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (African Women's Protocol) which was adopted in 2003 in Maputo. The Assembly of Heads of State and Government of the African Union (AU) in its third ordinary session adopted the Solemn Declaration on Gender Equality in Africa in July 2004.

Mozambique has signed and ratified these international and regional instruments and has committed to ensure gender equality. The 2004 Constitution of Mozambique in Article 36 provides that 'men and women are equal before the law in all spheres of political, economic, social and cultural.' The new Family Code (Law No. 10/2004) in line with the Constitution aims to correct power imbalances between men and women. It also provides for

respect for family based on mutual dialogue and respect for the dignity of each person.

In keeping in line with Mozambique's international obligations, there has been a creation of a legal environment through legal reform and the creation of new laws; as well as institutional frameworks including the creation of the Ministry of Women and Social Action, for the promotion of gender equality.

The continued occurrence of gender violence in Mozambique is a call for concern. It has been recognised that the problem of gender violence needs to be approached from local and interdependent perspective. This has led to the formation of the Service Offices of Women and Child Victims of Violence (GAMC) in 1999 as the main gateway for domestic violence cases. However, in the absence of legislation, GMAC was unable to operate effectively. Thus, this has led to the enactment of the Domestic Violence Act (Law No. 29/2009) applicable to women in 2009. This signals the commitment of the State to implement its international and regional

In spite of all these legal and institutional frameworks, gender-based violence still remains prevalent in Mozambique. According to a 201 report of the Attorney General submitted to the Parliament, domestic violence is the 4th highest crime with 2053 reported cases. On the other hand, sexual abuse of children including rape and assault was ranked in 10th place with 338 criminal cases. GAMC is also estimated in 2011, 22,726 citizens were seen of which 2,053 resulted in criminal charges.

Victims of gender violence require the intervention of support services to have their special needs met or addressed adequately. These special needs include protection, health, psychosocial and legal support. However, the justice systems reflect power imbalances and are disadvantageous to women. They face both social and institutional barriers; in terms of lacking knowledge and the capacity gap in the justice system which does not respond to women's particular needs. These barriers are not recognised by service providers. The

rule of law thus becomes weak especially in women's right to be free from violence.

It follows therefore, that a multi-sectoral approach is needed. There is the need for coordinated response, collaboration and cooperation among the key stakeholders- community, health and social services, and legal and security sectors. In this way there would be synergy among all stakeholders and efforts would not be duplicated. Coordination and integration of services provided by different sectors and stakeholders in society is crucial to any plan to combat gender-based violence.

For women to succeed in claiming their rights, it requires the support and the conditions to live in peace and a society free of violence.

Aims and objectives of the Conference

The National Conference on Gender Violence will provide an opportunity to evaluate the achievements that have been made so far, address the core challenges and strengthen the dialogue and cooperation amongst stakeholders in preventing and combating gender violence.

The main objectives of the conference are:

- to identify the cultural and institutional constraints that interfere with the implementation of the relevant laws;
- to reflect on the conditions of application and effective mechanisms of the Domestic Violence Law (Law No. 29/2009);
- to contribute to the development of a coherent and coordinated strategy and support participants to increase their competencies on combating gender violence.

In light of the inadequacy of the laws to address the prevalence of gender violence, the central themes for the National Conference on Gender Violence are, namely:

- The Domestic Violence Act: Contents, constraints in implementation, and effective mechanisms for integrated care for victims;
- Effective Law Enforcement: Cultural practices as an obstacle;
- Showcase of case studies on obstacles and difficulties of applying the Law.

Expected Outcomes

At the end of the conference, we expect the following results:

- Evaluation of the major institutional and cultural obstacles in the implementation of the law and solutions to overcome them;
- Recognition of the roles, responsibilities and competencies of the various formal and informal bodies in combating and preventing gender-based violence;
- Creation of a coordinating mechanism between the various bodies for a more effective fight against gender violence and the effective implementation of the Domestic Violence Act;
- Issuance of a statement that summarizes the major consensus reached at the Conference, as an incentive to action and an awareness of the whole society.

Participation in the conference

The National Conference on Gender Violence will bring together about 90 participants, including, participants from the 9 provinces of Mozambique and Maputo.

Participants will include:

- GMAC representatives
- District Attorneys
- District Judges

- Professionals working in gender violence
- Women Head of Departments
- Government officials
- Development partners
- Civil Society
- Academics
- Students

Other technical details

- Date and place of the meeting: 28-29 November 2012 in the city of Maputo.
- Travel, accommodation and meals during the meeting for participants will be provided by the organisers.
- The working language of the conference will be Portuguese.