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REPORT OF THE TECHNICAL SECRETARIAT OF THE MECHANISM TO FOLLOW UP ON IMPLEMENTATION OF THE INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT, AND ERADICATION OF VIOLENCE AGAINST WOMEN, "CONVENTION OF BELÉM DO PARÁ" (MESECVI), TO THE THIRTY-FIFTH ASSEMBLY OF DELEGATES OF THE CIM

The Permanent Secretariat of the Inter-American Commission of Women (CIM), in its capacity as Technical Secretariat of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (MESECVI), presents to the Thirty-fifth Assembly of Delegates of the CIM this report on activities since November 2008, when the previous regular assembly of delegates was held. All the documents and background information cited herein are published on the CIM web page under MESECVI.

1. BACKGROUND

1.1. Creation of the Convention follow-up mechanism

The CIM, in fulfillment of mandates issued in resolutions CIM/RES. 224/02 (XXXI-O/02), AG/RES. 1942 (XXXIII-O/03), and CIM/REMIM-II/RES. 6/04, took measures leading to the preparation of the Draft Follow-up Mechanism for the Convention of Belém do Pará. The Permanent Secretariat of the CIM prepared a working document containing a proposed follow-up mechanism and conducted prior consultations with the member states, specialized international agencies, and civil society.

In June 2004, continuing the process begun in 2002, a meeting of governmental experts was convened. The meeting was held on July 20 and 21, 2004, to examine the proposed mechanism and issue recommendations to the states parties. At the conclusion of the meeting, the experts announced that the OAS General Assembly mandate set forth in resolution AG/RES. 2021 (XXXIV-O/04) had been fulfilled and requested that the meeting rapporteur submit to the Conference of States Parties to the Convention of Belém do Pará, for adoption, the Draft Statute of the Follow-up Mechanism for the Convention.

In fulfillment of that General Assembly resolution**,** the OAS Secretary General convened the Conference of States Parties, held on October 26, 2004, which adopted the Statute of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará" (MESECVI).

Through its adoption, the states parties expressed their political will to have an independent, consensus-based system to which they would report progress made toward fulfillment of the Convention, agreeing to implement the recommendations arising from that system.

1.2. Characteristics of the MESECVI

The MESECVI was designed to follow up on the commitments undertaken by the states parties to the Convention, contribute to achievement of the aims set forth in the Convention, and facilitate technical cooperation among states parties and with other OAS member states and permanent observers. It is based on the principles of sovereignty, nonintervention, and juridical equality of states, and its operations are to be bound by the principles of impartiality and objectiveness so as to ensure its fair and equal application to all states parties.

The Mechanism consists of two bodies: the Conference of States Parties, a political body made up of the representatives of the states parties; and the Committee of Experts, a technical body made up of specialists in the area addressed by the Convention. Although the experts are designated by the

governments, they perform their functions in their personal capacities. The role of Secretariat of the Conference and the Committee is performed by the Permanent Secretariat of the CIM, where the MESECVI headquarters also are located.

The Committee of Experts is to adopt, in each round, a questionnaire containing a selection of Convention provisions whose application they will examine. On the basis of the states' replies to the questionnaires and the data gathered, the Committee will issue, and follow up on, a final report with the appropriate recommendations. Once the final report is adopted by the Conference, it will be published.

2. IMPLEMENTATION OF THE MESECVI (2008-2010)

As of the date of this report, 31 of the 32 states parties[1/] had designated a specialist in the field to serve on the Committee of Experts (CEVI) of the MESECVI. Thirty of the 32 states parties[2/] had designated their competent national authorities (CNA), with the appointment by the Government of Grenada still pending.

2.1. First Multilateral Evaluation Round

The First Multilateral Evaluation Round consisted of an evaluation phase (2005-2008) and a phase for follow-up on the CEVI recommendations (2008-2010).

In the evaluation phase, the CEVI analyzed the states' replies to the First Round questionnaire and adopted the final country reports of the 28 participating states parties, as well as a hemispheric report containing recommendations to the states for the best implementation of the Convention of Belém do Pará in their countries. Those reports were submitted to the Second Conference of States Parties, held in Caracas, Venezuela, on July 9 and 10, 2008. The Conference adopted the recommendations and directed that they be published. Further information on the First Round evaluation phase is provided in the report of the MESECVI to the Thirty-fourth Assembly of Delegates of the CIM, held in Santiago, Chile, in November 2008; the report is published as document CIM/doc.9/08.

In the follow-up phase dealing with the CEVI recommendations, 17 states parties submitted the information requested by the CEVI in the indicators document sent out in September 2008. This Round will conclude with the presentation of the Follow-up Report on the Recommendations of the Committee of Experts (CEVI) to the Conference of States Parties, scheduled to take place in Antigua, Guatemala, in March 2011.

2.2. Second Multilateral Evaluation Round

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1. On July 5, 2009, the Organization of American States (OAS) invoked Article 21 of the Inter-American Democratic Charter, suspending Honduras, a state party to the Convention, from the right of active participation in the hemispheric organization. This unanimous decision was adopted as a result of the coup d'état that took place on June 28, in which President José Manuel Zelaya was ousted.
2. *Id.*

2.2.1. Fifth meeting of the Committee of Experts (CEVI), June 25-26, 2009

The fifth meeting of the CEVI was held at headquarters on June 25 and 26, 2009. The officers for the 2009-2011 term were elected, with Hilda Morales (Guatemala) chosen as Coordinator and Asia Villegas (Venezuela) as Alternate Coordinator. The experts and participating civil society organizations offered comments on the draft questionnaire prepared for the Second Multilateral Evaluation Round of the MESECVI. The Secretariat incorporated those comments and distributed the resulting text to the CEVI, which approved it by e-mail on March 20, 2010.

At the fifth meeting, the CEVI took decisions aimed at publicizing and promoting the MESECVI. In fulfillment of this mandate, the Coordinator wrote to various bodies of the inter-American system, such as the Inter-American Commission on Human Rights (IACHR), the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights (IIHR), asking them to support the Mechanism by publicizing its documents. She also sent a letter to the OAS Secretary General, José Miguel Insulza, requesting his collaboration in reminding the states parties of their duty to provide the experts with support enabling them to attend the CEVI meetings. Finally, the Secretariat pledged to consider changes to the MESECVI website that would provide a space for information directed at civil society organizations.

The Second Multilateral Evaluation Round of the MESECVI began on April 15, 2010, with the transmittal to the CNA of the questionnaire adopted by the CEVI. On April 21, the civil society organizations registered with the OAS were invited to submit their shadow reports. To date, a total of 27 replies from governments and eight shadow reports have been received; these are now under study by the CEVI.

2.2.2. Sixth meeting of the Committee of Experts (CEVI), August 23-25, 2010, San José, Costa Rica

The sixth meeting of the CEVI took place in San José, Costa Rica, from August 23 to 25, 2010. Its inaugural session was attended by the President of the Republic of Costa Rica, Laura Chinchilla; the OAS Secretary General, José Miguel Insulza; and the Executive President of the National Women's Institute (INAMU) of Costa Rica, Maureen Clarke. Also attending were members of the three branches of government, the diplomatic corps, international organizations, and nongovernmental organizations.

The meeting structure included two dialogues, one on citizen security and one on violence against women, security, and access to justice. Distinguished panelists, mostly from civil society, were invited to participate.

During the meeting the preliminary country reports for the Second Multilateral Evaluation Round were reviewed and adopted. The CEVI's biennial work plan for the 2010-2012 term and the CEVI report to be presented at the Third Conference of States Parties to the MESECVI were approved. The follow-up report on the CEVI recommendations corresponding to the First Multilateral Evaluation Round remained pending approval; this will be handled by e-mail.

3. ACTIVITIES

3.1. States parties

Human security seminar on government policies for preventing, addressing, and protecting against violence against women in the Union of South American Nations (UNASUR). Santiago, Chile, June 17, 2009

The President of the CIM attended the human security seminar on government policies for preventing, addressing, and protecting against violence against women in the Union of South American Nations (UNASUR). This event was designed to position the topic of violence against women at UNASUR, focusing the discussion on knowledge and practice concerning policies on prevention of, attention to, and protection against violence against women. Ten countries participated in the seminar: Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Peru, Paraguay, Uruguay, and Venezuela.

The seminar was based partly on recommendations from the Hemispheric Report of the MESECVI (2008), which were distributed to those in attendance, contributing to better understanding of the MESECVI and the outcome of the First Round.

3.2. CEVI

Presentation by the Alternate Coordinator of the CEVI to the Executive Committee – Washington, D.C., March 30-31, 2009

The then-Alternate Coordinator, now Coordinator, of the CEVI, Hilda Morales, attended the meeting of the CIM Executive Committee to discuss with delegates the difficulties encountered in using the indicators devised by the CEVI for follow-up on the recommendations to governments.

The delegates recognized the work of the Committee of Experts. The delegate of Mexico presented a document containing comments on the indicators to the President. She asked that the document be circulated to the delegates for comment; eventually the document would provide the Committee of Experts with their points of view on the relevance of the indicators and how well they could be answered. In this context, Brazil and Chile also submitted comments on the indicators document.

3.3. TECHNICAL SECRETARIAT

3.3.1. Meeting with the Council of Europe. Strasbourg, May 6, 2009

The interim Executive Secretary of the CIM attended a meeting with representatives of the Council of Europe in Strasbourg, France, as a member of the OAS delegation and in response to the European Union's interest in drafting a convention on violence against women. Ties were thus established with the head of the legal reform department of the human rights directorate and with the secretary of the committee on equal opportunity for women and men of the Secretariat of the Parliamentary Assembly of the Council of Europe. Interests shared by the CIM and the Council of Europe were the subject of a memorandum of understanding stemming from this visit; it establishes a sound working foundation to be developed in the future by the two organizations.

3.3.2. 16th meeting of the specialized agencies and other organizations of the United Nations system and 43rd meeting of the Presiding Officers of the Regional Conference on Women in Latin America and the Caribbean– ECLAC. Port of Spain, July 6-8, 2009

The interim Executive Secretary of the CIM participated in the 16th meeting of the specialized agencies and other organizations of the United Nations system, held in Port of Spain, Trinidad and Tobago, on July 6, 2009, and in the 43rd meeting of the Presiding Officers of the ECLAC Regional Conference on Women in Latin America and the Caribbean, held in the same city on July 7 and 8, 2009. At these events, the MESECVI established cooperative ties with the recently introduced Gender Equality Observatory (http://www.cepal.org/oig/) and with the UN Secretary-General's campaign to eliminate violence against women. The Technical Secretariat of the MESECVI will also support the work of ECLAC to promote the Observatory and on the directives of the UN Statistical Commission on measuring violence.

3.3.3. Joint efforts with the Department of Public Security (DPS)

At a meeting on July 27, 2009, the DPS, a dependency of the Secretariat for Multidimensional Security, requested that the CIM collaborate with the Inter-American Observatory on Security (OIS) by providing relevant data and statistics (e.g., femicide, number of protective measures, rates of sexual violence) gathered by the MESECVI during the Multilateral Evaluation Rounds. In this way the DPS supports the CIM in disseminating statistics on violence against women and in addressing this problem as a security issue.

3.3.4. Launch of the campaign by the UN Secretary-General to eliminate violence against women in Latin America. Guatemala City, November 24-25, 2009

The OAS joined the UN Secretary-General's campaign to eliminate violence against women in Latin America, which was launched on November 24 and 25 in Guatemala City. The Executive Secretary of the CIM and a member of the Technical Secretariat of the MESECVI attended the knowledge fair held on November 24 for the discussion of experiences and good practices in the prevention and punishment of violence against women. The scope and results of the MESECVI as a regional good practice were discussed and information on the Mechanism was distributed to the participants, including brochures and CDs prepared for the event.

Both officials attended the protocolary ceremony launching the UN Secretary-General's campaign for Latin America, headed by the President of Guatemala, Álvaro Colom. The event took place on November 25 at the Palace of Government of Guatemala. The UN Secretary-General, Ban Ki-Moon, attended by teleconference. Also participating were Alicia Bárcena, Executive Secretary of the Economic Commission for Latin America and the Caribbean (ECLAC); Rebeca Grynspan, Regional Director of the UNDP for Latin America and the Caribbean; and Rigoberta Menchú, winner of the 1992 Nobel Peace Prize.

The CIM participated in coordination activities with the United Nations agencies. It also attended the interagency meeting held from September 2 to 4, 2009, in Panama City.

3.3.5. Report on the historical development and evolution of the MESECVI from 2004 to 2010 and performance assessment; and report on the impact of the First Multilateral Evaluation Round of the MESECVI, using an approach based on its key actors

The Executive Committee, at its second meeting, held on October 5 and 6, 2009, requested the Secretariat of the MESECVI to prepare a document on its procedures, to be used in examining how to cooperate in strengthening the Mechanism. This report, classified as CIM/CD/doc.24/10, was presented at the Committee's third meeting; it includes the history of the Mechanism's development and a diagnostic study of its performance. All the fundraising initiatives for the Mechanism are also discussed.

In order to complement that report with the perspectives of the participants, the Permanent Secretariat of the CIM hired the Latin American Justice and Gender Team (ELA) to study the contributions of the MESECVI, the extent of its impact in the countries of the region, and its

operations, from the viewpoints of the national authorities and of the experts and members of civil society.

For that purpose, the Executive Director of ELA made contact in January and February 2010 with a group of experts, competent national authorities, and civil society organizations, to whom it sent a questionnaire. The preliminary findings of this study were presented at the third meeting of the Executive Committee of the CIM. After that presentation, the Committee asked ELA to invite all the competent national authorities and experts to participate in the study, which concluded in April 2010. The final report was distributed to all the delegates as CIM/CD/INF. 15/10.

One of the main conclusions of this consultancy emphasizes the rich experience and body of knowledge gathered by the MESECVI, of which neither the governments nor civil society have made sufficient use to date. Meaningful improvement of the MESECVI's efficacy and impact requires a greater political commitment, primarily from the states parties. The mechanisms and procedures for all MESECVI processes should also be made known and disseminated by various means. Finally, the consultancy emphasizes that none of the changes the MESECVI needs will be possible unless the circumstances under which it now works are changed. It is unrealistic to expect different results if resources, procedures, and actors remain unchanged.

3.3.6. Regional meeting on femicide in Central America and the Dominican Republic and on progress in preventing, addressing, and punishing violence against women. Panama City, March 23-24, 2010

The Secretariat of the MESECVI was a presenter at the regional meeting on femicide in Central America and the Dominican Republic and progress in preventing, addressing, and punishing violence against women, held in Panama City on March 23 and 24, 2010. The Secretariat's topic was the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará," 15 years later: progress, gaps, and actions. Brochures on the Mechanism were distributed to attendees.

3.3.7. Knowledge fair on policies that transform. El Salvador, April 26-28, 2010

The Secretariat of the MESECVI participated in the knowledge fair on policies that transform, organized by the Group of Parliamentary Women of El Salvador, UNIFEM, the UNDP, and the AECID. The Secretariat spoke on the MESECVI as a regional good practice in three cities: San Salvador (April 26), Santa Ana (April 27), and San Miguel (April 28). Booklets and CDs containing general information on the Mechanism and the documents resulting from the First Multilateral Evaluation Round were distributed.

4. DISSEMINATION

As for background materials, CDs were prepared containing the basic documents of the MESECVI, the final country reports, the hemispheric report, and the decisions, conclusions, and agreements adopted at the Second Conference of States Parties. Those CDs, together with other CIM materials, were distributed during the launch of the UN Secretary-General's Unite to End Violence against Women Campaign, held in Guatemala on November 24 and 25, 2009.

The country reports and the hemispheric report resulting from the first Multilateral Evaluation Round are already available on the MESECVI web portal, at: http://portal.oas.org/Portal/Topic/ComisiónInteramericanadeMujeres/ViolenciacontralaMujerMESECVI/Meetings/ConferenciaEstadosParte/Meeting2/tabid/1385/language/en-US/Default.aspx

5. FINANCING OF THE MESECVI

To date the fund created for the MESECVI has received contributions from Argentina, Brazil, Mexico, and Trinidad and Tobago. In addition, Argentina and Costa Rica contributed by hosting the third and sixth meetings of the CEVI, respectively, while Venezuela did the same by hosting the Second Conference of States Parties.

The appeal to governments to contribute human or financial resources to the MESECVI has been reiterated by the OAS General Assembly at all its regular sessions and by all the assemblies of delegates of the CIM.

6. RESOLUTIONS ADOPTED BY THE OAS GENERAL ASSEMBLY, 2009-2010

In AG/RES. 2451 (XXXIX-O/09), the OAS General Assembly endorsed the decisions, conclusions, and agreements of the Second Conference of States Parties of the MESECVI, placing special emphasis on the commitments to disseminate the Mechanism and implement the recommendations of the Committee of Experts (CEVI) and of the hemispheric report. It also reaffirmed its recognition of the Permanent Secretariat of the CIM for its support to the states parties in implementing the MESECVI and to the Government of Mexico for its ongoing contribution to the Mechanism. The General Assembly invited all the states parties and not parties to the Convention, permanent observers, international financial agencies, and organizations of the public sector, civil society, and the private sector to contribute to the specific fund established at the OAS to finance MESECVI operations.

The General Assembly also urged the states parties to the Convention and all member states to strengthen the MESECVI, enable the experts to attend the CEVI meetings, and lend economic support or provide human resources to the MESECVI so that it might carry out its work plan and optimize its operations. The General Assembly also requested that the Secretary General, in accordance with the availability of financial resources, and in agreement with the Committee on Administrative and Budgetary Affairs (CAAP), assign the necessary human, technical, and financial resources to allow the CIM to continue supporting the implementation of the MESECVI.

Those requests were reiterated in resolution AG/RES. 2544 (XL-O/10), which also urged member states that had not yet done so to promptly consider ratifying or acceding to, as the case may be, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, “Convention of Belém do Pará.”

7. RESOLUTION OF THE 34TH ASSEMBLY OF DELEGATES OF THE CIM, CIM/RES. 249 (XXXIV-O/08)

In resolution CIM/RES. 249 (XXXIV-O/08), the Assembly of Delegates of the CIM welcomed the hemispheric report and the final country reports resulting from the First Multilateral Evaluation Round of the MESECVI. The Assembly asked the principal delegates to publicize broadly in their countries the main findings and recommendations and to promote forums for discussion and analysis among various sectors and with civil society, so as to contribute to the implementation of the recommendations.

It also urged states parties to the Convention to participate actively and within the established timeframes in the present phase of follow-up to the CEVI recommendations, contained in the hemispheric report, and in the Second Multilateral Evaluation Round.

The Assembly of Delegates also reiterated the invitation to all states parties and not parties to the Convention, permanent observers, international financial agencies, and public and private institutions, whether national or international, to contribute to the specific fund of the MESECVI established at the OAS to finance its operations. Along those same lines, it requested that the Secretary General, in accordance with the availability of financial resources, and in agreement with the Committee on Administrative and Budgetary Affairs (CAAP), assign the necessary human, technical, and financial resources to allow the CIM to continue supporting the implementation of the MESECVI.

8. THIRTY-FIFTH ASSEMBLY OF DELEGATES OF THE CIM: WORKING GROUP

A working group open to all the permanent missions was installed to collaborate in preparing for the Thirty-fifth Assembly of Delegates of the CIM. The group will be in charge of reviewing, among other proposals, the draft resolution on the MESECVI, which will be submitted to the Assembly.

9. A LOOK TO THE FUTURE

Six years since its establishment, the MESECVI has made an impact on laws and policies for the prevention and punishment of violence against women in the region. It has been a contributing factor in the adoption of comprehensive laws on violence, or "second-generation laws," which are based on the broad concept of violence established in the Convention of Belém do Pará. It has also helped to shed light on feminicide/femicide, human trafficking, and sexual harassment, and has monitored due diligence by the states in preventing, investigating, and punishing violence against women and in providing reparations to victims.

This impact was made possible by the political commitment of the states to the MESECVI and to the Convention implementation process. The Second Round is achieving increased participation by the states. Unlike in the First, in this Second Round all the states have appointed an expert. In addition, the four countries that did not participate in the First Round (The Bahamas, Grenada, Saint Kitts and Nevis, and Saint Vincent and the Grenadines) are participating in the Second.

These auspicious results demonstrate that as objectives are reached, new activities arise, and there is a constantly growing need for contributions of human or financial resources to carry them out. Although several countries have made contributions to the MESECVI, Mexico is the only country to have contributed each year. Mexico has designated a person in its foreign service to support the work of the Mechanism over a two-year period.

It is clear that states parties have supported the Rounds process, submitting their reports by the deadlines, appointing their experts and competent national authorities, and offering to host the CEVI meetings or the Conference. This support should also allow a greater degree of commitment to facilitating the work of the experts. It is essential in enabling them to participate in the CEVI meetings and to perform the tasks agreed upon at those meetings. Strengthening the CEVI is essential to the Round process, because the CEVI is the technical body which, with its questionnaires, evaluations, and recommendations, works with the states in their ceaseless struggle to fight violence against women.

A sound MESECVI will have to confront today's challenges in fighting violence against women, including calling attention to new scenarios for such violence,[3/] mainstreaming a gender and human rights perspective in development,[4/] and recognizing and safeguarding sexual and reproductive rights,[5/] which is where the lives, dignity, and freedom of women are being violated on a massive scale these days.

The degree to which governments support efforts to strengthen the Mechanism will determine how effectively it will face the new challenges and carry out its task of supporting the states parties in implementing the Convention of Belém do Pará.

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3. Apart from the traditional scenarios of couple and ex-couple relationships, the family environment, sexual assault, and the sex trade, more attention is being paid to areas such as human trafficking for all forms of exploitation, mafias and national and international crime networks, gangs, misogyny, and the concept of women as a currency of vengeance, among others. In: CARCEDO, Ana. *No Olvidamos ni Aceptamos: Feminicidio en Centroamérica 2000-2006* (We Neither Forget Nor Accept: Femicide in Central America 2000-2006). San José: CEFEMINA: 2010, page 21 ff.
4. In the opinion of Ellen Dorsey, Mayra Gómez, Bret Thiele, and Paul Nelson, a human rights perspective in attaining the Millennium Development Goals involves applying the principle of equality and nondiscrimination, placing priority on the most marginalized, and including them in the design of their own community-based development strategies. DORSEY, Ellen et al. Falling Short of Our Goals: Transforming the Millennium Development Goals into Millennium Development Rights. In: http://list.iwraw-ap.org/lists/arc/cedaw4change/2010-09/msg00007.html
5. At the regional level, the Brasilia Consensus, dated July 16, 2010, in its agreement no. 6, establishes an agenda for promoting the integral health of women and their sexual and reproductive rights. See: http://www.cepal.org/mujer/noticias/paginas/5/40235/ConsensoBrasilia_ESP.pdf