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REPORT OF THE TECHNICAL SECRETARIAT OF THE MESECVI TO THE THIRTY-FOURTH ASSEMBLY OF DELEGATES OF THE CIM ON PROGRESS MADE WITH IMPLEMENTATION 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)

(Agenda item 5.a)

REPORT OF THE TECHNICAL SECRETARIAT OF THE MESECVI TO THE THIRTY-FOURTH ASSEMBLY OF DELEGATES OF THE CIM ON PROGRESS MADE WITH IMPLEMENTATION 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)

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) this report is made to the Thirty-fourth Assembly of Delegates of the CIM on the work done since November 2006, the date that the last Regular Assembly of Delegates was held. All documents and background information referred to herein are published on the web page of the CIM, in the MESECVI section.

1. BACKGROUND

1.1. Establishment of the 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 document proposing a follow-up of the mechanism and conducted prior conversations with the member states, specialized international organizations, and civil society.

In June 2004, continuing the process initiated in 2002, a Meeting of Government Experts was convened; it was held on July 20-21, 2004 to examine the mechanism proposed and make recommendations to the states parties. 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 Parties 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 Parties 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 Parties expressed their political will to have a consensus-based and independent mechanism, to which they would submit progress reports, in compliance with the Convention, and they agreed 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 Parties to the Convention, to contribute to achieving the purposes established in it, and to facilitate technical cooperation between the States Parties, 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 Parties.

The Mechanism consists of two bodies: The Conference of the States Parties, which is the political body, comprised of the representatives of the States Parties; 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 a selection of the provisions of the Convention whose implementation it will be examining. On the basis of the states' replies to the questionnaires and on the basis of the information that is gathered, the Committee will issue a final report with the corresponding recommendations, which it must follow up on. Once the final report has been adopted by the Conference, it shall be published.

2. Implementation of the MESECVI - First Multilateral Evaluation Round

As of the date of this report, the MESECVI has 29 experts and 28 Competent National Authorities (CNAs). With regard to the First Multilateral Evaluation Round, launched in November 2005 with the forwarding to the CNAs of the evaluation questionnaire prepared by CEVI, twenty-eight States Parties answered the questionnaire; the experts prepared 28 preliminary country reports, and 13 CNA's sent their comments to these preliminary reports.

In the framework of the First Round, in July 2008, the MESECVI completed the stage of State Party evaluation with the adoption by the Conferences of States Parties of the country reports and the Hemispheric Report, which contain recommendations to the states for better implementation of the Convention.

At present, this First Round is at the stage of monitoring implementation of the recommendations of the CEVI to the states, whose estimated completion date is mid-2009. In late August 2008, the Secretariat forwarded to the permanent missions to the OAS and the CNAs the document containing the indicators for monitoring implementation of the CEVI's recommendations, which is to be returned by the States Parties with the information requested by November 30, 2008.

In accordance with Article 8.2 of the Statute of the MESECVI, the Secretariat is to present to this Assembly the final report of the CEVI. For budgetary reasons, it has been published on the CIM webpage, and the Hemispheric Report, and the Decisions, Conclusions, and Agreements of the Second Conference of States Parties will be distributed at the Thirty-fourth Assembly of Delegates.

2.1. Committee of Experts (CEVI)

The First Meeting of the CEVI was held August 22-24, 2005, and the Second Meeting of the CEVI on July 24 and 25, 2006, both in Washington, D.C. Reports thereon were given at the CIM Assembly held in 2006.

The MESECVI's Third Meeting of the Committee of Experts (CEVI) took place in the *Palacio San Martin*, the Ministry of Foreign Affairs, in Buenos Aires, Argentina, on July 18 to 20, 2007.

On that occasion, the CEVI listened to the presentations of the national and international civil society organizations dedicated to eradicating gender-based violence. The Committee also reviewed and approved the country reports. It also received comments on the Hemispheric Report and adopted it, instructing the Secretariat to make the corresponding corrections and proceed to distribute it to the experts so as to confirm that their comments had been included. It was decided that, to monitor the recommendations to governments made by experts, it was necessary to engage a consultant to develop proposed questionnaire-based indicators that would make it possible to measure progress more effectively. Finally, in accordance with the CEVI Rules of Procedure, the Argentine expert was elected as the new Coordinator and the expert from Guatemala was elected as Alternate Coordinator for a period of two years.

The results of this meeting can be found in the Final Minutes, which is available on the CIM webpage, under the MESECVI file: http://www.oas.org/cim/Spanish/MESECVI-indice.htm

Lastly, the Fourth Meeting of Experts (Washington, D.C., August 13 to 15, 2008) began with the official launch of the Hemispheric Report and the holding of the **Seminar on Strategies for Monitoring Implementation of the Recommendations of the Committee of Experts (CEVI) to the Governments.** Taking part in the meeting were eminent specialists of international organizations, civil society, and academia, who presented to the CEVI their suggestions for developing strategies to monitor the implementation of the recommendations made to the governments in the Hemispheric Report. In view of the event's success, the presentations have been made available on the CIM webpage, in the MESECVI section.

The Committee approved a declaration on femicide, as well as the indicators for monitoring implementation of the recommendations. Each expert was assigned a new country for analysis. It was decided that the expert who had formerly participated in a country's evaluation would provide support to the expert who was now to evaluate that country. The Secretariat was also instructed to begin to prepare the questionnaires and schedule of activities, thus beginning the preparations for the next Multilateral Evaluation Round.

2.2. Second Conference of States Parties

The Second Conference of States Parties was held on July 9 and 10, 2008, in Caracas, Bolivarian Republic of Venezuela. Twenty-one States Parties to the Convention were represented. At the opening session, all sectors of government and civil society were represented. Taking part were the Executive Secretary of the Inter-American Commission of Women (CIM), Carmen Lomellin, in representation of the Secretary General of the Organization of American States; the President of the National Women's Institute of Mexico (INMUJERES), María del Rocío García Gaytán, in representation of the Chair of the Conference of States Parties to the MESECVI; the Minister of State for Women's Issues of the Bolivarian Republic of Venezuela, María León, and the Minister of Foreign Affairs of the Bolivarian Republic of Venezuela, Nicolás Maduro, who closed the session.

At the outset of the Second Conference of States Parties, the Bolivarian Republic of Venezuela was elected to serve as its new Chair until its next meeting. The Dominican Republic was reelected First Vice Chair and Mexico was reelected Second Vice Chair. Also adopted were the Rules of Procedure of the Conference of States Parties and the Decisions, Conclusions, and Agreements of the Second Conference of States Parties to MESECVI. Subsequently, the meeting received the final report of the Coordinator of the Committee of Experts to the Conference of States Parties, which contained a presentation of the country reports and the Hemispheric Report. Next, the CIM Executive Secretariat presented a summary of the report of the Technical Secretariat on the status of implementation of the mechanism. In accordance with Article 8 of the new Rules of Procedure of the Conference, the Chair invited the delegations to present their offers to host the Third Conference of States Parties, indicating that if no offers were received, her country would be willing to host it on the next occasion. The delegation of Guatemala indicated the decision of its government to offer to host the conference. This offer was accepted with enthusiastic applause.

2.3. Activities

2.3.1. States Parties

The National Women's Institute of Uruguay, Interagency Commission for Gender Issues in the International Arena, Ministry of Foreign Affairs, with support from the *Agencia Española de Cooperación Internacional para el Desarrollo* [Spanish Agency for International Development Cooperation] (AECID) and the CIM, organized the international seminar "International Agreements as Instruments for Eradicating Violence against Women. The Convention of "Belém do Pará," held on Thursday, September 11, in the auditorium of the University of the Republic. The seminar was targeted at public decision-makers with responsibility for the prevention, punishment, and eradication of violence against women: ministerial authorities, national legislators, departmental authorities, court appointed defenders in the area of family law, prosecutors, attorneys of technical care services teams specialized in domestic violence, civil society organizations working on issues of violence again women, city and town halls, and local bar associations, among others. The event's most important objective was to present the report of Uruguay approved by the CEVI. Invited to participate as panelists were, among others, the Coordinator of the CEVI, the Expert of Uruguay, and the MESECVI Technical Secretariat.

2.3.2 Technical Secretariat

On August 22, 2007 the CIM Executive Secretary made a presentation to the Permanent Council regarding the results of the Third Meeting of the CEVI.

In December, the Secretariat made a presentation to the CAUCUS of Caribbean ambassadors to inform them of the progress being made with the Mechanism, the appointment of experts and national competent authorities, and the comments made by the NCAs of their countries, highlighting the fact that some governments had not yet appointed representatives to be a part of the MESECVI bodies.

The CIM's Executive Secretariat met again in the first part of 2008 with the Caribbean CAUCUS in order to reiterate the need to strengthen the participation of all countries of this sub-region.

2.3.3. Dissemination

For broader dissemination of the MESECVI**,** the Secretariat has issued three special publications. The first was an informational brochure on the Mechanism and its operation. Printed in mid-2007 in the four official languages of the OAS, it has been distributed since that time at all activities of the Mechanism.

The second was published in August 2008, and contains the Hemispheric Report and the Decisions, Conclusions, and Agreements of the Second Conference of States Parties to MESECVI. The third, published on the same date, contains a compilation of the basic documents of the MESECVI, including the Convention of Belém do Pará, the Statute of the MESECVI, and the Rules of Procedure of the Conference of States Parties and of the Committee of Experts (CEVI).

The country reports and the Hemispheric Report of the First Multilateral Evaluation Round are available via the web portal of the MESECVI, at: http://portal.oas.org/Portal/Topic/ComisiónInteramericanadeMujeres/ViolenciacontralaMujerMESECVI/Reuniones/ConferenciaEstadosParte/Reunión2/tabid/1385/language/en-US/Default.aspx

3. FINANCING THE MESECVI

On January 18, 2007 the Technical Secretariat held a meeting with the office of the Secretary General, in order to present to him the financial and human resource requirements of the MESECVI. Documents were prepared with relevant information regarding the importance of the subject of violence, the structure of the Mechanism, and the work of the Secretariat. His support was sought for hiring sufficient personnel and resources, providing a table comparing the MESECVI with the two other convention follow-up mechanisms, the Multilateral Evaluation Mechanism of the Inter-American Drug Abuse Control Commission (MEM-CICAD) and the Follow-up Mechanism of the Inter-American Convention against Corruption **(MESICIC**). The Secretariat also sent him a proposal on holding a seminar for the Caribbean countries on the operations of the MESECVI for CNA's and experts in this region.

In September the Technical Secretariat sent the OAS Director of External Relations three project proposals for the MESECVI, with the goal of obtaining external funding for their implementation. Funds were requested to construct a special webpage for the Mechanism, to hold a forum with nongovernmental organizations dedicated to the issue of gender-based violence and to carry out training and dissemination seminars on the MESECVI. So far, these projects have not yet the funding needed for execution.

On October 3, 2007, in compliance with **Agreement No. 6 of the Executive Committee**, the CIM President sent note No. 10-061/07, **urging** the Principal Delegates of the States Parties of the Convention of *Belém do Pará* to take the necessary measures to alert their governments about the current financial needs of the MESECVI. This note highlighted the urgency of making a contribution to the specific fund created to finance the mechanism. It also urged them to encourage their governments, through the framework of the Committee on Administrative and Budgetary Affairs of the Permanent Council, to authorize funding for the MESECVI from the OAS Regular Fund, as is the case of the other follow up mechanisms that operate within the OAS General Secretariat.

In response to the interest shown by some of the governments, the Technical Secretariat sent them a note requesting that they explore the possibility of commissioning a person for the MESECVI, to ensure continuity of the Mexican Government's initiative, which for two years (2006 and 2007) commissioned an official from the Foreign Service to support the activities of the Mechanism. Regarding the operation of the MESECVI during this First Round, on February 1, 2006, the Government of Mexico made an additional contribution to the MESECVI by commissioning Flor de Lis Vasquez, official of the Mexican Foreign Service, to aid the CIM in the implementation of the Mechanism. After two very productive years working with MESECVI, Flor de Lis Vásquez completed her assignment on December 31, 2007.

4. LESSONS LEARNED FROM THE MULTILATERAL EVALUATION PROCESS AND RECOMMENDATIONS ON WAYS TO STRENGTHEN IT

The work done during this first Multilateral Evaluation Round allows us to analyze the process and draw conclusions and lessons from it that can turn into recommendations applicable to future rounds:

a. The time programmed for the first round (two years) turned out to be longer than that allowed under the Statutes, partly because of the additional round of questions that the CEVI decided to ask at its second meeting. It was deemed necessary to engage in an additional consultation with governments that lengthened the time allowed for evaluation by the CEVI. The CNA's were not able to provide their comments on time, which meant that the meeting for the Second Conference of States Parties was delayed. That means we now have a realistic notion of the time needed for the evaluation process.

b. The experts deserve to be congratulated on their well-organized and conscientious work in responding to the questionnaires, producing country reports and the Hemispheric Report, and, based on those efforts, making recommendations that will have a positive impact on implementation of the Convention of *Belém do Pará* by the

States Parties. They managed all that despite the logistical or financial difficulties they encountered in their countries of origin in preparing the reports and attending the Committee meetings.

c. Among the procedural difficulties that the CEVI has to deal with are the non-existent or scant information received by some CNA's in some areas and delays in receiving replies from some States Parties. It is essential that States lend their full support so that the experts can perform their work more efficiently.

d. How the Conference would function was not established for lack of Rules of Procedure to govern its activities. The election of its officers and adoption of its Rules of Procedure at this meeting will allow it to function in a more focused and efficient manner. The active participation of the new officers of the Conference of States Parties (CSP) will improve coordination and support for activities with the Technical Secretariat and with the CEVI.

e. The CSP needs to do more to disseminate the Mechanism among national authorities and civil society organizations. That will boost the MESECVI and render it more transparent and effective.

f. One of the biggest challenges is finding the resources needed for the MESECVI to devise strategies that will strengthen it. It is essential to obtain support from the States Parties to the Convention for the temporary assignment of a staff member to work in the Technical Secretariat, as well as financial support for the MESECVI. That support is indispensable if the MESECVI and the process of implementing the Convention are not to be interrupted. Likewise, it is necessary that the OAS General Secretariat support the Mechanism, by assigning personnel and financial resources.

g. For the next phase of follow-up to the recommendations of the CEVI, it is essential to have a specific and sustained commitment by governments to maintain the improvements achieved in each country. That will also help us to know what challenges each country faces and to see whether there are bilateral or multilateral forms of cooperation that could help overcome them.

h. It is necessary to establish closer ties with the Inter-American Commission on Human Rights (IACHR), especially with the Rapporteurship on the Rights of Women, in order to join forces in promoting implementation of the Convention of *Belém do Pará*.

5. RESOLUTIONS ADOPTED BY THE OAS GENERAL ASSEMBLY 2006-2008

The thirty-sixth regular session of the General Assembly of 2006 adopted resolution AG/RES. 2162 (XXXVI-O/06), which took note of the report on the implementation of the MESECVI and invited all the governments to contribute to the specific fund created at the OAS to finance it.

In 2007, the thirty-seventh regular session of the OAS General Assembly adopted AG/RES. 2330 (XXXVII-O/07), which welcomed the progress of the first multilateral evaluation round of the MESECVI; congratulated the states parties on their efforts to meet the objectives of the Convention, and urged the states parties to the Convention as well as all member states of the OAS to strengthen the MESECVI and hemispheric cooperation to combat violence against women. It also invited all states parties and states not party to the Convention, permanent observers, international financial institutions, and civil society organizations to contribute to the Specific Fund established in the OAS to finance MESECVI's operations, and requested the Secretary General to allocate more human, technical, and financial resources to enable the CIM to continue supporting the implementation of the MESECVI.

Finally, the thirty-eighth regular session of the OAS General Assembly, through resolution AG/RES. 2371 (XXXVIII-O/08) reiterated to member states its satisfaction with the progress achieved in the first multilateral evaluation round. The Assembly also thanked the Government of Mexico for its ongoing contribution to strengthening the Mechanism; the Government of the Argentine Republic for having hosted the Third Meeting of the CEVI; and the Government of the Bolivarian Republic of Venezuela for its offer to host the Second Conference of States Parties and the Fourth Meeting of the CEVI.

At the same time, the Assembly encouraged the states parties to the Convention to provide economic support or human resources to the MESECVI, and to appoint their Expert and Competent National Authority, if they have not already done so.

Finally, it requested the Secretary General, in accordance with available financial resources, and with the agreement of the Committee on Administrative and Budgetary Affairs (CAAP), to allocate the human, technical, and financial resources needed to enable the CIM, inter alia, to continue supporting the implementation of the MESECVI.