

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



(Approved at the Twelfth Meeting of the
Committee of Experts (CEVI),
held in Lima, Peru, from October 13th to 15th, 2015)

I. SCOPE OF THE RULES OF PROCEDURE

Article 1. Scope of the Rules of Procedure

The *Rules of Procedure* shall prescribe the structure and workings of the Committee of Experts (hereafter, the Committee) of the Mechanism for Follow-up on the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of *Belém do Pará*" (hereafter, MESECVI) (hereafter, the *Convention*).

As the technical organ of the Mechanism, the *Committee* shall have undertake its activities within the framework of the purposes, basic principles, characteristics and other provisions established in the "Statute of the Mechanism for Follow-up on the Implementation of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of *Belém do Pará*" (hereafter, the *Statute*), of the decisions adopted by the Conference of States Parties (hereafter, the *Conference*) and, as appropriate, of the Charter of the Organization of American States (OAS).

The *Committee* may resolve those matters not addressed by these Rules, the Statute or the OAS Charter in consultation with the *Conference*.

II. STRUCTURE AND WORKINGS OF THE COMMITTEE OF EXPERTS

Article 2. Composition of the Committee

The Committee shall be composed of experts in the matters encompassed by the Convention, and they shall exercise their functions in a manner that is independent, autonomous and in an individual capacity. The experts will not participate in the evaluation of their own countries.

The principal and alternate Experts of the Committee will have to have solid technical knowledge and experience in the various subjects covered by the Convention.

The Experts shall serve for a term of at least three years through their effective participation during meetings and from their country when required.

For effective participation, it shall be understood the presence of the expert in the ordinary and extraordinary meetings, in an onsite manner or through virtual means.

In order to facilitate the progress of activities, *States Parties* shall ensure the stability and continuity of the Experts throughout the evaluation process. Each *State Party* shall be responsible for the participation of its expert.

The *States Parties* shall notify the Secretariat of MESECVI of the name or names and personal information (address, e-mail address, and telephone and fax numbers) of one expert and at least one alternate. Each *State Party* shall notify the Secretariat immediately of any changes in the designation of its experts on the Committee.

Article 3. Responsibilities of the Committee

In accordance with the Statute, the Committee shall be responsible for the technical analysis of the implementation of the Convention by the States Parties. In performing this function, the Committee shall undertake the following:

- a.** Adopt its annual work plan and methodology for each multilateral evaluation round, for which the Secretariat will develop a draft in conformity with the provisions contained in Article 7.a of these Rules.
- b.** Select, from among the provisions of the Convention, those whose implementation by all of the States Parties shall be reviewed, in particular in Articles 7 and 8.
- c.** Determine the length of time it shall devote to this task, which shall be known as a “round”.¹
- d.** Adopt a questionnaire on the provisions selected for review in each round and in accordance with Article 18 of these Rules.
- e.** Determine the composition of subgroups to analyze the information received from the States Parties they have been assigned to review, pursuant to Article 20 of these Rules. Coordinators and Alternate Coordinators of subgroups shall be elected as necessary.

¹ In line with practice in other inter-American evaluation mechanisms, the rounds last two years, the third year being devoted to follow-up of implementation of the recommendations arising out of each round.

- f. Adopt evaluation reports in regard to each of the States Parties (country reports) and a hemispheric report at the end of each round, in accordance with the procedures established in Articles 19 to 24 of these Rules, and submit them to the Conference, pursuant to Article 6.2 of the Statute.
- g. Promote and facilitate cooperation among the States Parties and civil society organizations and with international organizations and cooperation agencies, within the framework of the Convention and in accordance with Article 10 of the Statute and Article 7.n of these Rules.
- h. Adopt a yearly activity report, which shall be forwarded to the Conference.
- i. Review periodically the operation of the MESECVI and propose such recommendations as it deems pertinent to the Conference.
- j. Request assistance and guidance from the Conference when it considers it necessary in order to fulfill its responsibilities.
- k. Approve the form to be used for follow-up of implementation of the recommendations to countries.
- l. Formulate recommendations, as deemed relevant, to the States Party, so that they may adopt the measures necessary to support the human rights of women when specific situations warrant a special pronouncement. To this effect, the Technical Secretariat will submit the relevant information.
- m. Elaborate thematic reports when agreed by the Committee of Experts.

Article 4. President of the Committee

The Committee shall elect by consensus from among its members a President and two Vice-Presidents, with regard for the principle of geographical representation. If it is not possible, election shall be by simple majority of the Committee members. The Vice-Presidents shall assist the President in the performance of his or her activities. The President and Vice-Presidents shall serve for a two-year term and may be reelected for one additional term. In the temporary absence, or impediment, of the

President, the senior Vice-President shall assume the responsibilities of the President and the Committee shall elect a new Vice-President.

Article 5. Responsibilities of the President

- a.** Open and adjourn plenary meetings and direct the discussions.
- b.** Submit the items on the agenda for consideration by the Committee, including a topic that he or she considers to be of collective interest, together with a methodology for addressing it.
- c.** Coordinate with the Secretariat the activities related to the workings of the Committee.
- d.** Represent the Committee before the Conference and OAS organs.
- e.** Submit to the Committee for its consideration proposals on the composition and tasking of the subgroups that will analyze the information received from the States Parties.
- f.** f. All other responsibilities conferred by these Rules.

Article 6. Secretariat of the Committee

Pursuant to Article 5.4 of the Statute, the OAS General Secretariat, through the Executive Secretariat of the Inter-American Commission of Women (CIM), shall serve as the Secretariat of the Committee, with advisory services provided, as appropriate, by the Inter-American Commission on Human Rights (IACHR) or other relevant areas of the General Secretariat.

Article 7. Responsibilities of the Secretariat of the Committee

The Secretariat shall have the following responsibilities:

- a.** Prepare an annual draft work plan of the Committee and submit it to the Committee for consideration.
- b.** Prepare the methodology and questionnaire proposals for the evaluation of the implementation of the provisions of the Convention to be considered in each round, and submit them to the Committee for consideration, in accordance with Article 17 and following articles, especially Article 27, of these Rules.

- c.** Send simultaneous convocation notices for Committee meetings to the experts and, through the permanent missions, to the competent national authorities and/or principal delegates to the CIM.
- d.** Prepare the draft agenda for each Committee meeting and submit it to the President for approval.
- e.** Serve as Secretariat to the Committee and the subgroups of experts throughout the evaluation process, including preparation of the hemispheric report at the end of each round.
- f.** Prepare, together with the President of the Committee and the Coordinators of the subgroups, the draft final report to be submitted to the Committee, pursuant to Article 24.
- g.** Prepare the draft Annual Report on the activities of the Committee and, once said Report is adopted by the Committee, forward it to the Conference
- h.** Serve as a custodian for all the documents and files of the Committee.
- i.** Disseminate, by electronic mail, the Internet, or any other means of communication, information and public documents related to the MESECVI, as well as the country and hemispheric reports at the end of each round, once they are made public in accordance with these Rules and the Statute.
- j.** Serve as the central coordinating and contact point for the delivery and exchange of documents and communications among the experts, as individuals or as a Committee, with the Conference, OAS organs, and other organizations or institutions.
- k.** Notify the Committee members of communications received for their consideration.
- l.** Prepare the minutes of Committee meetings and maintain its files.
- m.** Provide advice to the Committee members on the performance of their responsibilities, when requested.
- n.** Promote and organize technical cooperation programs in conjunction with other international organizations and cooperation agencies to

support the States Parties in their efforts to implement recommendations of the Committee.

- o.** Prepare the draft form to be used for follow-up on implementation of the recommendations to countries and present it to the Committee for approval.
- p.** Any other responsibilities that the Committee may assign to it or that pertain to the Secretariat for the effective fulfillment of its responsibilities.
- q.** Report to the Committee, any situation, at the regional or country level, that merits its particular attention and prepare, as appropriate and at the request of the President, the required communications, in accordance with the guidelines approved for that end.

Article 8. Headquarters

Pursuant to provision 7.1 of the Statute, the Committee shall have its headquarters at the Executive Secretariat of the CIM.

The Committee may hold meetings in a State Party other than the country where the headquarters is located, in accordance with Article 11.1 of the Statute.

Article 9. Competent National Authority

Each State Party shall appoint a competent national authority to liaise with the Secretariat of the MESECVI.

Article 10. Observers

Pursuant to provisions 4.1 and 10.1 of the Statute, OAS Member States not party to the Convention may be invited to observe plenary meetings of the Committee if they so request.

Article 11. Special Guests

Experts may propose to the Committee, through the President, that special guests participate in the meetings for the exchange of information, experiences, and best practices.

Article 12. Financing. Voluntary Contributions and Solidarity Sub-fund

Committee activities shall be financed in accordance with Article 11.1 of the Statute, which establishes a specific fund.

In the framework of Article 11.1 of the Statute, a solidarity sub-fund shall be established to ensure the participation of Experts from countries that, owing to special circumstances, are unable to finance their participation. Said solidarity sub-fund will be managed by the Technical Secretariat of the MESECVI.

States and/or organizations making voluntary financial and technical contributions, and contributions in kind, should clearly indicate the intended use of said contribution. Similarly, additional resources will be identified with the support of international cooperation agencies and/or multilateral organizations.

At each meeting of the Committee of Experts, the date of the next meeting shall be set. Three months prior to this date, the President of the Committee shall request that the Technical Secretariat begin the relevant procedures with the States Party, such that, in accordance with Article 14 of these Rules, the participation of the Expert and the established quorum may be guaranteed.

Article 13. Languages

The working languages of the Committee are the languages of the States Parties, which are also the official languages of the OAS.

Article 14. Quorum

Quorum for meeting shall be constituted with the presence of one half plus one of the Experts effectively designated before the Committee, as long as they are not less than twelve (12)

The States Parties shall designate their alternate experts for each round or before the celebration of a meeting.

Article 15. Decisions

As a general rule, the Committee shall adopt its decisions by consensus. In those cases where there is a controversy with regard to a decision, the President shall use his or her good offices and all means at his or her disposal to try to reach a consensus.

If this path has been exhausted and a decision by consensus is not possible, the matter shall be put to a vote. Decisions that concern the adoption of a country's final report or amendment of these Rules shall be taken with a vote in favor of at least twelve (12) experts.

Votes may be in favor, against or abstentions. No expert will participate in the voting regarding the draft report of his/her own country.

Article 16. Communications and distribution of documents

In order to ensure their prompt distribution and reduce the respective costs, all communications between the Secretariat and the experts and vice-versa, as well as documents to be considered by the latter, as individuals, in review subgroups, or in plenary meetings of the Committee, shall be transmitted via electronic mail, with a copy to the Permanent Mission to the OAS of the respective State Party.

Replies of States Parties to questionnaires as well as any other document or information arising out of the evaluation process should be sent to the Secretariat of the Committee, via the permanent missions, using e-mail, fax, or the post office.

III. MULTILATERAL EVALUATION PROCEDURE

Article 17. General Considerations

Reports of all States Parties shall be analyzed simultaneously in an initial multilateral evaluation round, which may be followed by further evaluation rounds, the methodology and content for which shall be determined subsequently by the Committee.

The duration of the rounds shall be two years, with the third year being devoted to follow-up of the recommendations arising out of each round.

Article 18. Questionnaire, Work Plan, and Evaluation Methodology

The Committee Secretariat shall prepare the draft questionnaire, draft work plan, and draft methodology for evaluating implementation of the provisions of the Convention and shall forward them to the experts of all the States Party.

The Committee shall adopt the final versions of the questionnaire, work plan, and the method for evaluating.

The Secretariat of the Committee shall remit the questionnaires to the competent national authority responsible for coordinating the reply of each State Party and to the permanent missions.

Article 19. Replies of States Party to the Questionnaire

The States Party shall forward the responses to the questionnaire to the Technical Secretariat of the MESECVI, via the Permanent Missions to the OAS, within three months of the receipt of this questionnaire, together with an executive summary report on the status of violence against women in the respective country, and the achievements, difficulties, and areas in which they consider that cooperation could be strengthened.

States Parties can request one renewal for three months.

Article 20. Subgroups to Review Information and Prepare Preliminary Reports

The Committee, based on the proposal prepared by the Secretariat in collaboration with the President, shall determine the composition of review subgroups and assign tasks randomly, bearing in mind the legal tradition of the country reviewed, regional representation, language considerations, and the equitable distribution of work among all the experts.

Subgroups shall prepare preliminary country reports to be submitted subsequently to the Committee plenary for consideration.

No expert may take part in the preparation of the preliminary report of his or her own country.

Article 21. Review of Information and Preparation of the Preliminary Report

Once the responses to the questionnaire are received, the procedure shall be as follows:

- a. With the support of the Technical Secretariat, each Expert in each of the review sub-groups shall, prior to the meeting of the Committee, receive and analyze the information provided by the States Party assigned to his or her sub-group and prepare a draft preliminary report for a country that will be assigned to him/her, for subsequent review by the sub-group.
- b. Once the meetings of the review sub-groups have concluded, the draft preliminary reports will be discussed by the plenary in accordance with Article 23 of these Rules. The Technical Secretariat shall circulate the preliminary report to the Competent National Authority and to the corresponding Permanent Mission in order for the latter to submit such comments and clarifications as it deems pertinent within the timeframe established by the Committee. This information will be circulated to the Experts of the sub-group for consideration during its next meeting.
- c. Based on the responses of the State Party to the preliminary report, the Expert assigned to study it will prepare a revised version of the report and forward it to the Experts who comprise the review sub group, at least thirty (30) days prior to the next meeting of the Committee, which will consider it in plenary session.
- d. At each meeting of the Committee, the President will notify it of any case in which reports and/or additional information requested have not been received. In such cases, the Committee may communicate to the State Party in question, via the President, a reminder of the presentation of the report and/or additional information.
- e. If, two months after the reminder mentioned in paragraph d) has been circulated, the State Party still has not presented its report or the additional information requested, the Committee may include a reference to this respect in the annual report of the MESECVI to the General Assembly of the OAS.

Article 22. Length and Format of Country Reports

The Committee shall consider and approve the structure of country reports in accordance with the modalities approved for each round. All country reports shall have the same structure. They must be concise and no more than 20 pages in length.

Article 23. Consideration and Adoption of Country Reports

For the consideration and adoption of country reports, the following procedures shall be followed:

- a.** All of the experts shall have access to the questionnaire responses and comments submitted by the States Parties.
- b.** The review subgroups shall examine the revised version of the corresponding preliminary reports and prepare the draft country reports, which the assigned expert shall submit to the plenary of the Committee for its consideration.
- c.** The plenary of the Committee may make any changes it considers necessary to the draft country reports, which shall contain the conclusions and recommendations deemed to be pertinent.
- d.** The Secretariat shall correct the draft country reports in the manner agreed upon by the Committee and present them for approval.
- e.** Once the country reports are approved, they shall be sent to the competent national authority and the corresponding Permanent Mission. The States Parties may submit additional observations within the time allowed by the Committee.
- f.** The Committee will be able to celebrate meetings with states Parties, at their request. Their request shall be processed through the Technical Secretariat, in accordance to the guidelines approved to this end.

Article 24. Final Report

Upon conclusion of a complete evaluation round, the Committee shall adopt a final report, which shall include the country reports and observations of the States Parties. Likewise, it shall include an overall and comprehensive review (hemispheric report) that identifies strengths and weaknesses in implementation of the Convention.

The hemispheric report shall contain, among other things, the conclusions and recommendations of the Committee based on the country reports, to strengthen hemispheric cooperation in implementing the Convention, especially the provisions considered in said round.

The President of the Committee shall present the final report to the Conference. Subsequently it shall be made public and submitted to the Assembly of Delegates of the CIM and the OAS General Assembly.

IV. FOLLOW-UP

Article 25. Follow-Up

Follow-up of the implementation of recommendations shall be carried out in the calendar year following approval of the country reports.

The MESECVI Technical Secretariat shall send each State Party the form approved by the Committee for follow-up of the implementation of recommendations in order for them to indicate the progress made in this regard, on the date set by the Committee, in accordance with the provisions of Article 7.o) of these Rules.

The replies of countries shall include specific measures adopted to move forward in the implementation of each recommendation. Countries may indicate their needs for technical or other assistance related to the implementation of recommendations.

The Secretariat shall compile the replies in a preliminary document, which will be used by the Committee to prepare its draft report on implementation of recommendations, in accordance with the provisions of Article 7.o) of these Rules.

When the review of the reports of all States Parties is over in each round, the Committee shall issue a report on the implementation of the corresponding recommendations, which includes the observations of each analyzed State Party.

The Committee, through the Technical Secretariat, will be able to invite a State Party that has indicated its need for technical assistance, or assistance of another nature, to include in its report, presented pursuant

to article 24 of the Rules, details the adopted measures in response to the conclusions, observations and recommendations of the Committee.

At each meeting of the Committee, the Technical Secretariat will inform on those cases in which a report and/or additional information requested has not been received, in accordance with the provisions of Articles 21 and forth of these Rules of Procedure.

Upon completing the review of the reports of the States Party in each Round, the Committee will issue a final report with the corresponding recommendations, which will include the observations of each State party under analysis.

The publication of this report on the implementation of the recommendations shall be submitted to the approval of the Conference. As soon as this is public, it will be elevated to the Delegates Assembly of the CIM and the OAS General Assembly.

At each meeting of the Committee, the Technical Secretariat will inform on those cases in which a report and/or additional information requested has not been received, in accordance with the provisions of Articles 21 and forth of these Rules of Procedure.

Article 26. Reports in the framework of Plenary Meetings of the Committee

At the beginning of each Committee meeting each of the States Parties may present, in writing, information on the measures it has adopted between the previous meeting and the present one aimed at making progress in implementing the Convention. The Secretariat shall always include this issue in the draft agenda for each Committee meeting.

Article 27. Technical Assistance Visits

With a view to providing assistance to the States Party in the fulfillment of their obligations under the Convention, or as part of the follow-up of the Recommendations, by request a State Party, the Committee may conduct on-site visits to the States Party, for which it will designate at least two Experts. For the effective fulfillment of this provision, the necessary facilities and guarantees will be requested, and provided by requesting State Party.

V. PARTICIPATION OF CIVIL SOCIETY ORGANIZATIONS

Article 28. Participation of Civil Society Organizations

Upon the publication of the documents containing the draft questionnaires and working procedures and any other public documents that the Committee deems appropriate for dissemination, civil society organizations, women's organizations, women's movements, can:

- a. Present, through the Secretariat, specific proposals to be considered in the drafting process referred to in the foregoing paragraph. These proposals should be presented in electronic format, within the timeframe established by the Technical Secretariat, and they shall be made available to the public;
- b. Present, through the Technical Secretariat, specific information directly related to the questionnaire and to implementation of the analyzed provisions of the Convention during the round. This information shall be presented in electronic format, within the same time period allowed for States Party to respond to the questionnaire.

The Secretariat shall forward the information that complies with the terms and conditions referred to in this Article both to the State Party under analysis and to the experts in the corresponding review subgroup.

- c. Present proposals related to the collective interest issues to be addressed at the Committee meetings. These proposals shall be presented, through the Secretariat, with a copy in electronic format, no later than one month before the date of the meeting in which the Committee shall consider these issues.

The Secretariat shall forward these proposals to the States Parties and to the experts.

Article 29. Distribution of Information and Proposals put forward by Civil Society Organizations

The information and proposals presented by civil society organizations, in accordance with the provisions in the foregoing article, shall be distributed in the language in which they were presented.

The information and proposals presented by civil society organizations that are not in electronic format shall only be distributed at the Committee meeting when they are no more than ten (10) pages long. If they are longer, civil society organizations, women's organizations, women's movements shall provide the Secretariat with copies for distribution.

Article 30. Participation of Civil Society Organizations in Committee Meetings

The Committee may accept requests from civil society organizations, women's organizations, women's movements to give a oral presentation, prior to the start of the formal meeting of the Committee, of any information and proposals they have submitted pursuant to Article 28 of these Rules. The Committee shall decide how long the verbal presentation may last.

In the same manner, the Committee can invite representatives of civil society to make oral statements during the Committee's meetings, if it determines so, and to present information or documents that are pertinent to the activities of the Committee, in accordance with the provisions of the Convention, in the sessions of the Committee or the working group, before the period of sessions.

The Committee can celebrate meetings with the States Party, as requested; The request will be transmitted through the Technical Secretariat, in accordance with the guidelines agreed to that purpose.

VI. ENTRY INTO FORCE AND AMENDMENT OF THESE RULES OF PROCEDURE

Article 31. Entry into force and amendment of the Rules

These Rules shall enter into force upon their adoption by the Committee and the Committee may amend them in accordance with Article 15 of these Rules. Once they have been adopted, the Rules shall be distributed by the Secretariat among the States Parties.

