

INDEX

- Access to justice, discrimination in, 81–82
- Acker, Joan, 38
- African American women,
 group-centered intersectionality and, 20
- agency, power and, 30–32
- Alajos Kiss v. Hungary*, 125–126
- American Convention on Human Rights (ACHR), 146–149, 165–166
- intersectionality and, 255–256
- rape and sexual abuse cases and, 156–162
- American Declaration of the Rights and Duties of Man (American Declaration), 162–165
- Amnesty International, 141–143
- Anthias, Floya, 25–27
- Argentina
 CEDAW protections and, 62–70, 76–77, 86–87, 91–94
- child bearing pressures in, 215–219, 224–225, 234–236
- civil procedure and IPV regulations in, 243
- class perceptions in, 215–219, 229
- Comprehensive Support for Family Violence (Law 5.107) in, 208–212
- gender concepts in, 212–215
- gender-IPV connections in, 226–229
- indigenusness perceptions in, 206–208, 221–222, 233–234
- intersectionality of IPV policies in, 238–246, 257–260
- intimate partner violence case study of, 173–246
- migrant women in, 222–224, 236–238
- national legislation and policies on VAW in, 208–212
- police infrastructure in, 238–245
- race perceptions in, 206–208, 219–221
- rural women in, 215–219, 224–225, 234–236
- social categories of analysis, 206–208, 212–226
- Armstrong, Jo, 32–34, 250
- Arnardóttir, Oddny M., 125–126
- attribution of responsibility (imputability)
 due diligence and, 7–9, 55–57
- State responsibility for acts of private individuals and, 52–59
- A.T. v. Hungary*, 87–91, 94
- Austrian legal system, domestic violence cases in, 88–91
- A. v. Croatia*, 136–140
- background documents on VAW, 113–117
- Barrère Unzueta, M. A., 24
- Beijing Declaration and Platform for Action, 7–9
- documents resulting from, 109–112

- UNGA Resolutions on VAW and, 107–109
- Belem do Para Convention, *see* Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para Convention)
- Benencia, Roberto, 207
- Bernstein, Anita, 58
- biological sex
 constructions of, 5–6, 36–37
 vulnerability based in, 127–128
- Bolivia, migration to Argentina from, 222–224, 236–238
- Boyle, A., 43–47
- Brems, Eva, 52
- Brysk, Alison, 48
- Butler, Judith, on biological sex, 36–37
- Campo Algodonero* case, 55, 58
- Carson* case, 125–126
- case studies in intersectionality, 257–260
 selection criteria, 169–170
- Castro Castro v. Peru*, 157–159
- categories of difference, intersectionality and, 16–19
- categorisation process, intersectionality and, 27–28
- Cecilia Kell v. Canada*, 91–94, 117–120, 253
- Centre of the Municipality (CMAM) (Spain), 196
- Charlesworth, H., 11–12, 45–46
- child custody disputes
 class associations in Argentina with, 229
 intimate partner violence cases and, 93
 Roma concerns over, 188–192
- child marriage
 CEDAW intersectionality concerning, 64, 70–78
 family domain and cultural practices and, 65–66
- children
- ACHR provisions concerning, 147–149
- Argentinian pressure for bearing of, 215–219, 224–225, 234–236
- CEDAW protections for, 62–70, 76–77, 86–87, 91–94
- DEVAW protections for, 101–104
- European Court on domestic violence and, 130–131, 139–140
- in IACtHR cases, 154–155, 160–162
- vulnerability of, 113–117, 126–127
- Chinkin, Christine, 11–12, 113–117
- Choo, Hae Yeon, 14, 20–24, 31
- civil rights, as negative obligations, 49–52
- class
 Argentinian perceptions of, 215–219, 229
 economic processes and, 38
 gender and, 13–15
 in IACtHR femicide rulings, 137–154
 Roma perceptions of, 184–186, 192–195
 in sexual violence and rape cases, 98–99
 social construction of, 17
 violence against women and, 16, 22–23
- Clift v. United Kingdom*, 125–126
- Commission on the Status of Women (CSW), 109–112
- commitment, defined, 11–12
- Committee of Ministers of the Council of Europe, 121–122
- Recommendation Rec (2002)5 of, 130–131, 145–146, 255–256
- community, Roma culture of, 184–186
- complexity theory, 28–30
- compliance
 defined, 11–12
 soft law concerning VAW and, 46–47
- conflict prevention, CEDAW VAW recommendations concerning, 72–74
- contingency, intersectionality research and, 28–30
- Contreras et al v. El Salvador*, 158–159

- Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention), 11–12, 43–45, 255–256
 Spain as party to, 173–174
- Convention on the Elimination of Discrimination Against Women (CEDAW)
 assessment of work by, 99–101
 dedicated recommendations on VAW, 63–70
 Draft General Recommendation, 69–70, 82–83
 European Court rulings as challenge to, 139–140
 General Recommendation 12, 62–70
 General Recommendation 14, 82–83
 General Recommendation 18, 74
 General Recommendation 19, 54–57, 62–70, 72, 82, 83, 85–86, 137, 150, 253
 General Recommendation 21, 70–78, 82–83, 85–86
 General Recommendation 24, 66–67
 General Recommendation 25, 78–101, 253
 General Recommendation 26, 74–76, 82–83, 117–120
 General Recommendation 27, 76–77, 82–83
 General Recommendation 28, 49–52, 78–101, 117–120, 162–165, 253, 260–264
 General Recommendation 29, 70–78, 82–83, 85–86
 General Recommendation 30, 72–74
 General Recommendation 31, 63–70, 82
 General Recommendation 33, 82–83, 96
 General Recommendation 34, 78, 82–83, 117–120
 General Recommendations
 overview, 101
 human rights norms and, 4–7
 IActHR and, 117–166
 intersectionality in, 251–255
 race and gender intersectionality in, 7–9
 ratification of, 43–45
 specific groups and contexts, general recommendations on, 70–78
 State responsibility, general recommendations on, 78–101
 terminology, 12, 101
 UN documents on VAW and, 121
 ‘VAW domain’ in, 62–70
- Convention on the Rights of the Child (CRC), 147–149
- Copelon, Rhonda, 43
- Council of Europe (CoE)
 IACHR and, 166–168
 intersectionality on VAW in documents of, 121–146
- Courts for Violence Against Women (Spain), 176–179
- Crenshaw, Kimberle Williams, 7–9, 13–15
 on group-centered intersectionality, 20–24
 on limits of intersectionality, 31
- criminal perspective on violence against women
 normative framework in Spain on IPV and, 176–179
 UN General Assembly resolutions and, 104–109
- cultural practices
 family domain and, 65–66
 female genital mutilation countermeasures and, 62–70
 indigeneity in Argentina and, 221–222
 Roma intersectionality of gender, ethnicity and class and IPV and, 187–196
 UNSG reports and discussion of, 113–117
- Declaration on the Elimination of Violence against Women (DEVAW) (U.S.), 43–45, 55–57, 149
 adoption of, 101–104

- intersectionality and work of, 251–255
- De Donder en De Clippel v. Belgium*, 126–127
- de Grieff, Pablo, 58
- detention policies, State responsibility concerning, 143–145
- differential positioning, categorisation and, 27–28
- direct discrimination, 123–127
 - ACHR provisions on, 147–149
- disabled women, CEDAW VAW recommendations concerning, 74
- discrimination
 - in Belem do Para Convention, 149–151
 - CEDAW General Recommendations on, 78–101
 - domestic violence as, 162–165
 - in European Court of Human Rights cases, 123–127
 - intersectionality in, 20–24, 125–126, 260–264
 - multiple categories of, 18
 - prevalence of categories of, 19
 - in sexual violence and rape cases, 95–99
 - violence as, 137–140, 152–154
- disproportionality
 - in CEDAW rulings, 133–135
 - in ECHR rulings, 124–125, 137–142, 145–146
 - femicide rulings of IACtHR and, 152–154
 - in UN resolutions and conventions, 78, 88–91
- diversity
 - Argentinian intimate partner violence case study and, 206–208, 211–212
 - in DEVAW, 101–104
 - identity politics and, 18
 - intersectionality and, 18–19
- domestic violence
 - Argentinian laws on, 173–246
 - CEDAW VAW recommendations concerning, 72, 84–94
 - European Court cases involving, 130–131
 - European Court rulings and, 128–129
 - IACtHR cases involving, 162–165
 - Istanbul Convention on, 133–135
 - normative framework in Spain on, 176–179
 - Romani women and, case study involving, 173–204
 - Roma perceptions of gender and, 179–182
- domestic workers, vulnerability of, 16, 22–23
- ‘double vulnerability,’ European Court principle of, 126–127
- Draft Articles on Responsibility of States for Internationally Wrongful Acts (DARSIWA), 52–59
- due diligence
 - Committee of Ministers of the Council of Europe Recommendation Rec (2002)5 concerning, 130–131
 - domestic violence and, IACtHR rulings on, 162–165
 - dynamic vs. fixed content in, 55–57
 - intimate partner violence and State obligation of, 91–94, 99–101
 - State responsibility for acts of private individuals and, 52–59
- Due Diligence Framework (Due Diligence Project), 57
- dynamics-centered approach to intersectionality, subordination and inequality and, 24–30
- economic conditions
 - Argentinian perceptions of violence and, 65–66, 70–78
 - CEDAW General Recommendations and, 65–66, 70–78
 - class associations in Argentina with, 229
 - defined, 11–12
 - reparations and, 57–59
- education

- female genital mutilation
 countermeasures and, 62–70
 IPV among Roma and, 192–195
 violence against women and barriers
 to, 16, 22–23
- Emergency Barring Orders (EBO)
 (Austria), 88
- employment
 Argentinian gender discrimination
 in, 215–219
 CEDAW VAW recommendations on,
 67–68
 prevention of violence in Argentina
 and, 230
 racial discrimination in Argentina
 and, 206–208, 219–221
- equality as tool of discrimination,
 Roma policies in Spain and, 176
- Erema v. The Republic of Moldova*,
 138–139, 141–142
- essentialism, categorisation and
 rejection, 27–28
- ethnicity
 IPV in Roma culture and, 176,
 182–184, 188–192
 Spanish IPV policies and disregard
 of, 196, 201–204
- European Convention on Human
 Rights and Fundamental
 Freedoms (ECHR), 11–12,
 122–131
- absence of intersectionality in,
 145–146
- Article 14, 124–125
- on discriminatory nature of
 violence, 137–140
- domestic violence cases and, 140
- interpretation and adjudication of
 VAW and, 136–145
- intersectionality and, 255–256
- on State responsibility, 143–145
- European Court of Human Rights
 (ECtHR), 54–55, 121–131
- domestic violence cases and,
 136–140
- IACtHR and, 166–168
- interpretation and adjudication of
 VAW and, 83–145
- on Roma vulnerability, 173–174
- special vulnerability categories of,
 141–143
- on State responsibility, 143–145
- European Social Charter, 122
- ex officio cases
 Argentinian IPV policies and,
 238–245
- intimate partner violence and, 90
- State responsibility for VAW and, 55
- exploitation, CEDAW VAW
 recommendations on, 67–68
- Fajardo, Teresa, 45–46
- family domain, *see also* domestic
 violence
 ACHR provisions on, 148–149
- Argentinian laws on IPV and,
 205–246
- Argentinian perceptions of, 212–215
- CEDAW VAW General
 Recommendations and role of,
 65–66, 70–78
- European Court cases involving,
 130–131
- in Roma culture, 179–184, 188–192
- Fatma Yildirim v. Austria*, 88–94
- female genital mutilation (FGM)
 (female circumcision)
 CEDAW general recommendations
 concerning, 62–70
- Committee of Ministers of the
 Council of Europe
 Recommendation Rec (2002)5
 concerning, 130–131
- femicide
 IACR rulings on, 152–156, 165–166
- special vulnerability principle and,
 160
- Fernández Ortega v. Mexico*, 157–159
- Fineman, Martha Albertson, 127–128
- forced labor, ACHR provisions on,
 148–149
- forced marriages and pregnancy, family
 domain and cultural practices
 and, 65–66
- Frouville, O. D., 53

- gender
 age and, 76–77
 Argentinian perceptions of, 212–215, 226–229
 class and, 13–15
 cultural and structural boundaries in, 36, 156–162
 family domain and role of, 65–66
 human rights norms and, 4–7
 intersectionality in research on, 13–15, 35–39
 Istanbul Convention construction of, 133–136
 normative framework in Spain on IPV and, 176–179
 race and, 7–9, 13–15
 reparations and role of, 57–59
 Roma perceptions of, 179–182
 Spanish IPV legislation and omission of, 200
 UNGA resolutions on, 7–9, 43–45, 61, 104–109
 gender-based violence (GBV), Istanbul Convention concept of, 133–136
 Goldberg, David Theo, 37–38
González et al. vs. Mexico (Cotton Field), 152–156
 Grotius, Hugo, 53
 groups
 indirect discrimination and, 123–127
 intersectionality concerning, 16–24, 257–260
- Hancock, Ange-Marie, 31
 Hart, L. G., 208
 health care, CEDAW VAW
 intersectionality with, 66–67
 Hill Collins, Patricia, 25–27, 37–38
 Hochreiter, Suzanne, 38
 honour crimes, CEDAW
 intersectionality concerning, 64
 hooks, bell, 18–19
Horváth and Kiss v. Hungary, 125–126
 housing
 prevention of violence in Argentina and, 230
 Roma concerns about, 193–195
- human rights framework
 gender incorporation into, 4–7
 international, 11–12
 intersectionality in, 249–251
 law's intersectionality with, 34–35
 multiple actors and norm compliance and, 47–49
 scope of obligations on VAW, 49–52
 United Nations resolutions and, 43–45, 251–264
 violence against women and, 3–9, 11–12, 43–60
- indigenous rights
 Argentinian perceptions of, 206–208, 221–222, 233–234
 rape and sexual violence as violation of, 158–162
 indirect discrimination, 123–127
 ACHR provisions on, 147–149
 individual petition/individual communications, right of in Argentinian policies on IPV, 238–245
 CEDAW Cee interpretations and adjudications and, 99, 99–101, 136
 CEDAW Cee submission guidelines, 84
 CEDAW provision for, 62
 Roma concerns about, 188–192
- individuals
 direct discrimination against, 123–127
 due diligence of State concerning VAW by, 55–57
 intersectionality and subordination of, 16–19
 State responsibility for acts of, 52–59
 inequality, socio-structural nature of, 16–19, 137–141
- inhuman or degrading treatment
 ACHR provisions on, 148–149
 domestic violence as, 142
 European Court prohibitions on, 129–130
 Institute for the Woman (IAM), 178, 196

- Inter-American Commission of Human Rights (IACHR), 146–147
 analysis of, 166
 domestic violence cases and, 162–165
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para Convention), 11–12, 43–45, 52
 analysis of, 165–166
 Argentinian intimate partner violence case study and, 205, 208–212, 226–229
 creation of, 146–147
 domestic violence cases and, 162–165
 due diligence of State concerning VAW and, 55–57
 provisions of, 149–151
 severe suffering and intersectionality in provisions of, 157–159
- Inter-American Convention to Prevent and Punish Torture (IACPTT), 157–159
- Inter-American Court of Human Rights (IACtHR), 54–55, 58
 analysis of, 166
 Argentinian intimate partner violence case study and, 205, 240
 femicide, cases concerning, 152–156
 interpretation and adjudication by, 83–165
 intersectionality and, 256
 rape and sexual abuse cases and, 156–162
 severe suffering and intersectionality in rulings by, 157–159
 special vulnerability in rulings of, 155, 159
 State responsibility in rulings by, 156, 160
- Inter-American System, overview of, 146–166
 inter-categorical approach to intersectionality, 27, 31
 international civil society, defined, 11–12
 international conferences, documents on VAW from, 109–112
 International Court of Justice (ICJ) statute, article 38 (1), 43–45
 International Human Rights Conferences and, 61
 international human rights law, scope of obligations on VAW, 49–52
 international law, of State responsibility, 52–58
 intersectionality
 anti-categorical approach, 23
 in Argentinian policies on IPV, 238–246
 in Belem do Para Convention, 149–151
 categorisation and, 27–28
 in CEDAW Draft General Recommendation, 69–70
 construction of social categories and, 17
 in Council of Europe documents, 121–146
 critiques and limitations of, 30–32
 in discrimination, 125–126
 in empirical cases, 35–39
 on employment and CEDAW VAW recommendations, 67–68
 on female genital mutilation countermeasures, 62–70
 genealogy of, 13–15
 group-centered approach to, 20–24, 260–264
 human rights framework and, 249–251
 in international reports and recommendations, 117–120
 in intimate partner violence cases, 91–94
 law and, 32–35, 251–264
 of migrant women and violence, 74–76
 normative framework for, 250–251, 260–264
 of older women and VAW, 76–77
 in practice, 257–260
 in rape and sexual violence cases, 157–159

- regional systems and, 255–256
- research approaches for, 19–30, 170–171
- social categories and structural factors in, 117–120
- in Spanish IPV policies, 196, 201–204
- in State responsibility CEDAW General Recommendations on, 78, 101
- system-centered approach, 28–30
- underlying theories, 16–19
- in UN General Assembly resolutions concerning VAW, 104–109
- in UN Secretary General reports, 113–117
- in UN VAW documents and resolutions, 61–120
- inter-State responsibility, acts of private individuals and, 52–59
- intimate partner violence (IPV)
 - Argentinian women, case study involving, 205–246
 - assessment of CEDAW recommendations on, 99–101
 - CEDAW General Recommendations concerning, 72, 84–94
 - class associations for Roma with, 192–195
 - class associations in Argentina with, 229
 - defined, 11–12
 - gender in Argentina and, 226–229
 - indigenouness in Argentina and, 233–234
 - intersectionality in cases involving, 91–94
 - Roma ethnicity and, 188–192
 - Romani women case study on, 173–204
 - sexual violence and rape and, 95–99
 - social categories of analysis in Argentina and, 226, 238
 - Spanish policies, intersectionality in, 196
 - Spanish Romani case study in, 176–179
- intra-categorical approach, intersectionality research and, 24
- IPV, *see* intimate partner violence
- Ireland v. United Kingdom*, 129–130
- Isatou Jallow v. Bulgaria*, 91–94, 117–120, 253
- Istanbul Convention, *see* Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)
- Jessica Lenahan v. USA*, 162–166
- judicial protection, right to
 - ACHR provisions on, 148–149
 - in Spanish IPV legislation, 176–179, 196
- Karen Tayag Vertido v. The Philippines*, 95–99
- Kiyutin v. Russia*, 125–126, 126
- Konstantin Markin v. Russia*, 125–126
- Krizsán, 32
- Kymlicka, Will, 173
- ‘Las Dos Erres’ Massacre *v. Guatemala*, 156–162
- law, intersectionality and, 32–35, 251–264
- legitimacy of norms, 48
- liberty, right to
 - ACHR provisions on, 148–149
 - European Court on, 129–130
- Lombardo, Emanuela, 32
- Maria da Penha v. Brazil*, 162–165
- marriage
 - CEDAW VAW General Recommendations concerning, 70–78
 - in Roma culture, 179–182
- Marx Ferree, Myra, 14, 20–24
- McCall, Leslie, 19, 25–30
- mediation, Roma practices of, 188–192
- men, biological and social constructions concept of, 5–6
- Merry, Sally Engle, 5–7, 16, 22–23
- migrant women

- in Argentina, 222–224, 236–238
 - CEDAW VAW recommendations concerning, 74–76, 117–120
 - Romani women in Spain as, 174–175
- motherhood
 - Argentinian perceptions of, 212–215
 - in Roma culture, 179–182
- multiple actors, soft law and norm compliance by, 47–49
- multiple discrimination
 - in Beijing Declaration and Platform for Action, 109–112
 - CEDAW General Recommendations and, 81–82
 - Committee of Ministers of the Council of Europe Recommendation Rec (2002)5 concerning, 130–131
 - in IACtHR cases, 165–166
 - law's intersectionality with, 32–35
 - for older women and VAW, 76–77
 - in UN General Assembly resolutions concerning VAW, 104–109
 - normative framework for, 250–251
- Municipal Centre for Woman's Support (CMAM) (Spain), 178
- Naples, Nancy A., 19
- National Law 24.417 (Argentina), 238–245
- National law 26.485 (Argentina), 176–246
- National Strategy 2013–2016 (Spain), 178
- negative obligations, scope of State obligations on VAW and, 49–52, 59
- non-reporting of violence, Roma ethnicity and, 188–192
- non-state actors
 - defined, 11–12
 - multiple actors and norm compliance, 47–49
 - soft law concerning VAW and, 46–47
 - State responsibility for acts of, 52–59
- norms
 - in CEDAW VAW General Recommendations, 62–70
 - defined, 11–12
 - intersectionality and, 250–251, 260–264
 - legitimacy of, 48
 - multiple actors and compliance with, 47–49
 - soft law concerning VAW and, 46–47, 59
 - Spanish framework for IPV legislation and, 176–179
- objective responsibility, evolution of, 52–59
- 'obligations of means', 51
- 'obligations of result', 51
- Office of Victim Support (OFAVI) (Argentina), 238–245
- older women, CEDAW VAW recommendations concerning, 74, 76–77
- opinio juris* evidence, violence against women and, 7–9, 43–45
- 'oppression olympics', 18
- Optional Protocol to the CEDAW Convention (CEDAW-OP), 62
- Opuz v. Turkey*, 54–55, 136–140, 140, 141–145, 146
- Organic Law 1/2004 (Spain), 176–179
- Organic Law 3/2007 (Spain), 176–179
- Organic Law 27/2003 (Spain), 176–179
- Organization of American States, 166–168
 - IACW creation by, 146–147
- Osman v. The United Kingdom*, 54–55
- Otto, Dianne, 6–7
- Parra, Teresa Ojeda, 16, 22–23
- patriarchy
 - gender inequality and, 6–7
 - in Roma culture, 179–182
 - UNSG reports and discussion of, 113–117
- Peroni, Lourdes, 125–126
- persuasion, soft law concerning VAW and, 46–47
- Peru, violence against domestic workers in, 16, 22–23
- Pinto de Albuquerque, 137, 141–142

- political rights
 of Argentinian women, 215–219
 as negative obligations, 49–52
- polygamy, CEDAW intersectionality concerning, 64
- positionality, categorisation and, 27–28
- positive obligations
 in ECHR, 122–131
 scope of State obligations on VAW and, 49–52, 58
- poverty, CEDAW VAW recommendations and, 68
- prevention, in human rights obligations, 49–52
- Prins, Baukje, 19
- privacy, right to, ACHR provisions on, 148–149
- private agents or individuals
 due diligence concerning, 55–57
 State responsibility for acts of, 52–59
- privilege
 oppression *vs.*, 31
 relational approach to subordination and inequality and, 25–27
- property rights, intimate partner violence and, 91–94
- prostitution, CEDAW VAW recommendations on, 67–68
- protection, in human rights obligations, 49–52
- Protection Against Family Violence (Law 24.417) (Argentina), 175–212
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol I), 107–109
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), 43–45
- Provincial Commission for Support to Family Violence (Argentina), 205–246
- psychological violence, Roma concepts of, 184–186
- 'Pueblos Originarios' (Argentina), 221–222
- quantitative analysis, intersectionality and, 30–32
- race
 Argentinian perceptions of, 206–208, 219–221
 gender and, 7–9, 13–15, 18–19
 group-centered intersectionality and, 20–24
 social categories of, 37–38
- rape and sexual abuse
 Argentinian IPV policies and, 238–245
 Argentinian perceptions of indigenes and, 233–234
 IACtHR rulings on, 156–162
 intimate partner violence and, 95–99
 State responsibility in cases of, 160–162
 as tool of war, 113–117
- Rapporteur on the Rights of Women (RRW), 146–147
- Reboratti, Carlos, 208
- Recommendation Rec (2002)5 of Committee of Ministers of the Council of Europe, 130–131, 145–146, 166–168, 255–256
- Refugee Convention, 148–149
- relational approach to intersectionality, 25–27
- religion, in Roma community, 182–184
- remedy, right to effective, ECHR protections for, 130–131
- reparations
 CEDAW General Recommendations and, 81–82
 in human rights obligations, 49–52
 State responsibility concerning VAW and, 57–59
- reproductive freedom, barriers in Argentina to, 179–215, 234–236
- reputation (naming and shaming), norm compliance and, 47
- right to life
 ACHR provisions on, 148–149

- European Court on, 128–129
 Riley, Denise, 13
Río Negro Massacres v. Guatemala, 156–162
 risk assessment in domestic violence, ECHR provisions on, 143–145
 Risse, Thomas, 11–12
 Roma
 class perceptions of, 184–186
 domestic violence case study involving, 173–204
 ethnicity perceptions of, 182–184, 188–192
 gender perceptions among, 179–182
 intersectionality of gender, ethnicity and class and IPV among, 187–196, 257–260
 socio-economic class and IPV for, 192–195
 Spanish policies involving, 176
 Roppe, Stephen C., 11–12, 46–47
Rosendo Cantú et al. v. México, 158–159
R. P. B. v. The Philippines, 95–99, 253
 Rubio-Marín, Ruth, 58
 rural women
 Argentinian intimate partner violence and, 215–219, 224–225, 234–236
 CEDAW VAW recommendations concerning, 68, 74, 78

Sahide Goecke v. Austria, 54–55, 86–94, 143–145, 240
Salman v. Turkey, 124
 Satterthwaite, Margaret, 34, 61, 145–250
 Scott, Joan W., 5–6, 35–39
 security of the person, right to, European Court on, 129–130
 severe suffering principle, in rape and sexual violence cases, 157–159
 sex, biological and social constructions of, 5–6
 sexual harassment. See also rape and sexual abuse
 CEDAW VAW recommendations on, 68
 sexuality, in Roma culture, 179–182

 Shields, Stephanie, 25
 Sikink, Kathryn, 11–12, 46–47
 slavery, ACHR provisions on, 148–149
 social and cultural rights, as positive obligations, 49–52
 social categories of analysis
 Argentinian intimate partner violence and, 206–208, 212–226
 biological construction of vulnerability and, 127–128
 gender in Istanbul Convention and, 133–136
 intersectional research and, 35–39, 117–120
 intimate partner violence rulings and, 99–101
 intimate partner violence rulings in Argentina and, 226–238
 Romani women in Spain and, 174–175
 violence as discrimination and, 152–154
 soft law
 capacity building and, 46–47
 legal and practical relevance of, 45–48
 multiple actors and norm compliance, 47–49
 violence against women and, 43–45, 59

 Solnit, Rebecca, 201
 Soulet, Jean-Henry, 127–128
 Spain
 intersectionality in IPV policies of, 196, 201–204
 intimate partner violence laws and Romani women in, 173–204
 normative framework on IPV in, 176–179
 Roma policies in, 176
 Special Court on Violence Against Women, 196
 Special Reporting Unit of the National Police (Spain), 196
 special vulnerability
 in Belem do Para Convention, 149–151

- European Court concepts of, 143, 154
 - in IACtHR rulings, 154–155, 160
- ‘Spiral Model of Change’, 46–47
- stateless women, CEDAW VAW
 - recommendations concerning, 72–74
- State responsibility
 - for acts of private individuals, 52–59
 - in Beijing Declaration and Platform for Action, 109–112
 - CEDAW General Recommendations concerning, 68–69, 72–74, 78–101
 - Committee of Ministers of the Council of Europe
 - Recommendation Rec (2002)5 concerning, 130–131
 - DEVAW interpretations concerning, 101–104
 - ECHR provisions on, 143–145
 - for female genital mutilation countermeasures, 62–70
 - general obligations, 87–91
 - in IACtHR rulings, 160–162
 - intersectionality in, 254–255
 - Istanbul Convention concept of, 133–136
 - in rape and sexual violence cases, 72–74, 160–162
 - for reparations, 57–59
 - for right to life, 128–129
 - scope of obligations on VAW and, 49–52, 55–57, 80
 - soft law concerning violence against women and, 43–45, 59
 - in UNSG reports, 113–117
 - for violence against women, 52–59
- statistical evidence, of indirect discrimination, 124–125
- stereotypes
 - CEDAW CEE review of, 85–87
 - in IACtHR femicide rulings, 152–154
 - in Roma culture, 184–186
 - in sexual violence and rape cases, 95–99
- Street Children Case*, 160
- Strid, Sofia, 32–34, 250
- suspect discrimination, European Court distinction of, 125–126
- system-centered approach to intersectionality, 28–30
- temporary special measures for women’s inequality, CEDAW
 - General Recommendations on, 78–101
- Thürer, Daniel, 46–47
- Timmer, Alexandra, 126–127
- torture
 - ACHR provisions on, 148–149
 - European Court prohibitions on, 129–130
 - rape and sexual violence as, 157–159
- trafficking in women and girls
 - ACHR provisions on, 148–149
 - in UN General Assembly resolutions concerning VAW, 104–109
- ‘tripartite typology’ human rights obligations, 49–52
- United Nations
 - human rights framework and, 43–45, 251–264
 - intersectionality of VAW documents and resolutions, 61–120
- United Nations Committee on the Elimination of Discrimination Against Women (CEDAW Cee), 43–45, 61
- Argentinian intimate partner violence case study and, 229
- assessment of work by, 99–101
- domestic and intimate partner violence adjudication and, 84–94, 137
- establishment of, 44
- European Court rulings and, 143–145
- interpretation and adjudication by, 83–99
- intersectionality in the law and, 251–255
- United Nations Committee on the Elimination of Racial Discrimination (CERD), General

- Recommendation XXV on Gender, 7–9
- United Nations Convention against Transnational Organised Crime (UNCTOC), 107–109
- United Nations Expert Group Meeting on Gender and Racial Discrimination, 7–9
- United Nations General Assembly (UNGA)
 holistic approach in resolutions of, 104–109
 intersectionality and resolutions of, 253
 violence against women resolutions by, 7–9, 43–45, 61, 104–109
 ‘year of the family’ resolution, 71
- United Nations Secretary General (UNSG)
 intersectionality and work of, 251–255
 reports on VAW by, 113–117
 study of violence against women by, 7–9
 violence against women and, 61
- United Nations Special Rapporteur on Violence Against Women (UNSRVAW), 7–9, 61, 113, 115–116, 146–147
 European Court findings and, 138–139, 141–142
 intersectionality and work of, 251–255
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), 147–149
- Universal Declaration of Human Rights (UDHR), 122–131
- unknown perpetrators, State responsibility for VAW and, 55
- Valiulienė v. Lithuania*, 136–140, 140, 141–143, 152
- Velásquez Paiz et al. v. Guatemala*, 152–156
- Velásquez Rodríguez* case, 54–55
- Veliz Franco et al. v. Guatemala*, 152–156
- Verloo, Mieke, 32
- Vienna Declaration and Programme of Action (VDPoA), 149
- violence against women (VAW)
 in Belem do Para Convention, 149–151
 Committee of Ministers of the Council of Europe Recommendation Rec (2002)5 concerning, 130–131
 DEVAW interpretations concerning, 101–104
 as discrimination, 152–154
 human rights framework on, 3–4, 7, 9, 43–45
 intersectionality in research on, 249–251, 260–264
 law’s intersectionality with, 32–35
 race and, 20–24
 race intersectionality with, 7–9
 State responsibility for, 52–59
 terms and terminology concerning, 12, 102
- V.K. v. Bulgaria*, 85–86, 91–94, 137, 230
- vulnerability approaches in VAW
 in Beijing Declaration and Platform for Action, 109–112
 in Belem do Para Convention, 149–151
 biological construction of, 127–128
 case studies in intersectionality and, 169–170
 ‘double vulnerability’ principle, 126–127
 ECHR focus on, 145–146
 Istanbul Convention concept of, 133–135
 special vulnerability, 141–143, 149–151, 154–155, 160
 State responsibility and, 91–94
- Walby, Sylvia, 28–30, 32–34, 250
- Warner, L. R., 31
- who asserts must prove principle, 124
- women

288

INDEX

- biological and social constructions
 - concept of, 5–6
 - Roma community of, 182–184
- World Conference of the Advance of Women (Beijing), 109–112
- X.Y. v. Georgia*, 86–87
- Yuval-Davis, Nira, 24–28
 - on biological sex, 36–37
 - on class and economics, 38
 - on gender, race and class intersectionality, 35–39
 - on limits of intersectionality, 31