

## FINAL REPORT

### MEETING OF EXPERTS OF CENTRAL AMERICA, MEXICO, PANAMA, AND THE DOMINICAN REPUBLIC

#### Violence in the Americas A Regional Analysis, Including a Review of the Implementation of the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women*

(Panama City, August 27 and 28, 2001)

#### [I. PROCEEDINGS](#)

#### [II. REGIONAL SUMMARY](#)

#### [III. COURSES OF ACTION](#)

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#### **I. PROCEEDINGS:**

The third subregional meeting of experts took place in Panama City, Panama, on August 27 and 28, 2001. The CIM invited the principal delegates to the CIM and two experts from nongovernmental organizations in each of the countries of the region. The meeting was sponsored by the Inter-American Commission of Women (CIM) and by the United Nations Development Fund for Women (UNIFEM), Latin America Section, and by the regional office for the Southern Cone and Ministry of Youth, Women, Children, and the Family of Panama.

The inaugural ceremony was held in the Salón Diamante of the El Panama Hotel. Addresses were given by the Honorable Mirtza Frencheschi de Aguilera, Chief Justice of the Supreme Court of Panama; Her Excellency Alba Tejada de Rolla, Minister of Youth, Women, Children, and the Family, and the principal delegate of Panama to the CIM; Carmen Lomellin, Executive Secretary of the CIM; His Excellency Anibal Salas, Deputy Minister of the Presidency, representing Her Excellency Mireya Moscoso, President of Panama. Representatives of the diplomatic corps and international organizations, senior officials of the government of Panama, and representatives of the legislative and judicial branches and of nongovernmental organizations attended the ceremony.

The working sessions of the meeting also took place in the El Panama Hotel. The technical secretariat of the meeting was directed by Ms. Carmen Lomellin, Professor Elia Tulipano, and CIM Principal Specialist, Mercedes Kremenetzky.

There were three working sessions: two on Monday the 27<sup>th</sup>, one of which was held in the morning and the other in the afternoon. The third session was held on Tuesday the 28<sup>th</sup>. These sessions were coordinated by the Honorable Representative Gloria Young de Lezcano. Delegates to CIM and/or their representatives, as well as two experts per country from nongovernmental organizations, took part in the sessions. In the case of the delegation of

Panama, there was a valuable contribution by more than 40 experts representing various public-sector bodies, nongovernmental organizations, and Panamanian civil society.

At the first session, the decision was to follow the methodology for the meeting established in the Work Program that was distributed to all participants. According to that Program, the senior specialist of the CIM presented the draft: Violence in the Americas, a regional analysis including a review of the implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, and related gaps and trends.

Following that, each of the representatives of the governments presented a summary of the principal programs carried out, progress achieved in their countries in the area of violence against women, particularly in implementing the Convention of Belém do Pará. The representatives of the nongovernmental organizations described programs that were successful and noted the principal obstacles that needed to be overcome in order to make progress in this area in their respective countries.

On the basis of this valuable input, at the second session, held in the afternoon, participants expressed agreement on the obstacles that continue to stand in the way of implementation of the Convention. During the third and final session, held on August 28, there was an exchange of views, based on specific information provided earlier, the aim being to reach consensus on the areas that should be given priority at regional level in the next biennium. Both the obstacles identified and the recommendations are presented below.

At 4:00 p.m. the meeting ended with a brief closing ceremony at which Her Excellency Alba Tejada de Rolla, Minister of Youth, Women, Children and the Family and principal delegate of Panama to the CIM spoke.

## **II. REGIONAL SUMMARY**

1. We recognize progress made in the region in the area of legislation and the creation of governmental and nongovernmental programs and institutions for the prevention, punishment, and eradication of violence against women. However, there are still serious failings with regard to the enforcement of legal rules and procedures and follow-up of their effectiveness.
2. We recognize that there is greater sensitivity about violence against women, as well as a greater sense of solidarity, which are largely attributable to the Convention of Belém do Pará. However, we feel that the concept of gender-based violence against women needs to be reclassified as a violation of human rights.
3. We recognize the substantive financial contributions of international cooperation that have, to some degree, compensated for the budgetary limitations experienced in most of the countries.
4. We welcome the recognition of domestic violence as progress. However, in this regard, there is not adequate recognition of women as a specific object of violence because of the unequal power of men and women.
5. We recognize the awareness-building efforts in various sectors. However, they do not go far enough and they have not always been systematic. It is therefore necessary to expand them and follow up on them.
6. We welcome the important role of the Inter-American Commission of Women of the Organization of American States, and the states parties to the Convention of Belém do Pará, and in this context the assistance channeled through international cooperation.

7. We recognize the contribution made in each country by women's organizations in addressing and drafting proposals for public policies. However, these organizations are not always included in decision-making or in the allocation of resources.
8. We recognize the need for monitoring and evaluating society's and the state's response in preventing, punishing, and eradicating violence against women in the various spheres.

### **III. COURSES OF ACTION**

#### **1. Institutionalization of policies and instruments**

Not all countries have National Committees, composed of governmental and nongovernmental representatives, with equal decision-making power to coordinate and give continuity to national policies, plans, programs, and projects for the prevention, punishment, and eradication of violence against women.

Budgets and financial assistance have not been earmarked for the implementation, by the state and society, of activities for the prevention, punishment, and eradication of violence.

Not all countries have models that are comprehensive in scope, which means that the quality of modern services is lacking, and the institutions become a source of violence perpetrated by their agents.

Activities in the field of:

##### 1.1 Budget and resources (financial sustainability):

- Allot more government budgetary resources for public policies established for the prevention, punishment, and eradication of violence against women.

##### 1.2 Agencies and mechanisms:

- Establish and strengthen specific mechanisms to deal with violence against women.

##### 1.3 Sustainability (policy):

- Define policies as state policies that transcend the temporary nature of government administrations.

##### 1.4 Intervention models

- Institute at national level models that are comprehensive in scope.

##### 1.5 Quality of service

- Design of comprehensive care protocols based on a humanistic approach.
- Mechanisms for presenting opinions and responding to user complaints.
- Decentralization and broadening of geographical coverage.

## 1.6 Institutional violence

- Change institutional practices to prevent, punish, and eradicate violence against female employees and users.
- Adopt laws to investigate and punish sexual harassment.

## 2. Research, statistics, and information systems

Gender-based research, statistical development and information systems are vital in order to increase one's understanding of violence against women, update data, and follow up on the problem. They make it possible to confirm and develop indicators for evaluating service and designing appropriate public policy.

One of the major challenges is to get the countries in the region to generate reliable data that can be compared, in order to have a clear picture of the phenomenon of violence against women, and design strategies involving civil society and the government that would have the greatest possible social impact.

Activities in the field of:

2.1 Indicators (quantitative, qualitative). Design a system of indicators to evaluate implementation of the Belém do Pará Convention.

2.2 Design a code of ethics for registering information and conducting national research and surveys.

2.3 Design an inter-regional web page.

## 3. "Reclassifying" the problem of violence against women

Violence against women has been approached primarily as domestic violence, which has led to:

- Priority to the family unit and not to women's human rights.
- False contrasting of women's rights with the rights of children, adolescents, the disabled, senior citizens, and men.
- Legislation has not been adopted to protect, specifically and fully, a woman's right to live without violence in all areas, and to punish violence.
- Other forms of violence against women outside the family have been ignored.
- Application of the Convention of Belém do Pará has been limited, and the spirit of the Convention, which is to protect women's human rights, has been altered.

Activities in the field of:

3.1 Restoring the specific concept of violence against women and the need to focus on it as such.

3.1.1. Revise national legislation, policies, plans, and programs to identify discriminatory concepts and practices and propose legal reforms or promote new laws that restore the specific concept of violence against women in accordance with the spirit of the Convention of Belém do Pará.

3.1.2. Revise institutional practices so as to adapt them to the commitments assumed in the Convention of Belém do Pará, and to focus them on the defense of women's human rights.

3.1.3. Develop training proposals, and review those already in existence, so that they focus on violence against women in its many manifestations as a human rights violation, resulting from historically unequal power between genders, as reflected in the Convention of Belém do Pará.

3.1.4. Develop public campaigns to defend a woman's human right to live free from violence in any environment and under any circumstances.

3.2 Approaching violence against women as a violation of human rights in all spheres.

#### **4. Security and access to justice**

The process of modernizing justice systems should not jeopardize progress achieved in this area. Accordingly, existing and proposed legal provisions and proposals should be revised in such a way as to ensure compliance with the Convention of Belém do Pará.

Also, the turnover of persons responsible for ensuring justice and other government officials as a result of the politicization of the institutions involved prevents continuity of the process of sensitizing and training, which guarantees personal safety and security for women and improved access to justice on their part.

The lack of mechanisms to follow up on irregularities in the administration of justice promotes impunity, thereby infringing women's rights to live free of violence.

Activities in the field of:

##### 4.1 Enforcement of legislation:

4.1.1. Review trends to amend criminal legislation that would thereby prevent prosecution in cases of violence against women.

4.1.2. Adopt or amend criminal and procedural law to criminalize conduct that constitutes violence and discrimination against women and to provide for reparation for damage caused.

4.1.3. Consider inequalities in the balance of power when defining conciliation, mediation, and alternative conflict resolution.

4.1.4. Include in criminal legislation measures for protecting women.

4.1.5 Establish in criminal and criminal procedural law provisions for public action in crimes that constitute violence against women.

#### 4.2. Cases of impunity:

Establish sanctions and apply existing ones against judicial personnel and government officials in the following cases:

- Noncompliance with legal provisions governing violence against women, whether violated or ignored.
- In cases of bribery, breach of trust, influence peddling, and obstruction of justice.

4.3. Establish free systems or services for public defenders and legal representation in cases of violence against women.

### **5. Socio-cultural changes**

Identification of the problems:

- Sexist attitudes persist and perpetuate behavior and relationships that bar the right of women to a life free from violence.
- The influence of the media in promoting behavior that encourages and promotes violence against women.
- Failure to deal with violence against women in the basic and higher education curricula.

Activities in the field of:

#### 5.1. The media:

5.1.1. Design, implement, and evaluate campaigns for the defense of a woman's right to live free of violence in any situation or under any circumstances.

5.1.2. Implement specific strategies with the media and owners of the media to help eliminate messages that are violent and discriminate against women.

#### 5.2. Education (formal and non-formal)

5.2.1. Introduce in the curricula of formal education at all levels a woman's right to a life free from violence.

5.2.2 Incorporate into training for teachers, outreach workers, and other educational personnel the right of women to a violence-free life.

5.2.3. Promote legislation to eliminate sexist language in texts and other schoolbooks.

5.2.4. Develop models that involve the entire educational community in the design and implementation of activities for the prevention of violence against women.

## **6. Evaluation of the impact of public policies and activities undertaken**

- There is no research that reflects the impact of activities undertaken in the framework of the Convention of Belém do Pará.
- There is no information that would permit an evaluation of the magnitude of the problem of violence against women.
- There are no standardized or specialized criteria for research and a diagnosis of the problem of violence against women.
- Codes of ethics have not been established in institutions and in national surveys for gathering data, and this permits violation of the rights of women to privacy, confidentiality, and freedom of expression.

Activities in the field of:

- Studies on the impact of activities undertaken, which include periodic consultation with users.
- Design of a monitoring system.

## **7. Society and state**

The need exists to strengthen the institutions and their linkage with civil society organizations that work permanently and consistently in planning activities for decision-making and in preparing public policies for preventing and dealing with violence against women.

Activities in the field of:

7.1. Establishment of mechanisms for the participation of civil society in decision-making and the design of all policies.

7.1.1. Include women's organizations in the agencies that draft public policy on violence against women.

7.1.2. Respect any agreements that are established at the national level between the government and civil society.

7.1.3 Support women's organizations in carrying out social audits in the field of violence against women