



ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN COMMISSION OF WOMEN

FOLLOW UP TO MECHANISM
CONVENTION OF BELÉM DO PARÁ (MESECVI)
COMMITTEE OF EXPERTS ON VIOLENCE (CEVI)
June 25-26, 2009
Washington, D.C.

OEA/Ser.L/II.7.10
MESECVI/CEVI/doc.96/09
21 July 2009
Original: Spanish

**FIFTH MEETING OF THE COMMITTEE OF EXPERTS (CEVI) 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 (MESECVI)**

FINAL MINUTES

The opening session was held on Thursday, June 25, at 9:30 am in the Padilha Vidal Room of the GSB Building, at OAS headquarters in Washington, D.C. At that session, Mercedes Kremenetzky, acting Executive Secretary of the Inter-American Commission of Women (CIM) thanked those present for attending and gave the floor to Victor Rico, Secretary of Political Affairs of the OAS, to speak on behalf of the OAS Secretary General. His statement is published as document MESECVI/CEVI/INF.23/09.

In closing this session, Susana Chiarotti, Coordinator of MESECVI's Committee of Experts (CEVI), recounted the development of the First Multilateral Evaluation Round. She referred to the judicious selection of the four subjects for the questionnaire of this round (legislation and national plans; access to justice; budget; and, information and statistics), as they are all critical issues in the region. Chiarotti also highlighted how the Round helped to create greater awareness on the part of governments with regard to implementation of the Convention of Belém do Pará and the importance of adopting comprehensive laws on violence against women. Finally, she highlighted the role played by civil society in increasing the visibility of the subject of violence against women and the work of CEVI since its third meeting.

1. Approval of the agenda

The Coordinator asked the experts and civil society participants to introduce themselves.

She then submitted the agenda for consideration, and it was adopted with the following changes: presentation of the reports of the Coordinator and the Technical Secretariat were moved up to the second item; and the following items were to be included under “other business”: a) Institutionalization of the participation of civil society; b) Third Conference of the States Party to MESECVI; and, c) Participation of the experts at CEVI meetings. With these amendments, the agenda was published as document MESECVI/CEVI/doc.92 rev. 1.

2. Report of the MESECVI Technical Secretariat

After approving the agenda, the MESECVI Technical Secretariat reported on activities under the Mechanism since the last meeting of experts in August 2008. She welcomed the new experts, and then mentioned action taken to follow-up on CEVI recommendations, through the document on indicators. She also presented an information document with a chart on the participation of states parties in the First Multilateral Evaluation Round. She underlined the participation of the Alternate Coordinator, Hilda Morales, at the meeting of the CIM Executive Committee to answer question regarding MESECVI operations, especially on the subject of indicators. She also referred to the possibility of organizing a seminar on femicide with American University’s Washington College of Law and the OAS Department of Hemispheric Security.

The report also covered activities to promote MESECVI carried out by the governments of Mexico, Uruguay, and Paraguay. This touched off a round of comments in which the experts also reported on activities carried out in their countries to promote MESECVI and disseminate the Hemispheric Report.

3. Presentation of civil society organizations

Next, as representatives of civil society and members of the Latin American and Caribbean Committee for Defense of Women’s Rights (CLADEM), Claudia Rosas from Peru and Amanda Muñoz from Colombia gave their views on the proposed questionnaire for the second multilateral evaluation round (document MESECVI/CEVI/doc.93/09), prior to its discussion by CEVI.

Claudia Rosas made the following suggestions for inclusion in the questionnaire:

Legislation:

- Inquire into mechanisms for promoting and disseminating legislation and the mechanisms used by legislators to publicize legislative changes;
- Revise the question on sexual harassment by asking whether there is a general sanction applied, because in a number of countries, it is not considered as a crime in the penal code, but sanctions are established in different regulations.
- Revise the question on femicide, to add a question on whether it is considered as an aggravating circumstance of homicide. The reason for this is that few countries have this crime on their books, but some have elements of femicide (link with the aggressor, violence) as aggravating circumstances in their penal codes.
- Include a question on other forms of violence against women, such as forced pregnancy or sexual slavery.
- Include a question on mechanisms for reparations for women who are victims of violence, and especially in situations of armed conflict.

National Plans:

- Ask if national plans are coordinated with other plans;
- Ask if the persons in charge of implementing these policies are held accountable, in the event they do not comply with this obligation.

Access to justice:

- Assess the effectiveness of measures, whether they have been found to end violence, and how the police, public prosecutors, and judiciary coordinate efforts to this end.
- Include a question on how the government guarantees justice for rural women, and women living in forests or jungles and communities.
- Include a question on the entity responsible for *comisarías de mujeres* [police stations or centers specializing in cases involving women, such as domestic violence, sexual assault, etc.]

Information and statistics:

- Include a question to follow up on the results, once women achieve justice: when and how the violence was ended.
- Include a question on the entity in charge of implementing the mandates of the Convention of Belém do Pará and national plans independently of the government in power, to avoid a change in approach when a new administration takes office.

Amanda Muñoz spoke next, and suggested the inclusion of five subjects: cultural practices, to be discussed together with prevention strategies oriented to change; political participation of women over and above quota laws; courses on human rights and women as part of the curricula of colleges and educational centers; causes associated with violence against women; and, mechanisms for reparations for victims.

She also made the following proposals:

Legislation:

- Expand the question on sexual harassment regarding the type of legislation (civil, criminal, or administrative) that provides for punishment for this conduct;
- Include a question on discrimination as a factor of violence against women;
- Include a question on guarantees for women and children in a situation of displacement, which should be separate from the question related to violence perpetrated by the state.
- Include a question on violence against women in custody;
- Include a question on sexual exploitation;
- Include a question on reparation mechanisms, also suggested by Claudia Rosas;
- Expand the question on sexual violence between a married couple or partners in a civil union, to include sexual harassment within marriage.
- Expand the question on prohibition of the use of conciliation in cases of violence against women, to inquire into jurisprudence or case law;

- Include a question on forced disappearances of women and girls.

National Plans:

- Include a question on intervention against aggressors, as part of the guarantees of no repetition of acts of violence;
- Expand on the question on national plans, action, or strategies, to ask about guidelines, coverage, who implements such plans, and their monitoring;
- Include a question on training *comisarios de familia* [police officers specializing in domestic violence or family affairs], administrative assistants, community, and civil society;
- Include questions on ways to evaluate plans and their results.

Access to justice:

- Include a question on routes, separate from protocols: administrative personnel and women's officers, public prosecutors, public defenders, Office of Attorney General.

Specialized services:

- Be more specific in inquiring into coverage of services.

Budget:

- Include in budgets therapeutic care for victims, and not by health services, since these are more emergency services.

The participation of the CLADEM representatives touched off a round of comments by the experts, in which they expressed appreciation for their statements and recognized that civil society's contributions enrich the work of CEVI. They therefore discussed the need for MESECVI to promote and strengthen the participation of these organizations.

At the same time, the experts proceeded to make preliminary comments on the proposed questionnaire.

4. Questionnaire for the Second Round of the Multilateral Evaluation of MESECVI

The Coordinator suggested to the experts that they decide on the working methodology for reviewing the proposed questionnaire. After discussing this, and in view of the number of participants, they decided to take it up question by question, both in English and in Spanish, to make any relevant additions and/or changes.

Moreover, in light of the importance of the subject and in the event more time is needed to complete their discussions, the Venezuelan expert, Asia Villegas, announced that the Venezuelan government was prepared to host a special meeting of CEVI, and would even cover hotel costs. The Coordinator thanked the delegate for that offer, and it was accepted with a round of applause by the experts present. That meeting was tentatively proposed for September 2009. It was agreed that the

Secretariat would get in touch with INAMUJER in Venezuela to coordinate organization of that meeting.

It was agreed that the Secretariat would distribute the final version of the questionnaire to the experts by e-mail.

5. Election of the Coordinator and Alternate Coordinator of CEVI for 2009-2011

Before beginning the session on Friday afternoon, June 26, the Coordinator proposed that the election of the Coordinator and Alternate Coordinator of CEVI be moved up to immediately after finishing work on the draft questionnaire, since some experts had to take return flights that afternoon. This proposal was accepted by the participants.

After concluding the discussion on the proposed questionnaire, the Coordinator opened the floor for nomination of candidates.

Hilda Morales, the expert from Guatemala and Alternate Coordinator of CEVI for the 2007-09 term, was nominated for the position of Coordinator. Asia Villegas, the expert from Venezuela, and Sheila Roseau, the expert from Antigua and Barbuda, were nominated for the position of alternate coordinator. The vote was taken, and Hilda Morales was elected as Coordinator and Asia Villegas as Alternate Coordinator of CEVI for the 2009-2011 term.

Once the elections were over, the experts debated the relevance of amending CEVI's Rules of Procedure, to increase the number of alternate experts to two, establishing the criterion of geographical distribution so that the three subregions, Central America, South America, and the Caribbean, would be represented among the officers of the Committee. After an exchange of views on the subject, the experts voted to maintain the CEVI Rules of Procedure.

The new CEVI Coordinator, Hilda Morales, thanked the experts for the confidence placed in her and also expressed her appreciation to the outgoing Coordinator, Susana Chiarotti, for her hard work during the past two years at the helm of the Committee.

6. Other business

In the first place, the Coordinator read out letters sent by experts from Honduras, El Salvador, Dominican Republic, and Bolivia, apologizing for not being able to attend the meeting due to lack of government support to finance their travel. The Technical Secretariat informed the experts present of the efforts made by the OAS Permanent Missions to ensure the participation of as many experts as possible.

Various expressions of concern were voiced over the low attendance of experts at meetings, and the lack of resources alleged by governments for not financing these trips. This has affected the participation of experts from those countries, and especially the ones coming from nongovernmental sectors, such as academia and civil society. It was agreed that CEVI would send a letter to the OAS Secretary General requesting that, through him, the States Party be reminded of their obligation to provide support for experts so that they are able to participate in CEVI meetings. It was also agreed that options for outside financing for the fund established in the MESECVI Statute should be sought.

In the second place, the experts referred to promotion of MESECVI and its results. They suggested that letters be sent to the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights, to support them in disseminating the results of the Mechanism. Another measure would be organizing a simpler and more user-friendly web page than the present one, that not only would make it easier to navigate more quickly, but would also allow for better communication with civil society organizations interested in knowing about and participating in the processes of MESECVI and CEVI.

In the third place, on the question of increasing civil society participation in MESECVI, the experts agreed that this would strengthen MESECVI. They expressed their concern over the perception of some organizations that CEVI's work does not permit greater participation of civil society. They stressed the need to promote this participation through either reports or participation in meetings, in keeping with the framework proposed by OAS and MESECVI for this purpose. Along these same lines, it was suggested that a list of organizations be drawn up for inclusion on the list of recipients of information on MESECVI activities, and that civil society observatories be invited to participate in CEVI's work.

Finally, with regard to the Third Conference of States Parties of MESECVI, to be held in Guatemala in 2010, the experts proposed that a CEVI meeting be held at the same time as the Conference, and that a joint meeting be organized to examine the results of MESECVI to date. At the same time, they suggested holding a seminar on good practices before the meetings of the Conference and CEVI, to which staff of donor agencies would also be invited.

It was agreed that Hilda Morales, the expert from Guatemala and the new Coordinator of CEVI, would, with the support of the Secretariat, conduct consultations and take the necessary steps to organize this joint meeting proposed for September 2010. At 5:30 pm, there being no further business, the Fifth Meeting of CEVI was adjourned.

7. Decisions and Agreements

CEVI adopted the following decisions by consensus:

- 7.1. The Technical Secretariat will contact INAMUJER of Venezuela to coordinate the organization of a special meeting of CEVI, tentatively to be held in September 2009, to take up the issues that could not be discussed at this meeting.
- 7.2. The Technical Secretariat will distribute the minutes and final versions of the questionnaire along with the additions made in the course of the Fifth Meeting of Experts, for final approval.
- 7.3. The CEVI Coordinator, with the support of the Technical Secretariat, will prepare a letter to the OAS Secretary General that will be signed by the experts on the Committee. The letter will request the collaboration of the Secretary General in reminding States Parties of their obligation to provide support to experts so that they can participate in CEVI meetings.

- 7.4. The Technical Secretariat will look into possible changes in MESECVI's space on the CIM web page, to make it a useful information tool for civil society organizations and a tool for promotion of the results of the Mechanism.
- 7.5. The CEVI Coordinator, with the support of the Technical Secretariat, will send letters to the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Institute of Human Rights, to elicit their support in disseminating the results of the Mechanism.
- 7.6. The Technical Secretariat, with the support of the experts, will draw up a preliminary list of civil society organizations to be sent initiations and information on the results of CEVI.
- 7.7. The CEVI Coordinator, with the support of the Technical Secretariat, will contact the entities organizing the Third Conference of the States Parties of MESECVI to be held in Guatemala next year, to explore the possibility of a parallel CEVI meeting and a joint meeting or session with the Conference, tentatively scheduled to be held in September 2010. She will also discuss the possibility of holding a seminar on good practices and recommendations to states the day prior to both meetings.