

PERMANENT COUNCIL

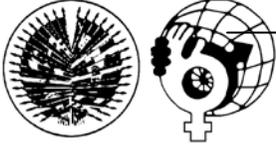


OEA/Ser.G
CP/doc.4104/06 rev. 1
1 May 2006
Original: Spanish

REPORT ON THE IMPLEMENTATION OF THE FOLLOW-UP MECHANISM TO
THE INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT,
AND ERADICATION OF VIOLENCE AGAINST WOMEN,
“CONVENTION OF BELÉM DO PARÁ”

[In compliance with resolution AG/RES. 2138 (XXXV-O/05)]

CIM



- 1 -

ORGANIZATION OF AMERICAN STATES
INTER-AMERICAN COMMISSION OF WOMEN

OEA/Ser.L
CIM/doc.93/06 rev. 1
28 April 2006
Original: Spanish

REPORT ON THE IMPLEMENTATION OF THE FOLLOW-UP MECHANISM
TO THE INTER-AMERICAN CONVENTION ON THE PREVENTION,
PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN,
CONVENTION OF BELÉM DO PARÁ
IN COMPLIANCE WITH RESOLUTION AG/RES. 2138 (XXXV-O/05)

CIM

ORGANIZATION OF AMERICAN STATES INTER-AMERICAN COMMISSION OF WOMEN



No.04-035/06

April 6, 2006

Excellency:

I have the honor to address Your Excellency, in your capacity as Chair of the Permanent Council, in order to transmit to the thirty-sixth regular session of the General Assembly of the Organization of American States, the “Report on Follow-Up the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, “Convention of Belém do Pará” (MESECVI),” which was prepared by the Permanent Secretariat of the Inter-American Commission of Women (CIM) in its capacity as Technical Secretariat of the Mechanism.

This mandate is in compliance with paragraph 9 of the resolution AG/RES. 2138 (XXXV-O/05), Fourth Biennial Report of the Inter-American Commission of Women (CIM) on Fulfillment of Resolution AG/RES. 1456 (XVII-O/97), “Promotion of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, ‘Convention of *Belém do Pará*’”, which corresponds to item 17 of the Provisional Agenda (AG/CP/SUB.TP-102/06 rev. 1).

Accept, Excellency, the renewed assurances of my highest consideration.

A handwritten signature in cursive script, reading "Carmen Lomellin".

Carmen Lomellin
Executive Secretary

His Excellency
Ambassador Ellsworth I.A. John
Permanent Representative of Saint Vincent and the Grenadines
to the Organization of American States
Chair of the Permanent Council
Washington, D.C.

REPORT ON THE IMPLEMENTATION OF THE FOLLOW-UP MECHANISM
TO THE INTER-AMERICAN CONVENTION ON THE PREVENTION,
PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN,
CONVENTION OF BELÉM DO PARÁ
IN COMPLIANCE WITH RESOLUTION AG/RES. 2138 (XXXV-O/05)

The Permanent Secretariat of the Inter-American Commission of Women (CIM), as 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 (MESECVI) and in compliance with resolution AG/RES. 2138 (XXXV-O/05) (*resolving* clause 9) submits to the Permanent Council the present report on the CIM's activities between February 2005 and March 2006.

1. BACKGROUND

1.1 Mechanism to Follow-up on Implementation of the Convention

The CIM, in compliance with the mandates from Resolutions CIM/RES. 224/02 (XXXI-O/02), AG/RES. 1942 (XXXIII-O/03), and CIM/REMIM-II/RES. 6/04, undertook actions aimed at drawing up the draft Follow-up Mechanism to the Convention of *Belém do Pará*. The Permanent Secretariat of the CIM drafted a working paper proposing a follow-up mechanism and consulted the member states, specialized international organizations, and civil society.

In June 2004, continuing the process that started up in 2002, a Meeting of Government Experts was convened; it was held on July 20-21, 2004 to examine the mechanism that was proposed and make recommendations to the States Party. At the end of the meeting, the Experts indicated that the mandate of the OAS General Assembly, contained in Resolution AG/RES. 2021 (XXXIV-O/04) had been fulfilled and requested the meeting's rapporteurship to submit to the Conference of the States Party to the Convention of *Belém do Pará* the draft Statute of the Mechanism to Follow up on Implementation of the Convention for its adoption.

In compliance with the above-mentioned resolution of the General Assembly, the Secretary General of the OAS convened the Conference of the States Party on October 26, 2004, which approved 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).

With its adoption, the States Party expressed their political will to have a consensus-based and independent system, to which progress shall be subject, in compliance with the Convention, accepting to implement its recommendations.

1.2 Characteristics of the MESECVI

The MESECVI was designed to ensure follow-up of the commitments made by the States Party to the Convention, to contribute to achieving the purposes established in it, and to facilitate

technical cooperation between the States Party, as well as with other Member States of OAS and Permanent Observers. It is based on principles of sovereignty, non-intervention, and legal equality of the States and observes the rules of impartiality and objectivity in its operation, in order to guarantee fair application and egalitarian treatment between the States Party.

The Mechanism consists of two bodies: The Conference of the States Party, which is the political body comprised of the representatives of the States Party; and the Committee of Experts, which is the technical body, comprised of specialists from the sector being covered by the Convention. Although the Experts are designated by the governments, they carry out their duties personally. The Secretariat of the Conference and the Committee is held by the Permanent Secretariat of the CIM, where the headquarters of MESECVI has been established.

At each round, the Committee of Experts must adopt a questionnaire with the Convention's selected provisions whose implementation it shall be examining. On the basis of the responses to the questionnaires made by the States and on the basis of the information that is gathered, the Committee shall issue a final report with the corresponding recommendations, which it must monitor. Once the final report has been adopted by the Conference, it shall be published.

2. Implementation of the MESECVI

On January 28, 2005, as a first step for the implementation of the Mechanism, the Ministers of Foreign Affairs of the States Party to the Convention were requested to appoint the experts that would represent their respective countries on the Committee of Experts (CEVI), the technical body of the Mechanism. To date, 25 States Party have designated their Experts.

On August 22-24, 2005, the First Meeting of the Committee of Experts of the Mechanism (CEVI) was held at OAS headquarters, under the sponsorship of the Governments of Mexico and Brazil. The event concluded successfully with the adoption of the following instruments: 1) *Rules of the Committee of Experts*; 2) *Annual Work Timetable for 2005-2006*; 3) *Method for Evaluation of and Follow-up on the Implementation of the Provisions of the Convention of Belém do Pará*; and 4) *Questionnaire for Evaluating Implementation of the Provisions of the Convention de Belém do Pará*. All the documents that were adopted are available for consultation on the CIM's web page: www.oas.org/cim

At this first meeting and in accordance with the Rules for this Committee, Ms. Leila Linhares Barsted, expert from Brazil, was elected to be the Coordinator of CEVI for a two-year term. Ms. Margarita Puerto Gómez, expert from Honduras, was elected as Alternate Coordinator.

On September 13, 2005, exercising the functions assigned to it by the Rules of the CEVI, the Secretariat requested, by a note addressed to the Minister of Foreign Affairs of the States Party, the designation of the Competent National Authority (Autoridad Nacional Competente—ANC) that would serve as liaison between the government and the MESECVI Secretariat. In turn, the ANC would be responsible for sending its government's reply to the questionnaire, which provides the main input for the Committee's evaluation work. To date, 25 States Party have designated an ANC.

On November 7, 2005, the Secretariat sent the questionnaire to the ANCs, emphasizing that the deadline for sending the replies to the MESECVI Secretariat was January 16, 2006. It also reported on the status of the progress status of the Mechanism to the Permanent Missions of the States Party that had not as yet designated their ANC.

In order to report on the progress of the Mechanism, the Coordinator of CEVI was invited to the Regular Session of the CIM's Executive Committee held in December 2005. The Principal Delegates to the CIM, on behalf of their governments, requested the Coordinator to consult with the Committee of Experts on the possibility of extending for one month the deadline to submit responses to the questionnaires.

For this purpose, on December 12, 2005, the Secretariat sent all the experts a communication from the Coordinator asking for their opinion on the extension of the deadline for handing in the questionnaire and on a proposal for establishing the working subgroups and for suggestions on the evaluation process.

In this communication, it also proposed drafting a letter to suggest to the States Party how they could organize the response to the questionnaire, as well as talk about the relationship of the CEVI with civil society organizations in order to keep up sound coordination with them.

On January 4, 2006, the Secretariat reported to the ANCs of the States Party that the CEVI had decided to extend, until February 15, 2006, the deadline for presenting the responses to the questionnaire.

Through the Secretariat, on January 13, 2006, the CEVI Coordinator requested the members of the Committee to provide their specific comments on the participation of civil society organizations, as well as their proposal on the working method for the analysis of the reports.

On February 1, 2006, the Mexican Government provided an additional contribution to MESECVI, by commissioning Ms. Flor de Lis Vásquez, staff of the Mexican Foreign Service, to support the CIM in the work of implementing the Mechanism, and appointing her directly to the Secretariat of the MESECVI. This appointment provides valuable support to the CIM, helping it to conduct more effectively the important work of the Mechanism's Secretariat, entrusted to it by the States Party to the Convention.

In view of the limited responses to the questionnaire that were received by the ANCs when the deadline expired, the Secretariat sent a reminder on February 23, 2006, urging them to send them as quickly as possible. Likewise, it was repeated that it was important to comply with the deadlines that were set in the timetable of CEVI's annual work, in order to guarantee the optimal functioning of the MESECVI.

On the same date, the Secretariat sent to the Experts, on behalf of CEVI's Coordinator, the general guidelines for the drafting of the draft Preliminary Reports.

On March 13, 2006, the MESECVI Secretariat received 14 responses to the questionnaire from the States Party, of which only one (1) corresponded to the Caribbean subregion. In view of this situation, the CEVI's Secretariat met with the Caucus of Ambassadors of the Caribbean States to urge

them to collaborate with the MESECVI so that their governments would designate their respective experts and ANCs and would deliver promptly the response to the questionnaire to those that had already designated them so as to ensure the full participation of the Caribbean in the Mechanism. On this occasion, the Secretariat distributed a table on the status of the MESECVI.

On March 14, at the request of the CEVI's Coordinator, the Secretariat once again sent the ANCs a second reminder addressed to the countries that had not yet sent their responses to the questionnaire. Also on this date, the Committee of Experts was given an updated table with the information on the replies received by the Secretariat and a copy of the letter sent to the ANCs.

At the date of concluding this report, the Secretariat had received 19 replies to the questionnaires from the States Party (see table of Annex I); the questionnaires were sent to the Experts so that they could start drawing up the drafts of the preliminary report. In accordance with the work timetable adopted by CEVI, the first meeting of the Committee to start up the first round of multilateral evaluations shall be held on June 12-13, 2006.

3. Resolutions adopted by the OAS Assembly regarding the MESECVI

In 2001 and 2003, the OAS General Assembly adopted resolutions AG/RES. 1768 (XXXI-O/01) and AG/RES. 1942 (XXXII-O/03), respectively, in order to receive the biennium reports on compliance with the Convention of Belém do Pará. Resolution AG/RES. 1942 urges the Secretary General to convene, in coordination with the CIM, the Conference of the States Party to the Convention of Belém do Pará to adopt a decision on the most suitable way to ensure follow-up on the Convention.

In 2004, the XXXIV General Assembly adopted resolution AG/RES. 2012 (XXXIV-O/04), urging all States to continue, *inter alia*, supporting the CIM's efforts in the process of establishing and implementing the Follow-up Mechanism to the Convention.

As for the XXXV General Assembly of June 2005, by means of resolution AG/RES. 2138 (XXXV-O/05), it urged the Member States, *inter alia*, to continue advancing in the process of implementing the MESECVI and requesting the Permanent Council to report on its implementation to the 36th regular session of the General Assembly.

ANNEX I

**STATUS OF APPOINTMENT OF EXPERTS, COMPETENT NATIONAL AUTHORITIES
(CNA) AND RESPONSES TO THE QUESTIONNAIRE**

Country	Experts	ANC	Responses
1. Antigua and Barbuda	YES	NO	
2. Argentina	YES	YES	X
3. Bahamas (<i>the Commonwealth of</i>)	YES	YES	
4. Barbados	NO	YES	
5. Belize	YES	YES	X
6. Bolivia	YES	YES	X
7. Brazil	YES	YES	X
8. Chile	YES	YES	X
9. Colombia	YES	YES	X
10. Costa Rica	YES	YES	X
11. Dominica (<i>the Commonwealth of</i>)	YES	YES	
12. Dominican Republic	YES	YES	X
13. Ecuador	YES	YES	X
14. El Salvador	YES	YES	X
15. Grenada	NO	NO	
16. Guyana	NO	YES	
17. Guatemala	YES	YES	X
18. Haiti	YES	YES	X
19. Honduras	YES	YES	X
20. Jamaica	NO	NO	
21. Mexico	YES	YES	X
22. Nicaragua	YES	YES	X
23. Panama	YES	YES	X
24. Paraguay	YES	YES	X
25. Peru	YES	YES	X
26. Saint Kitts and Nevis	NO	NO	
27. Saint Vicent and the Grenadines	YES	NO	
28. Saint Lucia	YES	YES	
29. Suriname	NO	NO	
30. Trinidad and Tobago	NO	YES	
31. Uruguay	YES	YES	X
32. Venezuela	YES	YES	X
Total	25	26	20

(CIM01619E01)

CP16205E01