



NEW YORK
CITY BAR

September 6, 2012

Hon. Carolyn Maloney
U.S. House of Representatives
2332 Rayburn House Office Building
Washington, D.C. 20515-3214

Dear Representative Maloney:

I write on behalf of the Association of the Bar of the City of New York (the Association) to urge you to cosponsor the International Violence Against Women Act (I-VAWA) of 2012 that was recently introduced in the House of Representatives (H.R. 5905).

The Association is an independent non-governmental organization with more than 23,000 members in over 50 countries. Founded in 1870, the Association has a long history of dedication to human rights and women's rights. The Association's Committee on African Affairs monitors and responds to legal and policy developments in Africa, and in 2007 produced a compendium of gender-based violence laws in Sub-Saharan Africa. The Committee on Sex and Law addresses issues relating to the effect of the factor of gender in the formulation and operation of law and social policy. The Committee on Domestic Violence engages in policy and legal analysis on issues relating to domestic violence and other forms of gender-based violence. These Committees urge your support of I-VAWA.

The I-VAWA of 2012 was introduced in the House of Representatives on June 7, 2012 by Representatives Janice Schakowsky, Nita Lowey and Howard Berman, where it was referred to the House Committee on Foreign Affairs,¹ which will consider it before sending it on to the House or Senate as a whole.² Previously the I-VAWA of 2010 was introduced in the House and the Senate during the 111th Congress³ and the Senate Foreign Relations Committee voted to report the bill to the full Senate.⁴ On December 21, 2010 the bill was placed on the Senate Legislative Calendar,⁵ but the 111th Congress ended before any further action was taken.⁶ No major congressional action has taken place prior to the present reintroduction of the bill in the House.

¹ Bill Summary & Status, 112th Cong. (2011-12), H.R. 5905, *available at* <http://thomas.loc.gov/home/thomas> (search HR 5905)

² H. R. 5905: To combat international violence against women and girls, Bill overview, *available at* <http://www.govtrack.us/congress/bills/112/hr5905>.

³ International Violence Against Women Act of 2010, S.2982 (H.R. 4594), *available at* <http://www.govtrack.us/congress/bills/111/s2982>.

⁴ Women Thrive Worldwide, *The International Violence Against Women Act of 2010 (IVAWA)*, *available at* http://www.womenthrive.org/index.php?option=com_issues&view=issue&id=5&Itemid=115

⁵ Bill Summary & Status, 111th Cong. (2009-10), S.2982, *available at* <http://thomas.loc.gov/home/thomas> (search S 2982).

⁶ *Supra* note 4.

The I-VAWA is legislation designed to prevent and respond to the widespread and egregious violence against girls and women that afflicts communities and countries across the globe---domestic violence, rape, acid burnings, so-called honor killings, forced marriage, and other gross violations of human rights. Millions of women and girls worldwide are physically, sexually or otherwise abused at some point in their lifetimes, with rates reaching up to 71% in some countries.⁷ Nearly 50% of all sexual assaults worldwide are against adolescent girls aged 15 years or younger.⁸ Women and girls in emergencies, conflict settings, and natural disasters often face extreme violence, including being forced to exchange sex for food.⁹ One in three women worldwide will be beaten, coerced into sex or otherwise abused in her lifetime.¹⁰

The I-VAWA addresses these issues. The proposed law is designed to affect nations' gender-based policies and practices by increasing legal and judicial protection to address violence against women and girls; increasing health sector capacity to deal with such violence; helping to change social norms to bolster women's economic and educational opportunities; addressing violence against women and girls in natural disasters and conflict-related humanitarian situations; and increasing U.S. training of overseas foreign security forces on violence against women and girls.¹¹

The bill would legislatively authorize the creation of the Office of Global Women's Issues in the State Department and the position of Ambassador-at-Large for Global Women's Issues who is responsible for coordinating policies, programs and funding relating to gender integration and women's empowerment internationally, including those that prevent and respond

⁷ Geneva World Health Organization, *Summary Report-WHO Multi-country Study on Women's Health and Domestic Violence Against Women: Initial Results on Prevalence, Health Outcomes and Women's Responses* at 5 (2005), available at http://whqlibdoc.who.int/publications/2005/9241593512_eng.pdf.

⁸ Lisa Shechtman, *School Safety: Protecting Girls from Violence and HIV/Aids* at 11, *GIRLS AND HIV - A New Epidemic in the Women of Tomorrow?*(Jan-Feb 2007), available at http://www.ungei.org/resources/files/globalhealthcouncil_Aidslink101.pdf.

⁹ United Nations High Commissioner for Refugees (UNHCR), *Driven by Desperation: Transactional Sex as a Survival Strategy in Port-au-Prince IDP Camps.* at 5 (May 2011), available at <http://www.unhcrwashington.org/atf/cf/%7Bc07eda5e-ac71-4340-8570-194d98bdc139%7D/SGBV-HAITI-STUDY-MAY2011.PDF>; Elizabeth Rehn & Ellen Johnson Sirleaf, *Women, War, and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building* at 6 (United Nations Development Fund for Women (UNIFEM) 2002), available at <http://www.ucm.es/cont/descargas/documento7201.pdf>; Women's Refugee Commission, *Executive Summary: Working Women at Risk: The Links Between Making a Living and Sexual Violence for Refugees in Ethiopia* (Feb. 2009), available at http://womensrefugeecommission.org/resources/doc_download/278-working-women-at-risk-the-links-between-making-a-living-and-sexual-violence-for-refugees-in-ethiopia.pdf.

¹⁰ Lori Heise, Mary Ellsberg & Megan Gottemoeller, *Population Reports - Ending Violence against Women*, . Series L, No. 11, Vol. 27, No. 4 (Dec. 1999), available at <http://archive.k4health.org/system/files/L%2011.pdf>. See also UNIFEM, *Not a Minute More: Ending Violence Against Women* at 8 (2003), available at http://unifem.org/attachments/products/312_book_complete_eng.pdf.

¹¹ Women Thrive Worldwide, *New Bill Pushes Comprehensive U.S. Action On Global Violence Against Women - International Violence Against Women Act ("I-VAWA"/H.R.5905)* (June 7, 2012), available at http://www.womenthrive.org/index.php?option=com_content&task=view&id=1302&Itemid=46.

to violence against women.¹² The bill would also provide mechanisms to target funding and otherwise take into account the efforts of nations receiving U.S. aid to stem gender violence.

Passage of the I-VAWA would be consistent with our nation's international and regional human rights obligations. The United States adopted the Universal Declaration of Human Rights (UDHR)¹³ and ratified the International Covenant on Civil and Political Rights (ICCPR),¹⁴ both of which support women's rights. The UDHR states that rights belong equally to all people "without distinction of any kind such . . . sex . . . or any other status,"¹⁵ and the ICCPR includes a similar provision.¹⁶ The United States is also a member of the Organization of American States and bound by the American Declaration of the Rights and Duties of Man, which has been used to advance the rights of victims of gender-based violence in the Americas.¹⁷

Most Americans are horrified by the violence against women and girls. In a 2009 poll, three in five American voters said that addressing global violence against women and girls should be one of the top priorities for our government.¹⁸ Four in five said they support the I-VAWA.¹⁹ It is groundbreaking legislation that offers solutions.

The I-VAWA is an investment in a future where violence and abuse are no longer perpetrated against women and girls. For the foregoing reasons, the Association urges you to cosponsor the International Violence Against Women Act (I-VAWA/HR 5905).

Respectfully yours,



Carey R. Dunne
President

¹² President Obama appointed Melanne Vermeer as Ambassador-at-Large for Global for Women's Issues on April 6, 2009. U.S. Department of State, Bureau of Public Affairs Biographies, *available at* <http://www.state.gov/r/pa/ei/biog/122075.htm>.

¹³ See Universal Declaration of Human Rights (UDHR), *available at* <http://www.un.org/en/documents/udhr/> and <http://www.un.org/Depts/dhl/udhr/>.

¹⁴ See International Covenant on Civil and Political Rights (ICCPR), *available at* <http://www2.ohchr.org/english/law/ccpr.htm>. The ICCPR was Ratified by the United States in 1992 with five reservations.

¹⁵ Article 2 of the UDHR.

¹⁶ Article 2.1 of the ICCPR.

¹⁷ See American Declaration of the Rights and Duties of Man, *available at* <http://www.cidh.oas.org/Basicos/English/Basic2.american%20Declaration.htm>. See also *Jessica Lenahan (Gonzales) v. United States*, Case 12.626, Inter-American Commission on Human Rights, Report No. 80/11, *available at* www.oas.org/en/iachr/decisions/2011/USPU12626EN.doc.

¹⁸ Lake Research Partners, *Key Research Findings at 2* (Aug. 2009), *available at* http://www.futureswithoutviolence.org/userfiles/file/GlobalPrevention/Lake_Intl_Research_Key_Findings_Memo_9-09.pdf.

¹⁹ *Id.*