

Legislation

Articles 1, 2, 3 y 7 c), e) and g) of the Belém do Pará Convention

	STRUCTURAL	PROCESS	RESULTS
RECEPTION OF THE RIGHT			
Indicator	<p>Incorporation of Belém do Pará in domestic law (at the constitutional, supralegal, or legal level). R1</p> <p>Incorporation of the concept of gender-based violence, as defined in the Convention, in the legislation against violence. R1</p> <p>Incorporation of psychological, physical, sexual, patrimonial, economic, institutional, political and other forms of violence into anti-violence legislation, considering girls and adolescents, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, pregnant, socio-economically disadvantaged, with different sexual preferences, by their sexual identity, migrants or affected by armed conflicts, refugees, displaced persons or deprived of their freedom. R1</p> <p>Enactment of specific legislation on different forms of violence, including:</p> <ul style="list-style-type: none"> ✓ Trafficking in girls and adolescents, adult women and elderly women R2 ✓ Forced prostitution (per Rome Statute) R2 ✓ Sexual harassment in the workplace, at school, at health facilities, etc. of public or private nature, in particular for indigenous women, considering also those who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, 	<p>Convention of Belém do Pará ratification processes.</p> <p>Bills or enactment of specific laws on violence in the country and at the federal, state, provincial, and local levels, according to the legislative division. R1</p> <p>Number of reports presented by the country to international oversight agencies in connection with the right to a life without violence.</p> <p>Number of parallel reports presented by civil society to international oversight agencies in connection with the right to a life without violence.</p> <p>Number of state offices, secretariats, or mechanisms specializing in violence against women. Coverage by jurisdictions (national, state, provincial, local).</p> <p>Number of public officials prosecuted and/or punished under criminal and/or administrative provisions for failing to enforce the regulations and/or national plan/action/strategy on violence against women. R17</p> <p>Existence of systematic training, staff training and awareness of the public sector officials on the legal tools of punishment, protection and promotion of women's rights, particularly the right to a life free of violence. R19</p> <ul style="list-style-type: none"> ✓ Type of processes (nature, timing, content) 	<p>Violence rate based on surveys: number of girls and adolescents, adult women and elderly women by age group who report being victims of any form of violence (physical, sexual, psychological; patrimonial, economic and others) at the hands of a partner, former partner over the past twelve months, divided by the total number of women in those same age groups, multiplied by 100,000 and divided by the number of women living in the country. R1, R40</p> <p>Violence rate based on surveys: number of girls and adolescents, adult women and elderly women by age group who report being victims of any form of violence (physical, sexual, psychological; patrimonial, economic and others) at the hands of a partner, former partner throughout the life, divided by the total number of women in those same age groups, multiplied by 100,000 and divided by the number of women living in the country. R1, R40</p> <p>Violence rate based on surveys: number of girls and adolescents, adult women and elderly women by age group who report being victims of any form of violence by a perpetrator other than a partner or former partner (physical, sexual, psychological, patrimonial, economic, institutional, political and others) over the past twelve months, divided by the total number of women in those same age groups, multiplied by 100,000 and divided by the number of women living in the country. R1, R40</p>

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	<p>displaced persons, senior citizens or deprived of their freedom. R3</p> <ul style="list-style-type: none"> ✓ Femicide as the “the violent death of women based on gender, whether it occurs within the family, a domestic partnership, or any other interpersonal relationship; in the community, in their workplace, in public space, by any person or group of persons known or unknown to the victim, or when it is perpetrated or tolerated by the state or its agents, by action or omission,” either as an autonomous offense or as an aggravating factor in homicide. R6 ✓ Rape and sexual abuse within marriage and de-facto unions. R4 ✓ Rape, sexual abuse, sexual violence within the nuclear family or extended. ✓ Sexual violence in armed conflicts, as a form of torture, war crime and/or crime against humanity. R7 ✓ Sexual violence in hospitals, places of learning, detention centers, and other state institutions, in particular for indigenous women, considering also those who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons, senior citizens or deprived of their freedom. R8, R9 ✓ Obstetric violence in hospitals and other health institutions in the States. R9 ✓ In connection with sexual and reproductive rights, specific legislation that includes the punishment of obstetric violence, particularly in teenage pregnancies; that allows the legal interruption of pregnancy for therapeutic 	<ul style="list-style-type: none"> ✓ Number and type of public sector entities that assume these processes. ✓ Number of officials and officers who accessed the processes. ✓ Exchange mechanisms, monitoring and evaluation of training processes. <p>Existence of systematic education school curricula in secondary education, university and the general public on the promotion and protection of women's rights, and the penalties for violation of the right to a life free of violence. R16</p> <p>Existence of regular and commemorative activities at the school level to promote women's rights, particularly the right to a life free of violence. R16</p> <ul style="list-style-type: none"> ✓ Nature of activities ✓ Frequency ✓ Mechanisms and tools for implementation. 	<p>Violence rate based on surveys: number of girls and adolescents, adult women and elderly women by age group who report being victims of any form of violence by a perpetrator other than a partner or former partner (physical, sexual, psychological, patrimonial, economic, institutional, political and others) throughout the life, divided by the total number of women in those same age groups, multiplied by 100,000 and divided by the number of women living in the country. R1, R40</p> <p>Violence rate broken down by urban/rural areas, socioeconomic strata, ethnic groups and age groups, by different types of violence. R1, R40</p> <p>Percentage of legal cases (criminal, civil or administrative) of violence against girls and adolescents, adult women and elderly women that were prosecuted in proportion to the total number of reports of violence against women. R1, R40</p> <p>Femicide and /or Violent Deaths of Women (VDW) rate per 100,000 women: number of girls and adolescents, adult women and elderly women killed in the past twelve months through any form of femicide, multiplied by 100,000 and divided by the number of women living in the country. R6, R40</p> <p>Estimated femicideⁱ of girls and adolescents, adult women and elderly women rate per 100,000 women: number of killings in the past twelve months multiplied by 100,000 and by the percentage of women’s killings deemed to be femicides, then divided by the number of</p>

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	<p>reasons; that allows the legal interruption of pregnancy for rape; that punishes forced sterilization; that guarantees access to contraception, including emergency oral contraceptives; that punishes non-consensual artificial insemination. R9, R10, R11, R12, R13, R14</p> <ul style="list-style-type: none"> ✓ Emergency prophylaxis treatments for HIV / AIDS and other sexually transmitted diseases in the public health services, especially in cases of sexual violence. Attention protocols to determine treatment steps and the form of attention to the users especially in the cases of sexual violence. R15 ✓ Psychological violence against girls and adolescents, adult women and elderly women by their gender, for their belonging to an ethnic group or their ethnic identity, their sexual preference, by their sexual identity, in any public or private, for any person/group of people. R1 ✓ Alimony rights for indigenous, rural, children in case parents fail to comply with their obligations. <p>Enactment of legislation that explicitly bans the use of such methods as conciliation, mediation, <i>probation</i>, suspended sentences, application of the opportunity, commutation of punishment and others intended to resolve cases of violence extra-judicially. R2</p> <p>Existence in legislation of criminal and/or administrative sanctions for public officials who fail to enforce the regulations and/or national plan/action/strategy on violence</p>		<p>women living in the country. R6, R40</p> <p>Mortality rate, by sex, through accidents, homicides, or suicides cause broken down. R6, R40</p> <p>Number and percentage of criminal proceedings for the crime of femicide, homicide, murder versus number and percentage of criminal cases with judgment (conviction or acquittal) for the crime of femicide, homicide, murder. R6, R40</p> <p>Number and percentage of repair processes on collateral victims of femicide by type of relationship with the victim. R40</p>

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	against women. R17		
Qualitative signs of progress	<p>Number and characteristics of civil society organizations involved in the promotion and protection of the right to a life without violence, considering organizations particularly involved with girls and adolescents, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom. Indicate forms and type of participation. R16</p> <p>Number of women's organizations particularly working with girls and adolescents, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom, involved in monitoring women's rights to live free from violence.</p> <p>National Mechanisms to the follow up of the Belém do Pará Convention, with participation of the State and the Civil Society. R17, R31</p> <p>Existence of spaces, mechanisms and tools with recognition and legal status for interagency coordination between the public and civil society organizations based on the promotion and protection of the right to a life free of violence for women. R16, R31</p>	<p>Monitoring of public agencies and by civil society and effective action to counteract legal action or other sectors intended to limit, prevent, or restrict the interpretation and enforcement of the provisions governing different forms of violence. R6</p>	<p>Pregnancy rate in children and adolescents (10-14 years old) R10, R11, R14</p> <p>Indicate rate of pregnancies, pregnant women attending antenatal care, deliveries that are attended by skilled health personnel versus midwife, term deliveries, abortions and maternal mortality in children and adolescents.</p> <p>Number and percentage of deliveries at term in children and adolescents. R10, R11, R14</p> <p>Number and percentage of abortions in children and adolescents. R10, R11, R14</p> <p>Maternal mortality rate in children and adolescent. R9, R10, R11, R14</p> <p>Number and percentage of children and adolescents whose births are attended by skilled health personnel versus midwife. R9</p> <p>Number and percentage of girls and young pregnant women attending antenatal. R9</p> <p>Ratio between the increased of VDW (violent death of women) and the increase of VDM (Violent death of men) in the past twelve months. R6, R40</p> <p>Rate of decline of VDW in relation to rate of decline VDM. R6, R40</p>
BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS			
Indicator	<p>Specific laws on violence that include budgetary allocations. R1, R34</p> <p>National budget law, with earmarks for the implementation of laws, programs, plans on</p>	<p>Publication of reports on budget allocations and execution. R35</p>	<p>Percentage of budget spending allocated to programs, plans, and agencies related to different forms of violence against women. R35</p>

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	<p>violence. R1, R34, R35</p> <p>National budget law identifying funds allocated for women's mechanisms, specialized offices, health sector, education sector, etc. R1, R34</p>		
Qualitative signs of progress	Number and characteristics of civil society organizations involved in budget oversight initiatives and budget execution.	Publication and dissemination of public information on the budget and its execution. R35	Publication of final reports on the budget and its execution. R35
STATE CAPACITIES			
Indicator	<p>Attention protocols for ensuring the enforcement of provisions enacted in connection with different forms of violence. R10, R11, R15, R27</p> <p>Action protocols for justice operators, health (service provider), teachers, and public officials in connection with different forms of violence. R10, R11, R15, R27</p> <p>Infrastructure, equipment and specialized personnel providing health services in indigenous, rural, communities. R9</p>	<p>Participatory processes for the drafting of attention protocols for ensuring the enforcement of provisions. R10, R11, R15</p> <p>Publication and dissemination of protocols. (should include advertising and distribution in the various languages spoken in the country) R10, R11, R15</p> <p>Records of actions taken to disseminate and enforce the protocols designed. R10, R11, R15, R39</p>	<p>Monitoring reports of knowledge, understanding and application of specific protocols and regulations on the rights of women, as part of regular assessments to access incentives, credits, ranks (the justice, health, education). R10, R11</p>
Qualitative signs of progress	Number and characteristics of civil society organizations involved in preparing protocols and monitoring their enforcement, considering organizations particularly involved with indigenous girls and adolescents, adult women and elderly women, who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom. R10	Existence and operation of a program using traditional knowledge, disseminating it and promoting articulation with the general health system.	<p>Number of indigenous, rural, women satisfied with the health care received. R9</p> <p>Acknowledgment and respect for traditional knowledge and practices by the general health system. R9</p>

ⁱ For the purpose of these indicators we take as concept of "femicide" as follows: *"the violent death of women based on gender, whether it occurs within the family, a domestic partnership, or any other interpersonal relationship; in the community, by any person, or when it is perpetrated or tolerated by the state or its agents, by action or omission."* According with the Declaration on Femicide adopted at the Fourth Meeting of the Committee of Experts of the Mechanism to Follow-up on the Implementation of the Convention of Belém do Pará (CEVI). Document MESECVI/CEVI/DEC. 1/08, on 15 August 2008.

For those countries that have regulated this form of violence against women in any legal instrument, it is requested to record the differences regarding the operational definition used by MESECVI.