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**Follow-Up to the *Convention of Belém do Pará* - Results of the  
Subregional Meetings of Experts - Strategies to be Followed**

(Item IV a of the Agenda)



## **Follow Up to the Convention of Belém do Pará - Results of the Subregional Meetings of Experts- Strategies to be Followed**

### **D) BACKGROUND**

Violence against women, in all its forms, has been a central concern of the Inter-American Commission of Women for many years. In 1986, the CIM began an analysis of violence affecting women and, among other measures adopted the Plan of Action “Full and Equal Participation of Women by the Year 2000”, in which violence against women was considered, along with other topics, in the chapter on areas of special concern.

In 1990, the CIM convoked the Inter-American Consultation on Women and Violence. The CIM Assembly of Delegates approved the conclusions and recommendations of this meeting, adopting the Declaration on the Elimination of Violence against Women, which called for the drafting of an inter-American convention on violence against women.

The CIM prepared the draft Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women. After a consultation process conducted by the CIM with the region’s governments, the Convention was adopted in June 1994 by the OAS General Assembly at its twenty-fourth regular session, held in Belém do Pará, Brazil. The Convention was immediately ratified by the member states and entered into force on March 5, 1995. Pursuant to the mandates assigned by the OAS General Assembly and its own Assembly of Delegates, the CIM has made violence against women one of its priority areas of action.

The entry into force of the Convention of Belém do Pará was a highly significant event for women, marking the beginning of a long and difficult process of change. Five years later, in 2000, the CIM considered that it should analyze in detail the achievements after implementation of the various measures envisaged in the Convention, and what remains to be done.

With USAID funding, the CIM undertook the project “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 “Convention of Belém do Pará”” The objective of the project was to evaluate national programs to prevent, punish and eradicate violence against women, based on an analysis of the replies of member states to a questionnaire sent by CIM. The analysis also included on-site studies conducted in certain countries of the Americas through consultations and interviews with representatives of governmental agencies, non-governmental organizations, universities and national bodies.

*The International Centre for Criminal Law Reform and Criminal Justice Policy of Canada (ICCLR) and the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) partnered with CIM in this project, preparing a report on the status of the implementation of the Convention. These two international organizations are members of the United Nations Crime Prevention and Criminal Justice Programme’s Network of Institutes involved in this area of study. Their analysis focused on: (i) the nature of perceived efficiency of mechanisms for implementation and programs adopted by various countries of the*

Americas; (ii) specific measures adopted in those countries, and their perceived or known impact; and (iii) difficulties and obstacles encountered in the implementation of such measures.

## **II) MEETINGS OF EXPERTS**

Before the initial launch of the research project, the CIM proposed to hold four subregional meetings of experts, with the participation of its Principal Delegates and civil society organizations with experience in this area, so as to obtain their comments and contributions to the development of regional strategies that could help in accelerating implementation of the Convention's objectives. An additional aim was to improve the indicators to measure gender based violence with a view to continuing the review process.

The first subregional meeting was held in Montevideo, Uruguay, on December 7 and 8, 2000, and included the participation of countries of the Mercosur Subregion as well as Bolivia and Chile. The second meeting took place in Quito, Ecuador, on June 21 and 22, 2001, and included representation from the Andean Subregion of Colombia, Ecuador, Peru and Venezuela. The third meeting took place in Panama City, Panama, on August 27 and 28, 2001, and included experts from Central America, Mexico, Panama and the Dominican Republic. The final and most recent meeting of the Caribbean Subregion took place in Georgetown, Guyana, on June 20 and 21, 2002.

## **III) COMPARATIVE ANALYSIS OF VIOLENCE IN THE FOUR SUBREGIONS**

### **a) COMMON OBSTACLES**

Obstacles remain in the successful implementation process of the objectives outlined by the Convention of *Belém do Pará*. While some subregions identified specific challenges, the four subregions also share obstacles in the areas of: Information and Records, State Involvement/Commitment, Budget Allocations/Resource Scarcity, Access to Justice, Coordination in Civil Society, Systematic Discrimination, Access to Care & Protection of Victims and Education Training. A detailed analysis of each follows and a comparative table is available in Annex 1.

#### **Information and Records**

The difficulty in obtaining information and statistical records on violence against women impedes the process of measuring data by set indicators. In the meetings, it was noted that a system of indicators was needed to measure the impact of policies to eventually be used in amending existing state policy. Another obstacle was the lack of a national system of records on violence broken down by gender and sex as well as statistical information on acts of violence committed against women by officials. Also highlighted was a lack of research into the causes, prevalence and consequences of violence against women.

#### **State Involvement**

State involvement remains an obstacle for many subregions in implementing the Convention's objectives effectively. In the various subregional reports, lack of commitment to the issue and to the obligation of enforcing women's rights are two areas that are repeatedly named as impeding

the process of change. Lack of sustainability of programs and of state-implemented policy reflects a weak political will to confront violence against women as an important issue. Georgetown's meeting highlighted the absence of a comprehensive and integrated policy approach for gender based violence.

### **Budget Allocations**

Insufficient budget allocations and resource scarcity are two other obstacles common to the four subregions. The limitation of funds results in inadequate budget allocation to meet the designated needs of implementation strategies. The point of scant funding by international organizations and cooperative agencies to combat violence against women was also raised.

### **Access to Justice**

Lack of access to justice as well as discriminatory concepts in all areas of law was raised as a concern in the majority of the subregions when confronting cases of violence against women. Insufficient knowledge and awareness of the justice system and the absence of legislative measures to safeguard and protect women were observed as being fundamental obstacles. The reluctance of victims to access judicial process often as a result of fear or economic dependency was also mentioned as an obstacle. It was also reported that the enforcement of legislation introduced by the Convention is not being treated as a priority. The adaptation of national laws to meet the provisions of the Convention is a common challenge for subregional member states.

### **Civil Society**

It is necessary to strengthen state action by seeking greater participation of the private sector in co-founding policies, programs and activities involving gender issues. The valuable presence at the meetings of NGO representation in delegations and consultation was mentioned. Permanent and consistent work with civil society is needed in planning activities for decision-making and preparing public policies for preventing and dealing with violence against women.

### **Systemic Discrimination**

Discriminatory cultural patterns also persist throughout the region. Systematic gender inequality on the socio-cultural level is maintained by values of male power and female subordination. This obstacle was present in all subregions. Media insensitivity can reinforce gender violence instead of working to prevent and eradicate it.

### **Care for Victims**

Major obstacles include the limited reach of efforts to protect and care for victims of violence and a limited ability to protect women at risk of violence. Public policy related to women at risk, women migrants, indigenous and rural women, women in remote areas and other women suffering from severe isolation is insufficient.

## **Education and Training**

It was noted that the level of promotion of women's rights within the school system is extremely low. The issue of violence against women is not readily incorporated in course programs in higher education and technical institutions. There is also a general lack of awareness and knowledge of national and international laws on violence against women on the part of justice administrators and workers. In addition, there is a shortage of professionals trained in providing care for women victims of violence in all sectors (judges, technical staff, officials of the judiciary, police, health officials, teaching staff at all levels and communicators.)

### **b) COMMON RECOMMENDATIONS**

The recommendations by the subregional experts are designed to improve the current state of women facing violence in their communities. The following areas were presented as areas of regional priority: Systematization of Information, State Commitment, Coordination between State and Civil Society, Budgetary Allocations, Access to Justice, Social and Cultural Patterns of Behavior, Training and Education, and Access to Care and Protection for Victims. (See Table of Recommendations, Annex II)

#### **Systematization of Information**

Systematization of Information in the form of data collection and evaluation would provide a basis of comparison for future monitoring efforts. It was suggested that a system of indicators, both qualitative and quantitative, be designed to evaluate the implementation process of the Convention. It was also suggested that the States adopt a system to record and construct statistical information on gender-related violence at all levels. The design of an inter-regional web page was also recommended.

#### **State Commitment**

State commitment to eradicating violence against women was voiced as a priority. Violence against women should be prioritized in the public agenda of the State and measures should be adopted to curb sexual violence and other forms of violence against women in the community. It was recommended that gender equity and equality goals be reaffirmed within the public sector: This would specifically include institutional strengthening of the national machinery for women and support for gender mainstreaming in policies and programs. Policy context should be defined to make the connection between violence against women and the culture of violence. Members of parliament/political leaders and the public service should be targeted for awareness building and training in gender and violence against women.

#### **Budgetary Allocations**

Government budget allocation of funds must increase in order to support existing public policies to combat violence against women. The economic cost of gender discrimination and violence against women must be addressed. Gender analysis of budgets was recommended in order to ground demands for a more equitable/ responsible allocation of resources. The strengthening of

corporate social responsibility in providing valuable partnerships and networks was also called for. Such resources can serve and sustain policies, programs and activities on gender violence.

### **Access to Justice**

The legal system needs to be sensitive to an equal power relation between women and men and to the potential use of the legal system as a weapon to deny or impede justice under the domestic violence law. An evaluation of the justice system is required in order to redress the systemic inequality which the system perpetuates, with particular attention to gender, class, ethnicity and race considerations. It is important to assess the application of laws on violence against women and recommend to the State reforms that might better ensure respect for human rights and justice for women. National legislations, policies, plans and programs should be reviewed to identify discriminatory concepts and practices. Legal aid and advisory services should be improved and a free system of legal representation should be established for victims of violence.

### **Social and Cultural Patterns of Behaviour**

The subregional committees called for eradication of discriminatory social and cultural patterns of behavior that perpetuate inequality between women and men. It was suggested that the media, as an influential source, could be targeted to help curb sexist attitudes and messages that persist in society. Additionally, it was suggested that education models be incorporated in curricula to inform the public of women's right to a life free from violence.

### **Training and Education**

Emphasis was placed on the development of awareness building campaigns at all levels. Programs targeting youth, children and young adults should be established. It was suggested to continue/begin training men and women operators to incorporate a gender perspective in the administration of justice. Strategies should be implemented to measure impact in the long term.

### **Access to Care and Protection for Victims**

Access to care and the physical and psychological protection of victims was an area that appeared in all four subregions. Establishing a standard protocol for health care services and delivery could increase the quality of service for victims. A need for decentralization and a broader geographic coverage was mentioned. The development of programs for integral care of victims throughout their life cycles was suggested. Special attention should be paid to adolescent sex offenders so early intervention can be applied and rehabilitation achieved. Particular attention should be given to the psychological dimension of violence and its effects on victims and on service providers.

### **Civil Society**

All subregional meetings recommended strengthening the link with civil society organizations that work permanently on the issue of violence, to improve the design, implementation and evaluation of public policy in this area. It was recommended to include NGO representation in formal delegations, consultations and processes in order to strengthen partnerships and collaborative efforts.

#### **IV) FINDINGS OF THE CIM PROJECT**

The results of the subregional meetings coincide to a great extent with the findings of the “Violence in the Americas” project, which outlines the following areas as central obstacles impeding the successful implementation of the Convention. (See Annex II)

##### **□ Political Conditions**

Some amount of political instability has weakened the efforts of States Parties to proceed with the reforms they had undertaken to achieve. Political leadership has sometimes been missing or has not been consistently offered. Several proposed reforms have died a “natural death” for lack of effective political leadership and political will to pursue them.

##### **□ Economic Conditions**

Economic disparities among and within countries, economic instability, and underdevelopment have all had a heavy impact on the lives of women. They also affect the ability of the States to provide social protection and social security as well as funding for essential services and for programs to prevent and punish violence against women or provide assistance to victims of violence. Natural disasters and social unrest have also sometimes compounded the problem

##### **□ Lack of Financial and Technical Resources**

Financial resources are often not available to effectively implement the programs that have been mandated by legislation or official policies. Programs, which exist only “on paper” and are only the shadow of what they were initially meant to be, are encountered surprisingly often in the region. Sometimes it is only by the sheer determination of a small group of volunteers that essential assistance programs continue to be offered long after they would normally have disappeared due to lack of funding. In the majority of countries of the region, the need for services and programs is totally out of proportion to the amount of services offered.

##### **□ Socio-Cultural Factors- Systemic Discrimination**

Attitudes, beliefs, and sexist stereotypes persist and continue to be widely held by both men and women. They impede efforts to translate women’s rights into a reality for women. Attitudes and norms which are still prevalent in many parts of the region often devalue women’s work, discourage their participation in political life or the assertion of their legal rights through the legal and political process, discourage and sometimes deny the participation of fathers in family life, child care and the equal sharing of family responsibilities.

❑ **Presence of a Culture of Violence**

All countries of the region are affected by the pervasive effects of a prevalent culture of violence, which trivializes all forms of violence and presents them as inevitable. In the process gender-based violence is also trivialized.

❑ **New Perils**

New problems are arising from the use of information and communication technologies. They facilitate certain types of violence against women such as child pornography, sex tourism or trafficking in women and children for the purposes of all forms of economic and sexual exploitation. They also make the prosecution of such crimes more difficult.

❑ **Poor planning**

In far too many jurisdictions, efforts to combat violence against women are fragmented and poorly coordinated. The focus of these plans is too often on attempting to alleviate the symptoms and consequences of violence against women. They do not specifically address the root causes of gender-based violence. Cooperation between sectors of intervention is rarely efficient and there often is, particularly where financial resources are insufficient, a counterproductive level of competition between service providers and other agencies active in the fight against violence against women.

❑ **Absence of effective monitoring mechanisms**

It seems that progress is too often simply assumed to have taken place. The lack of monitoring mechanisms and accountability measures to ensure the effective implementation of national policies is a major issue in most countries. This is particularly important in the case of policies or measures that are not well received or even resisted by some or parts of the institutions concerned. This is also crucial in the case of some policies, which may be confronted by the prevailing sub-culture in a particular agency or institution.

❑ **Absence of data**

The absence of data is being felt and deplored in most countries of the region. In particular, victimization surveys and standardized data on the experience of women who personally face incidents of violence are lacking. The planning and monitoring of social and institutional change and the evaluation of its impact is not possible without such information.

❑ **Lack of understanding of violence against women and its causes.**

Although a significant amount of new research has been conducted in the region, most of it was conducted in about half a dozen countries. The research and evaluation needs of most other countries with respect to the problem of violence against women remain largely unattended. In particular, research on the effectiveness of various legislative initiatives, procedural reforms and institutional programs continues to be sparse. Research on the links between gender-based violence and various cultural

beliefs and attitudes must be expanded, as must be research on effective means to promote change in these cultural patterns.

The implementation process depends largely on the quality of leadership and the ability to mobilize people and resources. Creating focal points within government agencies and departments has been very successful in promoting change, instituting viable partnerships and mobilizing various sectors to contribute to a national effort. Linkages have been established at the subregional level as well to encourage the exchange of information and resources. Despite what has been accomplished there remain areas that must be addressed in order to successfully implement the Convention. The CIM project, "Violence in the Americas" provides several recommendations for the further success of this implementation.

#### **Recommended Mechanisms:**

- Promoting an awareness of the problem and a respect of the right of women to be free from violence.
- Community mobilization.
- Encouraging communication media to contribute to the eradication of violence against women
- Eliminating legal and customary practices which tolerate or contribute to violence against women.
- Legislation and administration measures to prevent, punish and eradicate violence against women.
- Measures to encourage victims to report and seek protection.
- Preventing institutional violence against women.
- Due diligence in preventing, investigating and punishing violence against women
- Access to Justice
- Eliminating violence against the girl-child
- International cooperation

A more detailed analysis of these recommendations can be found within the original report, however, this list provides a clear picture of what issues remain to be addressed regarding the implementation of the Convention. Despite the findings of the report that point towards additional work in order to successfully combat violence against women, the existence of the project itself is a major accomplishment. In many ways, the CIM project was very innovative. The CIM project was written in November 2000, yet successfully outlined many of the obstacles and recommendations that were later identified by the four subregional meetings coordinated by CIM.

#### **V) STRATEGIES**

1. Since there are no mechanisms yet in the countries to follow up on the implementation of the Convention of Belém do Pará, **the Protempore Secretariats should be in charge of coordinating and facilitating follow up for their subregions**, until a mechanism for the hemisphere is developed.

2. As was recommended at one of the subregional meetings, **it is necessary to reclassify the problem of violence against women.** Violence against women has been approached primarily as domestic violence and legislation adopted to date does not protect specifically and fully women's right to live free of violence in all areas. The 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.

## ANNEX I

<b>OBSTACLES</b>	<b>Montevideo</b>	<b>Quito</b>	<b>Panama City</b>	<b>Georgetown</b>	<b>CIM Project</b>
Lack of Information (data, records, indicators)	√	√	√	√	√
Inadequate State Commitment	√	√	√	√	√
Inadequate State budgetary allocations	√	√	√	√	√
Inadequate adaptation of legislation/access to justice	√	√	√	√	√
Inadequate coordination in Civil Society	√	√	√	√	√
Systematic Inequality/Media Insensitivity/socio-cultural discrimination	√	√	√	√	√
No access to care and protection for victims	√	√	√	√	√
Inadequate Training and Education	√	√		√	
Lack of protection of women at risk (minority, rural, indigenous, girl-child)	√	√			√
Lack of national committees in all member states			√		
Political Instability					√
Economic Instability					√
Presence of a culture of violence					√
New perils (information technology)					√
Poor planning					√

## ANNEX II

<b>RECOMMENDATIONS</b>	<b>Montevideo</b>	<b>Quito</b>	<b>Panama City</b>	<b>Georgetown</b>	<b>CIM Project</b>
Data collection, research and evaluation	√	√	√	√	√
Reaffirm commitment of State		√	√	√	√
Increase budget allocations/ international cooperation	√	√	√		√
Adaptation of laws/access to justice/enforcement of legislation		√	√	√	√
Eradicate systematic inequality/discriminatory social and cultural patterns of behavior		√		√	√
Education, training and advocacy	√	√	√	√	√
Access/quality of care and protection for victims	√	√	√	√	√
Coordination with Civil Society	√	√	√	√	√
Institute media campaigns/ promoting awareness of causes, consequences and costs of VAW		√	√	√	√
Increase networking among national machineries/international cooperation				√	√
Institute intervention models for victims			√		√
Prevent institutional violence/establish sanctions			√		√ health professional can be educators
Include men and the young population in the process of change					√
Girl-child violence		√			√