

## INTRODUCTION

North or South, East or West, in rich countries or in poor ones, women share a common problem: violence. Much, if not most of the violence in society is directed against women: in the home, in the streets, in the workplace. It is violence that has been largely invisible, under-reported, unrecorded and, to a certain extent, tacitly condoned.

This is the second edition of the Manual, produced by the Women and Development Programme and published in 1987 that emerged in response to an urgent mandate from Commonwealth Ministers Responsible for Women's Affairs who in 1985, met before the UN Nairobi World Conference which marked the end of the Decade for women, and called for immediate, pan Commonwealth action to confront this abuse. At that time, Ministers were concerned, in particular, to promote Commonwealth action against violence in the home, sexual abuse and sexual harassment. As a first step in this process, the Women and Development Programme (WDP), assisted by the Legal Division, and the Human Rights Unit of the International Affairs Division, called together a group of women and men with long experience of addressing a wide range of issues concerning violence against women. Instead of publishing a report on the deliberations of that meeting, WDP produced the first edition of this Manual, which, by enlarging on the concerns identified by the group, sought to provide an action guide for women's groups, lawyers, and health officials sought to provide an action guide for women's groups, lawyers, health and media professionals, the police and the judiciary which would truly assist in confronting violence.

Four years have gone by since the first edition of the Manual. During that time, Commonwealth governments have become more aware of women's victimisation. They have undertaken legal reforms, provided remedial and support services and publicly acknowledged and condemned the violence to which women, as a sex, are subjected. However, as Ministers meeting at the third Commonwealth Meeting for Ministers Responsible for Women's Affairs in Ottawa in 1990 acknowledged, although progress has been made in the development of measures to reduce the incidence of such violence, and to support and rehabilitate its victims in our countries, there is still much to be done.

## HOW TO USE THE MANUAL

The Manual is divided into four sections. The first deals with domestic violence, the second, sexual assault, sexual harassment and child sexual abuse, the third, violence related to custom or tradition and the fourth, the media and violence against women.

Each section provides definitions of the various types of violence, examines the legal approaches currently operating in the Commonwealth and explores positive mechanisms which provide support for victims or which can be used to bring about changes in public attitudes. The discussion of legal approaches is designed, not only to provide comparative material useful to the legal profession, but to offer individual women and women's groups, ideas and information about the types of legal mechanisms which might best address their particular needs and circumstances. We hope that the material will, therefore, encourage a closer working relationship between those responsible for legal reforms and those on the receiving end of those reforms. When the first edition of the Manual was produced, most of the legal approaches were

very new. Since that time, there has been some evaluation of their impact and we have sought to incorporate this in the new edition. As we pointed out in the last edition, evaluation of strategies is almost as important as the strategies themselves and reports of evaluations are most helpful for other jurisdictions considering legal reform.

There are a number of important issues that are not touched on in the Manual. One of them is the mounting evidence that some scientific advances have resulted in new methods of female victimisation. For example, pre-natal tests, developed to identify genetic abnormalities, have had serious implications for women. These tests also reveal an unborn baby's sex and researchers suggest that there is an overwhelming incidence of female fetuses being aborted subsequent to the tests, a suggestion that has led the Maharashtra government in India to ban pre-natal sex determination. Again, although the Manual does examine sexual offences, it does not consider the implications of the Pakistani Hudood Ordinances for victims of such offences. Further, as the Commonwealth is a vast and varied legal and social tapestry, a Manual of this nature cannot hope to cover all manifestations of violence against women or all strategies that have been used to confront them. We welcome any information on issues addressed here which you feel are important and on measures implemented which have not been described or described inaccurately.

Although different forms of violence against women are considered in the Manual, we would like to suggest that they and all other violations of women are rooted in a common cause: inequality. We believe that violence against women is the ultimate form of discrimination in a world which discriminates against women generally. Commonwealth countries, to a greater or lesser degree, have implemented legal and other strategies to confront the violations we consider in this Manual. Most of these are in the nature of responses to an individual problem, rather than to a general pattern of discrimination. We believe that violence against women must be addressed, not as an individual problem alone, but also an issue of the structural inequality of our societies. In the long term, the solution of the problem of violence against women lies in commitment to the value of gender equality, most eloquently described in the text of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.