

FW: [EXTERNAL] Letter, news release and Statement from the SR VAWG [SEC=OFFICIAL]

s 22(1)(a)(ii) s 22(1)(a)(ii)

To s 22(1)(a)(ii)

Cc

s 22(1)(a)(ii)

 Reply  Reply All  Forward  

Wed 4/09/2024 11:03 AM

Start your reply all with:

Thank you!

Thanks for following up.

I will respond.

 Feedback

OFFICIAL

OFFICIAL

Hi s 22(1)(a)(ii)

A quick follow up but I spoke to s 22(1)(a)(ii) at AGD about this and they were wondering if a response was required. I said no as it was a courtesy letter and we weren't prompted for reply. But if they wanted to respond to let us know and we could consider further.

Cheers

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dss.gov.au>
Sent: Wednesday, 12 February 2025 5:09 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]
Attachments: DSS Secretary response to SR VaWG Annex 1.docx; FOR REVIEW by 4pm TODAY - DSS response to Annex 1 of the Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

Hi s 22(1)(a)(ii)

Thank you for your call earlier this afternoon regarding the DSS response to the Special Rapporteur on violence against women and girls, its causes and consequences (SR VAWG).

Please find attached our DSS Secretary cleared response to Annex 1 Call for input to the report of the Special Rapporteur on violence against women and girls to the Human Rights Council. This response has been developed in consultation with the Domestic, Family and Sexual Violence Commission.

As discussed, we haven't received a response from s 22(1)(a)(ii) regarding DFATs Human Rights Section review of the DSS response. This is more than understandable given our short timeframe and the time difference as she isn't based in Australia. Thank you for following up with s 22(1)(a)(ii) and seeking her redline feedback when she has a chance. I have attached a copy of my email to s 22(1)(a)(ii) for your reference.

Thank you for being so happy to help with my many questions and please don't hesitate to let me know if there is anything else that we can provide that will be of assistance.

Kind regards,
s 22(1)(a)(ii)

A/g Director
National Plan Policy and Systems Section
National Policy Branch
Ending Gender-Based Violence Group
Department of Social Services
E: s 22(1)(a)(ii) @dss.gov.au
P: s 22(1)(a)(ii)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

From: s 22(1)(a)(ii)
Sent: Friday, 7 February 2025 4:41 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Apologies in the delay in getting back to you. I have yet to hear from AGD on their consideration of preparing a response to Annex 2. I'll make sure to follow up with them next week.

Even if AGD can not take on Annex 2, we still see value in providing a response to Annex 1 prepared by DSS.

Please reach out if you'd like to chat.

Many thanks,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
 Human Rights Branch | Multilateral Policy and Human Rights Division
 Department of Foreign Affairs and Trade
 T s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dss.gov.au>
Sent: Thursday, 6 February 2025 12:57 PM
To: s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: RE: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

Hi s 22(1)(a)(ii)

Sorry to bother you when I am sure you are busy.

I just wanted to follow up on my email below and regarding AGD being commissioned to provide a response to Annex 2, Call for input into "The concept of consent in relation to violence against women and girls".

Are you able to confirm if AGD have considered providing a response rather than DSS?

Thank you for your assistance and please don't hesitate to give me a call if you have any questions.

Kind regards

s 22(1)(a)(ii)

A/g Director
National Strategy Section
 National Policy Branch
 Ending Gender-Based Violence Group

Department of Social Services

E: s 22(1)(a)(ii) @dss.gov.au

P: s 22(1)(a)(ii)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

From: s 22(1)(a)(ii)

Sent: Friday, 31 January 2025 5:29 PM

To: s 22(1)(a)(ii) @dfat.gov.au>

Cc: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @pmc.gov.au'
s 22(1)(a)(ii) @pmc.gov.au>

Subject: RE: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

Hi s 22(1)(a)(ii)

Thank you for taking my call earlier this week and for talking through the possibility of AGD being commissioned to provide the response to Annex 2. Call for input into "The concept of consent in relation to violence against women and girls".

I just wanted to confirm if you were able to touch base with AGD and if they are happy to provide this response, rather than DSS?

Thank you for your help and please don't hesitate to give me a call if you have any questions.

Kind regards,

s 22(1)(a)(ii)

A/g Director

National Strategy Section

National Policy Branch

Ending Gender-Based Violence Group

Department of Social Services

E: s 22(1)(a)(ii) @dss.gov.au

P: s 22(1)(a)(ii)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Wednesday, 29 January 2025 9:19 AM

To: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @pmc.gov.au
s 22(1)(a)(ii) @pmc.gov.au>
Cc: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>;
s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dss.gov.au>;
s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dss.gov.au>;
s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: RE: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Apologies for not responding to your below email – just confirming that I’ve reached out to Post who are happy with an extension until 12 February.

Regarding consultation, our colleagues in the Human Rights Section (DFAT) have expressed interest in reviewing the draft input in the response. Grateful if you please include s 22(1)(a)(ii) @dfat.gov.au in your consultation.

Please reach out if you’d like to discuss this one any further.

Many thanks,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
Human Rights Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade
T s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dss.gov.au>
Sent: Friday, 24 January 2025 11:56 PM
To: s 22(1)(a)(ii) @pmc.gov.au s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>;
s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dss.gov.au>;
s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dss.gov.au>;
s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dss.gov.au>
Subject: Re: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

Hi s 22(1)(a)(ii)

I’m just emailing to advise that, following Secretary approval, DSS will prepare a submission in consultation with other relevant departments.

As discussed, we would like to seek an extension until 12 February to provide the submission. Can you please confirm that this timing is ok.

Thank you

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @pmc.gov.au>
Sent: Wednesday, January 22, 2025 3:30:45 PM
To: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @dfat.gov.au
 s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dss.gov.au>; s 22(1)(a)(ii) @pmc.gov.au>;
 s 22(1)(a)(ii) @pmc.gov.au>; s 22(1)(a)(ii) @dss.gov.au>;
 s 22(1)(a)(ii) @pmc.gov.au>
Subject: FW: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii) ,

DSS is the policy lead on ending violence against women and the national plan to end violence against women.

I would suggest this is better responded to by DSS with support from OFW.

s 22(1)(a)(ii) happy to chat. Turn arounds are tight and our team is in a position to assist.
 s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Friday, 17 January 2025 12:29 PM
To: s 22(1)(a)(ii) @pmc.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>
Subject: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Dear OfW/PMC colleagues,

Please see **attached call for input** from the Special Rapporteur on violence against women and girls, its causes and consequences (SR VAWG), regarding 'new frontiers and emerging issues of the forms of sex-based violence against women and girls'.

Australia strongly supports the UN Special Procedures Mandate Holders and considers responding to these requests where we can. Responses provide an opportunity for Australia to highlight its good domestic work on a particular issue s 33(a)(iii), s 47C(1) – in this case to be presented at the 59th session of the Human Rights Council in June 2025. This report will include an annex on the concept of consent in relation to violence against women and girls. This call for input covers both. The reports generated from calls for input usually form the foundation of new language in the relevant resolution.

Our response does not need to address every question or issue raised in the call for input. The **attached template** provides further guidance about responses. Responses can be up to **3,000 words**.

While Australia cosponsored the mandating HRC resolution (HRC/RES/50/7), s 33(a)(iii), s 47C(1)

s 33(a)(iii), s 47C(1)

Geneva Post and DFAT(HRB) recommend providing a response. It would be an opportunity for Australia to reinforce our position on this issue s 33(a)(iii), s 47C(1)

Grateful confirmation:

1. **by 3:00pm Tuesday 21 January** that OfW/PMC are the relevant line area to action this request and will coordinate input with other relevant departments and line areas (Note: Our team will forward your consolidated input to Geneva Post but does not have the subject matter expertise or policy responsibility to be able to co-ordinate or, where appropriate, consolidate a WOAG response to this request).
2. **by 3:00pm Friday 24 January** advice on whether Australia will respond to this request.

Submissions are due **30 January**. Grateful input in the attached template by **4:00pm Wednesday 29 January** in order for us to transmit Australia's submission to Geneva.

We note this is a short deadline. If you have concerns about meeting this, Geneva Post can request an extension for input **if we are certain we will make a submission**. If you would like to request an extension, please let me know by **4:00pm Wednesday 29 January** when you confirm you will be submitting a response.

Please feel free to reach out if you'd like to discuss further.

Kind regards,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
Human Rights Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade

Ts 22(1)(a)(ii)

IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

Call for inputs

Deadline: 30 January 2025

Thematic Report – HRC 59th Session

“Forms of sex-based violence against women and girls: New frontiers and emerging issues”

Call for input to the report of the Special Rapporteur on violence against women and girls to the Human Rights Council

Purpose:

The thematic report will be presented to the Human Rights Council at its 59th session in June 2025 and will examine new frontiers and emerging issues of the forms of sex-based violence against women and girls.

Background

Across the globe and throughout history, women and girls have experienced discrimination rooted in their sex and/or reproductive function; often intersecting with other prohibited grounds.¹ As a result, they have been subjected to specific forms of violence that have affected them disproportionately because of their female sex, such as forced marriages, femicides, female genital and other bodily mutilation or harm, rape, sexual and other types of exploitation including prostitution– to mention a few.

While the term “sex” has not been defined in international law, Article 31 of the Vienna Declaration on the Law of Treaties (1969) mandates that treaties be interpreted “in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose”.² The same article also specifies that States shall take into account – together with the context in which a treaty was concluded – “any relevant rules of international law applicable in the relations between parties” and any subsequent practice.³ Based on the aforementioned, sex is to be

¹ The Committee on the Elimination of Discrimination Against Women (2017) in its General Recommendation 35 on gender-based violence has highlighted that discrimination against women is inextricably linked to other factors that affect their lives, that may include ethnicity, race, colour, political opinion, disability, migratory status as well as gender identity and sexual orientation.

² Vienna Convention on the Law of Treaties (opened for signature 23 May 1969, entered into force 27 January 1980) 1155 UNTS 331, art. 31.

³ Ibid.

understood as a “biological category”⁴ and a distinction between women and men⁵ as well as boys and girls. This is the understanding that the Special Rapporteur has for the purposes of the report.

Several key international human rights treaties and other instruments refer to the obligation of States to prohibit and prevent discrimination based on sex.⁶ The recognition that sex is often central to women’s and girls’ experience of discrimination and violence, does not and should not imply that women’s and girls’ oppression is biologically determined. Rather, international law, CEDAW in particular, and State practice recognize the need to address and eliminate discriminatory stereotypes and social norms arising from unjustified and unfair distinction based on sex (CEDAW Art 1) that can lead to “the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women” (CEDAW Art 5.2).

There are other instances, however, when such a distinction is not deemed discriminatory but necessary to protect women’s human rights and fundamental freedoms. This is the case, for example, in protection of maternity (CEDAW Art 4.2). Temporary special measures based on sex are also important in eradicating historic discrimination and violence that women and girls face.

Today, violence against women and girls remains at epidemic levels, including new, emerging and evolving forms and manifestations. Additionally, certain forms of violence remain insufficiently recognized or reported. The experiences of women and girls of this violence continue to be profoundly shaped by their sex. Despite its centrality, while many States and other actors have adopted ad hoc legal– sometimes conflicting – policy and legal frameworks to prevent and respond to sex-based violence against women and girls, significant gaps persist in analysing them effectively and tackling the root causes of such violence. Additionally, there is an observable trend to adopt laws and policies that are blind/neutral to the specific sex-based discrimination, including violence, against women.

Objectives

The Special Rapporteur would like to receive input to better understand different forms and manifestations of sex-based violence against women and girls; analyse challenges and gaps in national, regional and international legal and policy frameworks to prevent and respond to sex-based violence against women and girls; and to form recommendations and actions to be undertaken by relevant actors in order to better identify, prevent and respond to sex-based violence against women and girls.

Key questions and types of input/comments sought

Manifestations of sex-based violence against women and girls

1. What are some of the most prominent forms of violence against women and girls today that are specifically or primarily based on sex?
2. What are the consequences of the most pervasive forms of sex-based discrimination today on women and girls?

⁴ Chinkin et al (Ed.), the UN Convention on the Elimination of All Forms of Discrimination Against Women: A Commentary, 1992, first edition, p. 15.

⁵ CEDAW Committee, General Recommendation N28 (“The term “sex” here refers to biological differences between men and women”, p. 2, par. 5)

⁶ These include the UN Charter, the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Declaration on Ending Violence against women and girls, the Convention on the Elimination of All Forms of Discrimination Against Women, as well as the Convention on the Rights of the Child (CRC).

3. Are there emerging forms or evolving dynamics of sex-based violence against women and girls that call for a deeper and more nuanced understanding of such sex-based forms of violence?
4. What forms of sex-based violence against women and girls are underrecognized or underreported, and what measures can be taken to identify and address them?
5. How are language and terminology today being used to describe and address sex-based violence against women and girls? What are the implications and consequences of this usage?

Fundamental freedoms and sex-based violence against women and girls

6. What challenges and opportunities do women's organizations and victims encounter in their advocacy around the issues of sex-based violence against women and girls?
7. What challenges and opportunities do experts, researchers and academics meet in researching, analysing and understanding the current forms of sex-based violence?
8. To what extent are women and girls – as well as organizations that represent them- able to meaningfully and effectively participate in all processes that affect them?

National, regional and international legal and policy frameworks to prevent and respond to sex-based violence against women and girls

9. What are the consequences of the inadequate consideration of the relationship between sex as a ground for violence against women and girls in law, policy and practice including the ability to access effective assistance and protection from State and non-State actors?
10. What are the challenges, opportunities and good practices in the collection and analysis of data based on sex to address violence against women and girls?
11. What are the challenges, (especially gaps in legislation), opportunities and best practices in combating sex-based violence against women and girls?
12. What tensions arise between the obligation to prohibit and prevent discrimination and violence against women and girls based on sex and other grounds, including gender? How have States and international organizations been addressing these tensions?

Recommendations

13. What actions should relevant actors take (States, international organizations, civil society, others) to better identify, prevent and respond to sex-based violence against women and girls?
14. How should national, regional, and international frameworks and standards on women and girls be reviewed, adjusted, clarified, or complemented in order to enhance efforts to identify, prevent, and respond to sex-based violence against women and girls?

Respondents may wish to answer these questions and provide supportive information focusing on either women, girls or both.

Type of submissions

The Special Rapporteur is particularly interested in hearing from representatives of governments; civil society organizations; lawyers; national human rights institutions; academics; policy and research institutions; as well as from victims' associations.

Please do not send submissions from individuals in which individual stories are narrated, which will not be processed as the mandate has limited capacity.

For minors who wish to send input, the express consent of one of their parents or guardians will be required. Should the number of submissions remain manageable, the mandate may publish and cite those submissions, unless they are marked by their authors as confidential or if the expressed consent of victims and individuals mentioned has not been secured.

How and where to submit inputs

Inputs should be sent by e-mail by COB 30 January 2025

E-mail address	hrc-sr-vaw@un.org
Subject:	Sex-based violence against women and girls
Word limit	3,000 words for the main document + annexes if desired
File formats	Word, PDF
Accepted languages	English, French, Spanish, Arabic, Russian, Chinese

Call for inputs

Deadline: 30 January 2025

Addendum to the Thematic Report – HRC 59th Session

“The concept of consent in relation to violence against women and girls”

Call for input to the addendum to the report of the Special Rapporteur on violence against women and girls to the 59th session of the Human Rights Council (June 2025)

Purpose

The document will be presented as an addendum to the thematic report to the Human Rights Council at its 59th session in June 2025.

Background

Over the past few years, several international, regional and national legislation that criminalize various forms of violence against women and girls have expressly linked rape and other forms of violence against women and girls to the absence of consent to a sexual act.

Centring the concept of consent in the definition of the crime of violence has triggered wide discussions. On one hand, there are those who believe that all forms of sex and gender-based violence should be linked to the concept of consent. Others, however, are concerned that a blanket application of consent may invertedly result in leaving the responsibility for crimes to the victims while keeping out of punishment and social discussions several particularly grave forms of sexual exploitation and abuse, sexual harassment, as well as violence against women and girls.

Additionally, it is important to understand the influence of previous and crime-related trauma, Post-traumatic stress disorder (PTSD) and complex trauma, so pervasive in victims of rape, sexual abuse and sexual exploitation, on the concept of consent, as well as the impact of the “invisible” forms of power, such as abuse of power and other behaviours and conduct by the perpetrators

A comprehensive human rights-based analysis of the concept of consent is therefore warranted.

Objectives

The Special Rapporteur would like to receive input to clarify the terms and approaches to the concept of consent and the use of consent in international human rights law and national legislation, which will inform recommendations for the States and other relevant stakeholders on how to engage with the issue of consent.

Key questions and types of input/comments sought

Definition

1. How has the concept of consent been defined in general, including in the different jurisdictions?
2. In what sex and gender-specific crimes has the relevance or irrelevance of consent been invoked? What differentiates them?

Legislations and jurisprudence

3. Which legislations have incorporated the concept of consent into their legal frameworks relating to sex and/or gender-based violence? How is the presence or lack of consent determined?
4. For national, regional and international legal frameworks that have incorporated the concept of consent, what has been the impact on women and girls of incorporating consent into national legislation?
5. What monitoring and evaluation mechanisms have States and organizations used to assess the impact of a consent-based definition of sex and gender-based crimes against women and girls?
6. How have courts referred to and used the concept of consent in determining responsibility for the crime committed against women and girls?
7. What examples of decisions and approaches by courts represent good and problematic practice?
8. How do cultural norms and practices in different regions influence the interpretation and application of consent in cases of violence against women and girls?

Consent in international human rights and criminal law

9. How do the international human rights and criminal law frameworks refer to the concept of consent (if at all) and engage with it?
10. Are there any situations envisaged by international law frameworks where the concept of consent is irrelevant?

Recommendations

11. Moving forward, how should States and other relevant stakeholders engage with the issue of consent?
12. What alternatives would put the burden of proof on the perpetrators and not the victims, on unequal power relationships?
13. Are there alternative frameworks or legal principles to "consent" that could better address certain forms of violence against women and girls?
14. Are there regional, national or community-led approaches to addressing consent that offer innovative solutions to entrenched challenges?

Type of submissions

The Special Rapporteur is particularly interested in hearing from representatives of governments; civil society organizations; lawyers; national human rights institutions; academics; policy and

research institutions; as well as from victims' associations. Individual submissions will not be processed as the mandate has limited capacity.

Please do not send submissions from individuals in which individual stories are narrated, which will not be processed as the mandate has limited capacity.

For minors who wish to send input, the express consent of one of their parents or guardians will be required. Should the number of submissions remain manageable, the mandate may publish and cite those submissions, unless they are marked by their authors as confidential or if the expressed consent of victims and individuals mentioned has not been secured.

How and where to submit inputs

Inputs should be sent by e-mail by COB 30 January 2025

E-mail address	Hrc-sr-vaw@un.org
Subject:	The concept of consent in relation to violence against women and girls
Word limit	3,000 words for the main document + annexes if desired
File formats	Word, PDF
Accepted languages	English, French, Spanish, Arabic, Russian, Chinese

s 33(a)(iii), s 47C(1) - Pages (10 - 27) are exempt and the following pages have been removed

From: s 22(1)(a)(ii) @dss.gov.au>
Sent: Wednesday, 12 February 2025 10:08 AM
To: s 22(1)(a)(ii)
Cc:
Subject: FOR REVIEW by 4pm TODAY - DSS response to Annex 1 of the Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]
Attachments: Annex 1. Eng Call for Inputs_sex based violence against women and girls 18.12.2024.docx; Letter to all PMs SR VaWG Eng.pdf; DSS response to SR VaWG - for review 12 February 2025.docx

s 22(1)(a)(ii)

Hi s 22(1)(a)(ii)

The Department of Social Services is preparing a response to the Special Rapporteur on violence against women and girls. In particular, annex 1 call for input to the report of the Special Rapporteur on violence against women and girls to the Human Rights Council. Our response is due to be provided on 12 February 2025 (today).

We would like to offer Human Rights Section (DFAT) the opportunity to review the department's draft response by 4pm today, to provide any redline feedback or comments. We sincerely apologise for the short timeframe, after we understand that you expressed an interest in reviewing the draft response.

Thank you for your assistance and please don't hesitate to let me know if you have any questions.

Kind regards,

s 22(1)(a)(ii)

A/g Director
National Plan Policy and Systems Section

National Policy Branch
Ending Gender-Based Violence Group
Department of Social Services

E: s 22(1)(a)(ii) @dss.gov.au

P: s 22(1)(a)(ii)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Friday, 17 January 2025 12:29 PM

s 22(1)(a)(ii) - This section and page (27) contain a duplicate email - for the original see page (6). The following pages has been removed

s 22(1)(a)(ii) - Pages (28 - 45) contain duplicate documents - for the originals see pages (8 - 25)

From: s 22(1)(a)(ii)
Sent: Wednesday, 12 Februarv 2025 5:09 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For a/g AS HRB clearance: SE Brief: UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies [SEC=OFFICIAL]
Attachments: Senate Estimates UN Expert findings and Treaty Bodies - 11 February 2025 - For AS clearance ^{s 22(1)} comments.docx

s 22(1)(a)(ii)

OFFICIAL

s 22(1)(a)(ii)
Hi

s 22(1)(a)(ii)

Regards,
s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 11 February 2025 4:21 PM
To: s 22(1)(a)(ii)
Cc:
Subject: For a/g AS HRB clearance: SE Brief: UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies [SEC=OFFICIAL]

OFFICIAL

Hi s 22(1)(a)(ii)

Please find attached HRA's draft **UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies** Back Pocket Senate Estimates (FAS MPD) brief, with attachments. s 22(1)(a)(ii)

Happy to chat!

Kind regards,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
Human Rights Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade
T s 22(1)(a)(ii)

OFFICIAL

Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies
s 22(1)(a)(ii) - Pages (48 - 57) are irrelevant and the following pages have been removed

OFFICIAL

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Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

s 22(1)(a)(ii)

UN Special Rapporteur on Violence against Women and Girls

Ms Reem Alsalem was appointed UN Special Rapporteur on Violence Against Women and Girls (SR VAWG) in July 2021 by the UN Human Rights Council for a three-year tenure. In her role as Special Rapporteur, Ms Alsalem has on occasion advocated for sex-based rights (rights based on a person's biological sex, rather than gender or gender-identity)s 33(a)(iii), s 47C(1)

s 22(1)(a)(ii)

OFFICIAL

OFFICIAL

Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

s 22(1)(a)(ii) - Pages (59 - 62) are irrelevant and the following pages have been removed

Last updated: 7 February 2025

OFFICIAL

Page 12 of 15

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Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies
s 22(1)(a)(ii) - Pages (64 - 72) are irrelevant and the following pages have been
removed

Last updated: 7 February 2025

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Page 1 of 15

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Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

s 22(1)(a)(ii)

UN Special Rapporteur on Violence against Women and Girls

Ms Reem Alsalem was appointed UN Special Rapporteur on Violence Against Women and Girls (SR VAWG) in July 2021 by the UN Human Rights Council for a three-year tenure. In her role as Special Rapporteur, Ms Alsalem has on occasion advocated for sex-based rights (rights based on a person's biological sex, rather than gender or gender-identity)s 33(a)(iii), s 47C(1)

s 22(1)(a)(ii) - Pages (48 - 57) are irrelevant and the following

OFFICIAL

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Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

s 22(1)(a)(ii) - Pages (74 - 79) are irrelevant and the following pages have been removed

Last updated: 7 February 2025

OFFICIAL

Page 12 of 15

Sent: s 22(1)(a)(ii)
To: Wednesday, 12 February 2025 5:37 PM
Cc: s 22(1)(a)(ii)
Subject: FW: For a/g AS HRB clearance: SE Brief: UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies [SEC=OFFICIAL]
Attachments: Senate Estimates UN Expert findings and Treaty Bodies - 11 February 2025 - For AS clearance ^{s 22(1)} comments.docx

OFFICIAL

Hi s 22(1)(a)(ii)

Happy to chat further tomorrow but if you could discuss relevant sections with HRI as needed, that would be great.

Cheers
s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

Sent: Wednesday, 12 February 2025 5:09 PM

s 22(1)(a)(ii) - This section and page (2) contain a duplicate email chain - for original email chain see Document (B3) see from page

OFFICIAL

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Budget Estimates: February 2025

EDRMS No: D22/xxxxxx

UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies
s 22(1)(a)(ii) - Pages (82 - 96) contain a duplicate of pages (63 - 77) and the
following pages have been removed

Last updated: 7 February 2025

OFFICIAL

Page 1 of 15

From: s 22(1)(a)(ii)
Sent: Thursday, 13 February 2025 6:10 AM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: FOR REVIEW by 4pm TODAY - DSS response to Annex 1 of the Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Thanks s 22(1)(a)(ii) for your email. I understand you have been in touch with s 22(1)(a)(ii) on this – I will provide our response directly to s 22(1)(a)(ii)

Many thanks to you and the team for your assistance with providing this response.

Kind Regards,

s 22(1)(a)(ii)

Assistant Director Multilateral | Human Rights Section (HRI)
Multilateral Policy Division
Australian Department of Foreign Affairs and Trade
s 22(1)(a)(ii) @dfat.gov.au
s 22(1)(a)(ii)



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We acknowledge the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.

From: s 22(1)(a)(ii)
Sent: Tuesday, 11 February 2025 11:08 PM
s 22(1)(a)(ii) - This section and pages (98 - 99) contain a duplicate email chain - for original email chain see Document (B2) see from page. Please note that due to email recipients working in different time zones the duplicate email is time stamped 11 hours later - Wednesday, 12 February 2025 10:08 AM

From: s 22(1)(a)(ii)
Sent: Thursday, 13 February 2025 12:46 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For a/g AS HRB clearance: SE Brief: UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies [SEC=OFFICIAL]
Attachments: s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL

Hi s 22(1)(a)(ii)

Thanks again for these – I’ve tracked a couple of minor things in the attachments too.

From: s 22(1)(a)(ii)
Sent: Thursday, 13 February 2025 10:21 AM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For a/g AS HRB clearance: SE Brief: UN Expert (including Special Procedures Mandate Holders) findings and Treaty Bodies [SEC=OFFICIAL]

OFFICIAL

Hi s 22(1)(a)(ii)

Please see attached brief incorporating s 22(1)(a)(ii) edits (from his email below as well as his comments in the document).

s 22(1)(a)(ii)

s 22(1)(a)(ii) is asking for this by **11:00am today**. Welcome your views also on resharing with s 22(1)(a)(ii)

Thanks!

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
 Human Rights Branch | Multilateral Policy and Human Rights Division
 Department of Foreign Affairs and Trade
 T s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Wednesday, 12 February 2025 5:37 PM
 s 22(1)(a)(ii) - This section and pages (101 - 102) contain a duplicate email chain - for the original see page (80)

s 22(1)(a)(ii) - Pages (103 - 107) are irrelevant and the following pages have been removed

From: s 22(1)(a)(ii)
Sent: Friday, 14 February 2025 3:47 AM
To: s 22(1)(a)(ii)
Cc:
Subject: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG
 [SEC=OFFICIAL:Sensitive]
Attachments: Letter to all PMs SR VaWG Eng.pdf; Annex 2. Eng Call for inputs - addendum on consent -18.12.2024.docx; Annex 1. Eng Call for Inputs_sex based violence against women and girls 18.12.2024.docx; DSS response to SR VaWG - for review 12 February 2025.docx

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Hello GMS colleagues,

Re the attached SR VAWG questionnaire which will inform the SR's HRC60 report (email below refers) - **grateful if you could please get back to us today (Friday) on this one.**

The SR will examine new frontiers and emerging issues of the forms of 'sex-based violence', as opposed to 'gender-based violence' (GBV). s 33(a)(iii)

DSS has prepared the attached draft response. We wanted to check whether GMS had been consulted on this draft response? I understand that DSS consulted with the Domestic, Family and Sexual Violence Commission.

s 33(a)(iii), s 47C(1)

s 33(a)(iii), s 47C(1)

- Our usual process for clearing questionnaire input is at AS HRB level, unless particular sensitivities s 22(1)(a)(ii)
s 47E(d)

Noting all of the above, **we would be interested in your views including on** if: Australia submit a response; s 33(a)(iii), s 47C(1)
; and clearances
required for this eg would AS GEB want to clear s 47E(d) If we were to submit a
response – we would have to work quickly and would be grateful any edits you have to the draft as soon as
practically possibly s 47E(d)

Thanks in advance for your assistance – it's much appreciated!

Many thanks,

s 22(1)(a)(ii)

Assistant Director Multilateral | Human Rights Section (HRI)
Multilateral Policy Division
Australian Department of Foreign Affairs and Trade
s 22(1)(a)(ii) @dfat.gov.au
s 22(1)(a)(ii)



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From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Monday, 23 December 2024 12:48 PM
To: s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Dear s 22(1)(a)(ii)

Please see attached questionnaire from the SR on violence against women and girls, on the theme of “sex based violence against women and girls”, ahead of her upcoming report at HRC59 (June 2025). This report will include an annex on the concept of consent in relation to VAWG. This questionnaire covers both.

s 33(a)(iii), s 47C(1)

Though the deadline is short (responses are due **30 January 2025**), I think it would be valuable to respond to this questionnaire. It would be an opportunity for Australia to reinforce our position on this issue s 33(a)(iii), s 47C(1)

Copying relevant colleagues from HRI and GEB for their visibility.

Happy to discuss further

Kind regards

s 22(1)(a)(ii)

Australian Permanent Mission to the United Nations in Geneva
Chemin des Fins 2, Grand Saconnex 1218

P: s 22(1)(a)(ii) | M: s 22(1)(a)(ii)
E: s 22(1)(a)(ii) | [@dfat.gov.au](mailto:dfat@gov.au) | W: geneva.mission.gov.au | T: twitter.com/AustraliaUN GVA



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s 22(1)(a)(ii) - Pages (111 - 128) contain duplicate documents - see pages (8-25) and the following pages have been removed

From: s 22(1)(a)(ii)
Sent: Friday, 14 February 2025 8:55 AM
To: s 22(1)(a)(ii)
Cc:
Subject: FW: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]
Attachments: Letter to all PMs SR VaWG Eng.pdf; Annex 2. Eng Call for inputs - addendum on consent -18.12.2024.docx; Annex 1. Eng Call for Inputs_sex based violence against women and girls 18.12.2024.docx; DSS response to SR VaWG - for review 12 February 2025.docx

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Dear s 22(1)(a)(ii)

Grateful for your views on this request from HRI. Please note the deadline of COB today and request for AS GEB clearance.

Kind regards
s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Friday, 14 February 2025 3:47 AM
s 22(1)(a)(ii) - This section and pages (130 - 131) contain a duplicate email chain - for the original document see page (108) and the following pages have been removed

s 22(1)(a)(ii) - Pages (132 - 149) contain duplicate documents - for the originals see pages (8-25)

From: s 22(1)(a)(ii)
Sent: Saturday, 15 February 2025 7:46 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG
[SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Hello GMS colleagues,

I am following up on the email below. Grateful a reply.

Many thanks,

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Thursday, 13 February 2025 4:47 PM
s 22(1)(a)(ii) - This section and pages (151 - 152) contain a duplicate email chain - see the original page (108). We note that due to email recipients working in different timezones - the original is Friday, 14 February 2025 3:47 AM . The following pages have been removed

From: s 22(1)(a)(ii)
Sent: Saturday, 15 February 2025 7:46 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For ^{s 22(1)} response - questionnaire Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Thanks for clarifying. GMS didn't respond to my email – I have sent a follow up. I think we don't submit - timing is not on our side and my feeling is we will need to do a little re-drafting and clearing through DSS ^{s 22(1)(a)(ii)}
^{s 47E(d)}

Please let me (or ^{s 22(1)(a)(ii)}) know if we can do anything further on this one for the moment ^{s 47E(d)}

Thanks @^{s 22(1)(a)(ii)}

From: ^{s 22(1)(a)(ii)}
Sent: Thursday, 13 February 2025 10:35 PM
To: ^{s 22(1)(a)(ii)}
Cc:
Subject: RE: For ^{s 22(1)} response - questionnaire Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Thanks ^{s 22(1)(a)(ii)}, I think those references to HRB recommending a response refer to HRA. I don't think HRI had been consulted on that. I had a quick chat with ^{s 22(1)(a)(ii)} about it yesterday, we're going to consider approach.

From: ^{s 22(1)(a)(ii)} <@dfat.gov.au>
Sent: Friday, 14 February 2025 4:06 AM
To: ^{s 22(1)(a)(ii)} <@dfat.gov.au>; ^{s 22(1)(a)(ii)} <@dfat.gov.au>
Cc: ^{s 22(1)(a)(ii)} <@dfat.gov.au>; ^{s 22(1)(a)(ii)} <@dfat.gov.au>
Subject: For ^{s 22(1)} response - questionnaire Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hello ^{s 22(1)(a)(ii)}

I have sent an email to GMS seeking their views (attached). My email to GMS also highlights that our submission is late. I do wonder if we should not submit a response ^{s 47E(d)}

I have responded to your questions in red, in your email below.

I think there has been some confusion on this one.....I was under the impression that HRB had agreed with HRA that Australia make a submission (based on an email I saw from HRA to DSS, where it said HRB recommended we prepare a response – highlighted in green below). For my own background, can I check did we / HRI initially agree to make a submission? Your email and trying to connect the dots makes me think not. This questionnaire came in just before Christmas shutdown s 33(a)(iii) ...and didn't help that DSS said they would consult DFAT (HRI and GMS) but didn't (until the day we were supposed to submit). I thought I wasn't included in emails and HRA was leading (and you were liaising with s 22(1)(a)(ii) directly), otherwise I would have paid closer attention (lesson learnt).

Thanks @s 22(1)(a)(ii) looking forward to hearing from you.

Many thanks,

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Thursday, 13 February 2025 12:36 AM
To: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: RE: For s 22(1) response - DSS response to Annex 1 of the Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Thanks s 22(1)(a)(ii) Having seen the call for inputs, this is going to require some careful consideration. A couple of points in my mind at the moment:
s 33(a)(iii), s 47C(1)

Regards,
s 22(1)(a)(ii)

From: s 22(1)(a)(ii) <@dfat.gov.au>
Sent: Thursday, 13 February 2025 6:08 AM
To: s 22(1)(a)(ii) <@dfat.gov.au>; s 22(1)(a)(ii) <@dfat.gov.au>; s 22(1)(a)(ii) <@dfat.gov.au>
Cc: s 22(1)(a)(ii) <@dfat.gov.au>; s 22(1)(a)(ii) <@dfat.gov.au>
Subject: For s 22(1) response - DSS response to Annex 1 of the Special Rapporteur on violence against women and girls [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hello s 22(1)(a)(ii)

Thanks for reaching out to me on this one (separate to the email chain below).

I wanted to check whether GMS has been consulted on our response and in particular our input on “language and terminology” and in general our response?

FYI @s 22(1)(a)(ii) @s 22(1)(a)(ii) s 33(a)(iii), s 47C(1)

Thanks @s 22(1)(a)(ii) looking forward to hearing from you.

Many thanks,

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) <@dss.gov.au>
Sent: Tuesday, 11 February 2025 11:08 PM
s 22(1)(a)(ii) - Duplicate email - for the original see page (26). Please note that due to email recipients working in different time zones the duplicate email- Wednesday, 12 February 2025 10:08 AM

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Friday, 17 January 2025 12:29 PM
To: s 22(1)(a)(ii) @pmc.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>
Subject: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Dear OfW/PMC colleagues,

Please see **attached call for input** from the Special Rapporteur on violence against women and girls, its causes and consequences (SR VAWG), regarding 'new frontiers and emerging issues of the forms of sex-based violence against women and girls'.

Australia strongly supports the UN Special Procedures Mandate Holders and considers responding to these requests where we can. Responses provide an opportunity for Australia to highlight its good domestic work on a particular issue s 33(a)(iii), s 47C(1) – in this case to be presented at the 59th session of the Human Rights Council in June 2025. This report will include an annex on the concept of consent in relation to violence against women and girls. This call for input covers both. The reports generated from calls for input usually form the foundation of new language in the relevant resolution.

Our response does not need to address every question or issue raised in the call for input. The **attached template** provides further guidance about responses. Responses can be up to **3,000 words**.

While Australia cosponsored the mandating HRC resolution (HRC/RES/50/7), s 33(a)(iii), s 47C(1)

Geneva Post and DFAT(HRB) recommend providing a response. It would be an opportunity for Australia to reinforce our position on this issue s 33(a)(iii), s 47C(1)

Grateful confirmation:

1. **by 3:00pm Tuesday 21 January** that OfW/PMC are the relevant line area to action this request and will coordinate input with other relevant departments and line areas (Note: Our team will forward your consolidated input to Geneva Post but does not have the subject matter expertise or policy responsibility to be able to co-ordinate or, where appropriate, consolidate a WOAG response to this request).
2. **by 3:00pm Friday 24 January** advice on whether Australia will respond to this request.

Submissions are due **30 January**. Grateful input in the attached template by **4:00pm Wednesday 29 January** in order for us to transmit Australia's submission to Geneva.

We note this is a short deadline. If you have concerns about meeting this, Geneva Post can request an extension for input **if we are certain we will make a submission**. If you would like to request an extension, please let me know by **4:00pm Wednesday 29 January** when you confirm you will be submitting a response.

Please feel free to reach out if you'd like to discuss further.

Kind regards,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
 Human Rights Branch | Multilateral Policy and Human Rights Division
 Department of Foreign Affairs and Trade

T s 22(1)(a)(ii)

s 22(1)(a)(ii) - Pages (158 - 175) contain duplicate documents - for the originals see pages (8 - 25) and the following pages have been removed

Subject: FW: Meeting ^{s 33(a)(iii), s 33(b)} -s 33(a)(iii), s 33(b)
[REDACTED]

Attachments: s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Saturday, 15 February 2025 4:01 AM
To: s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: Meeting ^{s 33(a)(iii), s 33(b)} -s 33(a)(iii), s 33(b) [REDACTED]
[REDACTED]

Hi s 22(1)(a)(ii)

s 22(1)(a)(ii)

I caught up separately ^{s 33(a)(iii), s 33(b)} a couple of weeks ago, and will attend another coordination meeting next week. Readout from the meeting ^{s 33(a)(iii), s 33(b)} is below. I am also attaching: s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

s 33(a)(iii), s 33(b)

The next coordination meeting will be this Tuesday, I'll let you know how it goes.

Cheers

s 22(1)(a)(ii)

Australian Permanent Mission to the United Nations in Geneva

Chemin des Fins 2, Grand Saconnex 1218

P: s 22(1)(a)(ii)

|M: s 22(1)(a)(ii)

E: s 22(1)(a)(ii)

@dfat.gov.au |W: geneva.mission.gov.au | **T:** twitter.com/AustraliaUN_GVA



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s 22(1)(a)(ii) - Pages (178 - 181) are irrelevant and the following pages have been removed

From: s 22(1)(a)(ii)
Sent: Monday, 17 February 2025 5:07 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG
 [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Apologies for the delay in responding but we are completely snowed under. Also no text edits as we did not have anyone available to look into that. Regarding your three main questions:

1. Should Australia submit a response – we would say yes, if the response is in line with our policy positions, but it is in the end an MPD call.
2. Sex based violence v Gender based violence – Australia’s position is very clearly to use the term gender Based Violence. Details and rationale below.
3. Clearance – not through GEB so suggest exec in MPD. s 47E(d)

Best
 s 22(1)(a)(ii)

Gender-based violence is violence that is rooted in societal norms and power imbalances between all genders, while sex-based violence is violence that targets someone based on their sex or perceived sex. Sex-based violence also inherently implies a biological and binary understanding of gender. As a result, Australia recognises Gender-based violence in all its forms including domestic and family violence, technology facilitated violence ect.

s 33(a)(iii)

s 33(a)(iii)

<i>Talking Points:</i>	As the matter relates to how individuals live in society, as well as our structures and systems, request inclusion of ‘gender’.
<i>Precedents:</i>	Beijing Declaration and Platform for Action CSW Agreed Conclusions UN General Assembly resolutions on ‘Women in Development’ (e.g. A/RES/79/223) A/RES/50/10 on mandate of SOGI independent expert includes ‘gender identity and sexual orientation’.

From: s 22(1)(a)(ii)

Sent: Saturday, 15 February 2025 7:46 PM

s 22(1)(a)(ii) - This section and pages (184 - 185) contain a duplicate email chain - see the original pages (150) and the following pages have been removed

From: s 22(1)(a)(ii)
Sent: Tuesday, 18 February 2025 12:05 PM
To: s 22(1)(a)(ii)
Cc:
Subject: Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL:Sensitive

Dear all

Multiple email trails going on the question of the simultaneous SR VAWG calls for input on 'New frontiers and emerging issues' in 'sex-based violence against women', and 'the concept of consent in violence against women and girls', will seek to bring them together with this one. As you may recall, submissions in response to these calls were due back on 30 January 2025. We have input from DSS on the first, and AGD have indicated they plan to provide input for the second by 27 February. With thanks to GMS' views below, and the various conversations that have been had with DSS and with AGD, s 22(1)(a)(ii) (who as Director HRA coordinates SPMH inputs) and I have discussed, and we've concluded that on this occasion we will not make submissions to these calls for input from the SR VAWG.

In deciding this, we are conscious that:

- We are already overdue, and if we will not have combined content for the two elements until the end of the month, and given that it will take more time after that to get it cleared, we will be well and truly embarrassingly late.

s 33(a)(iii), s 47E(d)

s 22(1)(a)(ii) can you advise DSS and AGD please, noting that on this occasion given the issues raised, sensitivities and clearance requirements, and that we are already late, we will not be proceeding with a submission. Please apologise to DSS, and note that we will still retain the useful information s 33(a)(iii), s 47E(d)

Thanks,
s 22(1)(a)(ii)

a/g Assistant Secretary
Human Rights Branch | Multilateral Policy Division
Department of Foreign Affairs and Trade
P s 22(1)(a)(ii) | M s 22(1)(a)(ii)
dfat.gov.au



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[We acknowledge](#) the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Monday, 17 February 2025 6:07 AM

s 22(1)(a)(ii) - This section and pages (188 - 191) contain a duplicate email chain - see the original page (182) see from page. We note that due to recipients being in different timezones the duplicate email chain is timestamped - Monday, 17 February 2025 5:07 PM

From: s 22(1)(a)(ii)
Sent: Tuesday, 18 February 2025 7:41 AM
To: s 22(1)(a)(ii)
Cc:
Subject: For s views: Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]
Attachments: RE: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Hello s 22(1)(a)(ii) ,

Re SR VAW questionnaire –

s 22(1)(a)(ii) please find attached s 22(1)(a)(ii) email re the response to annex 2 being provided by AGD on 27 Feb. s 22(1)(a)(ii) will get back to us on how often we submit late, when we have to seek a formal extension for late response etc

I sought GMS advice. GMS has suggested (email below refers) that we submit a response s 47E(d)
 TBH I am in 2 minds about if we should submit a response...but given GMS and GUNN (initially) suggested we provide a response, I have prepare the below, should you want to use s 47E(d)

Grateful advice on if you think we should prepare a response to this questionnaire @s 22(1)(a)(ii) @s 22(1)(a)(ii)

If we do submit, s 33(a)(iii)

s 47E(d)

we will also need to get the response from AGD s 47E(d)
 DFAT would add narrative etc. I do worry that being late on this one doesn't help us.

s 22(1)(a)(ii)

s 33(a)(iii), s 47E(d)

s 33(a)(iii)

Geneva Post and GMS has recommend providing a response. DSS and AGD will prepare the response (with input from GMS and HRI). This will be an opportunity for Australia to reinforce our position on the theme of the report s 33(a)(iii)

Many thanks,

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

Sent: Monday, 17 February 2025 6:07 AM

s 22(1)(a)(ii) - This section and pages (194 - 197) contain a duplicate email chain - see page (182) We note that the original document has a different date and time due to recipients being in different timezones - 17 February 2025 5:07 PM. The following pages have been removed

From: s 22(1)(a)(ii)
Sent: Tuesday, 18 February 2025 7:41 AM
To: s 22(1)(a)(ii)
Cc:
Subject: FW: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]
Attachments: FW: [For s 22(1)(a)(ii) consideration]; FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL]; Annex 2. Eng Call for inputs - addendum on consent -18.12.2024.docx

s 22(1)(a)(ii)

OFFICIAL: Sensitive

Hello s 22(1)(a)(ii)

Thanks for the latest update – let me come back to you on this one. I will chat with s 22(1)(a)(ii). Can I check – how late do we usually submit questionnaires without seeking a formal extension? Eg is it usual practice to submit late? Are you able to share this info with me and cc s 22(1)(a)(ii) too.

Thanks and looking forward to hearing from you.

Many thanks,

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Monday, 17 February 2025 1:10 AM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: For views by COB 14 Feb (CBR time): Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Thanks for all your work on this one. These sensitive ones are always particularly tricky!

As you'd know, there's also an Annex 2 as part of this questionnaire, on the 'concept of consent in relation to violence against women and girls'.

I originally sent this to DSS as part of the questionnaire as a whole – DSS advised AGD were best placed to lead. AGD have agreed to prepare a response, but require until 27 February (I've attached our most recent correspondence).

s 47E(d) and given the fact that we have already missed the deadline for submission, welcome your advice on handling this one. s 33(a)(iii), s 47C(1)
s 47E(d) Would you like me to contact AGD

to try fast track timelines? Or would you like me to leave for you to liaise with AGD? Happy to help in any way that might make things easier on your end!

Thanks again,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
Human Rights Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade
T s 22(1)(a)(ii)

From: s 22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@dfat.gov.au](mailto:s22(1)(a)(ii)@dfat.gov.au)>

Sent: Friday, 14 February 2025 3:47 AM

s 22(1)(a)(ii) - This section and pages (200 - 201) contain a duplicate email chain - for the original see page (108) and the following pages have been removed

From: s 22(1)(a)(ii)
Sent: Tuesday, 18 February 2025 1:48 PM
To: s 22(1)(a)(ii)
Cc:
Subject: RE: Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Thanks s 22(1)(a)(ii)

Sounds like a good approach.

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Tuesday, 18 February 2025 12:18 PM
To: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: FW: Questionnaire - SR VAWG [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Thanks again for your advice on the SR VAWG questionnaire. Please see HRI's response below.

Kind regards
s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Tuesday, 18 February 2025 12:05 PM
s 22(1)(a)(ii) - This section and pages (203 - 208) contain a duplicate email chain - for the original see page (186) and the following pages have been removed

From: s 22(1)(a)(ii)
To:
Cc:
Subject: Call for inputs from SR VAWG - Australia to not provide submission [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 19 February 2025 11:55:11 AM

CAUTION: This email originated from outside of the organisation. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL: Sensitive

Hi s 22(1)(a)(ii)

Thanks for your time on the phone just now.

As discussed, following further SES-level discussions here at DFAT, we have concluded that on this occasion we will **not make submissions** to these calls for input from the Special Rapporteur on violence against women and girls (SR VAWG).

In deciding this, we are conscious that:

- We are already overdue, and if we will not have combined content for the two elements until the end of the month, and given that it will take more time after that to get it cleared, we will be significantly late.

s 33(a)(iii), s 47E(d)

Thanks for all your work on Annex 2 so far, but please feel free to stand down.

Happy also to chat further if you'd like.

Kind regards,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
 Human Rights Branch | Multilateral Policy and Human Rights Division
 Department of Foreign Affairs and Trade

T s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

Sent: Thursday, 13 February 2025 12:00 PM

To: s 22(1)(a)(ii)

Cc

Subject: FW: [For s 22(1)(a)(ii) consideration]: FOR ACTION: Call for inputs from SR VAWG
 [SEC=OFFICIAL]

OFFICIAL

Hi s 22(1)(a)(ii)

Thank you for your time on the phone just then.

Confirming that AGD will provide some high-level input into the Special Rapporteur's final report in relation to the 'concept of consent in relation to violence against women and girls'

We will be able to provide you with input by the latest 27 February (so as to prevent you from needing to seek a formal extension through Post).

Thanks & kind regards

s 22(1)(a)(ii)

Assistant Director | Justice Reform Section
 Attorney-General's Department
 3-5 National Circuit | Barton ACT 2600
 T: s 22(1)(a)(ii)

OFFICIAL

OFFICIAL

From: s 22(1)(a)(ii)

@dfat.gov.au>

Sent: Friday, 7 February 2025 4:37 PM

To: s 22(1)(a)(ii)

@ag.gov.au>

Cc: s 22(1)(a)(ii)

@dfat.gov.au>

Subject: FOR ACTION: Call for inputs from SR VAWG [SEC=OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Dear AGD colleagues,

Please see **attached call for input** from the Special Rapporteur on violence against women and girls, its causes and consequences (SR VAWG), regarding 'new frontiers and emerging issues of the forms of sex-based violence against women and girls' and the 'concept of consent in relation to violence against women and girls'.

Australia strongly supports the UN Special Procedures Mandate Holders and considers responding to these requests where we can. Responses provide an opportunity for Australia to highlight its good domestic work on a particular issues s 33(a)(iii), s 47C(1)

– in this case to be presented at the 59th session of the

Human Rights Council in June 2025. This report will include an annex on the concept of consent in relation to violence against women and girls. This call for input covers both. The reports generated from calls for input usually form the foundation of new language in the relevant resolution.

Our response does not need to address every question or issue raised in the call for input. The **attached template** provides further guidance about responses. Responses can be up to **3,000 words**.

While Australia cosponsored the mandating HRC resolution ([HRC/RES/50/7](#)), s 33(a)(iii), s 47C(1)

Geneva Post and DFAT(HRB) recommend providing a response. It would be an opportunity for Australia to reinforce our position on this issue s 33(a)(iii), s 47C(1)

As you'll see, the call for input is divided into two annexes – we have reached out to DSS, who have confirmed they will prepare a response for Annex 1, but they suggested **AGD were best placed to prepare a response to Annex 2**.

Grateful confirmation:

1. **by 4:00pm Monday 10 February** that AGD are the relevant line area to action this request and will coordinate input with other relevant departments and line areas (Note: Our team will forward your consolidated input to Geneva Post but does not have the subject matter expertise or policy responsibility to be able to co-ordinate or, where appropriate, consolidate a WOAG response to this request).
2. **by 4:00pm Tuesday 11 February** advice on whether Australia will respond to this request.

While submissions were due **30 January**, DSS are currently aiming for a submission date of **12 February**. We note this is a short deadline. If you think this is a submission you see value in responding to, Geneva Post can request another extension for input **if we are certain we will make a submission**. If you would like to request an extension, please let me know by **4:00pm Tuesday 11 February** when you confirm you will be submitting a response.

Please feel free to reach out if you'd like to discuss further.

Kind regards,

s 22(1)(a)(ii)

Policy Officer | Human Rights Autonomous Sanctions Section
Human Rights Branch | Multilateral Policy and Human Rights Division
Department of Foreign Affairs and Trade

T s 22(1)(a)(ii)

s 22(1)(a)(ii) - Pages (212 - 220) contain duplicate documents - for the originals see pages (8 - 16)