

The International Violence Against Women Act: When Even the Best Intentions May Not Be Enough

Since 2007, the United States Congress has unsuccessfully sought to address the issue of gender-based violence (GBV) around the world through repeated introduction of the International Violence Against Women Act (IVAWA). The bill was introduced in its fifth iteration last month by Senators Jeanne Shaheen (D-NH), Susan Collins (R-ME), Bob Menendez (D-NJ) and Johnny Isakson (R-GA). Despite the noble intentions behind the bill, the language has been repeatedly watered down each year it is introduced, and the latest version is the most tepid yet.

The weakened bill is disappointing to see, particularly at a time when so much public attention is focused on the very issue of sexual harassment and assault, following allegations against and the firing of a number of high-profile men in the media and entertainment industry. In the weeks since the bill's introduction, the relentless focus on sexual harassment and assault has spilled over into the political arena as a number of former, sitting and aspiring members of Congress from both parties—as well as the President himself—have faced numerous credible accusations.

The Slow Erosion of a Bill

The first introduction of IVAWA in 2007 by then-Senator Joe Biden (D-DE) laid the groundwork for key goals and features of the bill that remain at the core today, such as codifying offices at the State Department and USAID dedicated to empowering women and girls, addressing the challenges they face and solidifying high-level positions to coordinate and direct these efforts. It also mandated the creation and implementation of a GBV strategy and detailed a plan for the United States to undertake critical development and humanitarian activities, as well as the necessary authorizations for appropriations to resource these activities. Despite gaining the support of several Republicans, the bill stalled, never moving out of committee.

In 2010, a second version of IVAWA was introduced under the leadership of then-chairman of the Senate Foreign Relations Committee, Senator John Kerry (D-MA). Kerry's bill removed the more prescriptive language of the previous bill, maintaining only the topline activities for U.S. GBV programs to be implemented under a strategy, such as “enhancing the capacity of the health sector to respond to such violence” and “increasing legal and judicial protections.” This time, IVAWA gained far more traction—triggering critiques from some conservative lawmakers and organizations concerned both with the cost of the bill, and their perception that its language would be used to expand abortion rights

overseas. In order to move the bill through committee, Kerry further amended IVAWA in an unsuccessful attempt to quell conservatives' concerns.

IVAWA was never introduced in the Senate in 2011 or 2012, although the House chose to introduce its own version of the bill based on Senator Kerry's Senate version. However, the House went a step further in removing the definitions of violence and other language that had triggered the backlash. Despite these changes, the bill failed to garner support from any Republican members. Meanwhile the Obama administration—in response to report language in the FY2012 Omnibus Appropriations bill calling for a multi-year strategy on violence against women—issued an executive order to develop the comprehensive *U.S. Strategy to Prevent and Respond to GBV Globally* and create an Interagency Working Group to address GBV.

In 2014, Senator Barbara Boxer (D-CA) overhauled IVAWA yet again by introducing a highly streamlined version of the bill in both the 113th and 114th Congresses. The hope was that a simplified bill would be more appealing to new potential Republican cosponsors—a strategy that had some success in both chambers, but unfortunately, it was not enough to pass the bills. All authorizations for appropriations were removed and the language around the administration's strategy was simplified, making it even less directive than in earlier versions. Additionally, all language around U.S. training of foreign military, police and judicial officials on violence against women and addressing violence against women and girls in humanitarian relief, peacekeeping operations, and conflict and post-conflict settings was removed. These issues were ultimately addressed through a separate bill on women, peace and security which was also introduced by Senator Boxer.

In spite of the specificity of IVAWA's language eroding over time, advocates were able to take comfort in the *U.S. Strategy to Prevent and Respond to GBV Globally*, in addition to the programs being developed by an administration that touted its dedication to women's equality and empowerment. This strategy provided the strong, detailed, comprehensive and multisectoral approach that was, by that point, lacking in the language of the IVAWA bill.

However, with the arrival of the Trump-Pence administration in 2017, there are no longer any assurances that the strategy and GBV programming, in their current forms, will remain—or that the U.S. will maintain a comprehensive and quality approach to GBV prevention and response. Even the addition of new language requiring that any changes in strategy be made in consultation with civil society and GBV service providers and based on evidence-based interventions and standards may not be enough.

IVAWA in the Age of Trump

In its latest version, IVAWA has been further diluted to appeal to an emboldened Republican Congress and administration. Many of the remaining references to sector-specific activities were removed from the operative sections of the bill, and the proposed focus countries and programs were further whittled down. These changes loosen the framework under which programs and strategies will be developed, leaving them open to the discretion and interpretation of the Trump administration. Furthermore, the new bill removes specific references to the *U.S. Strategy to Prevent and Respond to GBV Globally*, issued in 2012 and updated in 2016 during the Obama administration. In its place, IVAWA includes the vague reference that “an existing U.S strategy to prevent and respond to violence against women may be deemed to fulfill the initial requirement” of the legislation. This concession was made to appease

potential Republican cosponsors who may take issue with the comprehensive and robust GBV strategy created by the Obama administration.

While that change may seem small, its impact may prove to be much larger. Although the Trump administration can and may choose to maintain the current strategy—or at least use it as the basis for an updated strategy—the legislation wouldn't require them to do so, as would the prior version. While this uncertainty may have caused unease during any change in administration, it is highly concerning given that the Trump administration has regularly undermined and blatantly attacked the health care and rights of women in the United States and around the world. Meanwhile, the President himself has faced numerous accusations of sexual harassment and assault. From the beginning of the campaign and throughout the first 10 months in office, the Trump-Pence administration has made clear that its priority is not the empowerment of women, but catering to the extreme views of a far-right base on women's health and rights.

The administration's disregard for women and issues such as GBV has been evident in its proposal to eliminate all funding for the U.S. government's international family planning and reproductive health program, which funds the providers of critical health services for survivors of GBV; the reinstatement and radical expansion of the Global Gag Rule to all U.S. global health assistance; and the decision to entirely defund UNFPA, the multilateral organization responsible for global coordination around GBV prevention and response in emergencies.

This administration has proven that it cannot be trusted to act in good faith when it comes to protecting and promoting women's rights and health. Regardless of whether or not the bill passes, it will be up to the leaders and supporters of IVAWA to remain vigilant and ensure that the administration's actions don't negate the bill's intentions by rolling back progress on gender-based violence—and putting the force of law behind it.