

## FINAL REPORT

### MEETING OF EXPERTS OF THE ANDEAN SUBREGION: COLOMBIA, ECUADOR, PERU, AND VENEZUELA

#### 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*

(Quito, Ecuador, June 21 and 22, 2001)

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

The Meeting of Experts of the Andean Subregion was held in Quito, Ecuador on June 21 and 22, 2001, attended by delegates from Colombia, Peru, Ecuador, and Venezuela.

The CIM invited each country's Principal Delegate to the CIM and two experts representing nongovernmental organizations in the participating countries. The exception was Ecuador, whose Principal Delegate to the CIM was accompanied by 11 representatives of organizations specializing in the subject. Also attending were the Executive Secretary of the CIM, Carmen Lomellin, and the Principal Specialist of the CIM, Mercedes Kremenetzky.

The Principal Delegate of Ecuador invited representatives from different sectors of the central government, local authorities and nongovernmental organizations from all over the country to form a working group to devote itself exclusively to examining the case of Ecuador. This working group was composed of 36 participants.

The meeting was held at the Hotel Quito. It was sponsored by the following international organizations: CIM/OAS, PAHO/WHO, UNIFEM. It was also sponsored by the nongovernmental organizations *Centro de Investigación de los Movimientos Sociales del Ecuador* (CEDIME) [Research Center on the Social Movements of Ecuador] and *Centro Ecuatoriano para la Promoción y Acción de la Mujer* (CEPAM) [Ecuadorian Center for Women's Advancement and Action]; the National Council on Women (CONAMU), a government agency; and *Coordinadora Política de Mujeres Ecuatorianas* [Ecuadorian Women's Political Coordinator] representing the women's social movement.

Registration of foreign and national participants began at 8:30 a.m. on June 21. Each participant was given a folder containing the following documents:

- Schedule of the meeting
- Report on the CIM Project on National Programs to Prevent, Punish, and Eradicate Violence against Women in the South-American Region.
- The Convention of Belém do Pará five years after. The Case of Ecuador.
- Report on the Meeting of Experts of the MERCOSUR Subregion, Bolivia and Chile.
- The Inter-American Convention for the Prevention, Punishment, and Eradication of Violence against Women "Convention of Belém do Pará".
- Violence against Women and Girls, Situation of Ecuador, 1995-1999, United Nations.
- Women in the History of Ecuador, by Dr. Mercedes Jiménez de Vega.
- Intra-family Violence. Self-instruction courses for health professionals.

The Inauguration Ceremony was held at 9:30 a.m. in the Simón Bolívar Room, with speeches given by Mrs. María Isabel Baquerizo de Noboa, the First Lady of the Nation; Dr. Aasse Smedler, UN Resident Coordinator in Ecuador; Ms. Carmen Lomellin, Executive Secretary of the CIM; and Miryam Garcés Dávila, Principal Delegate of Ecuador to the CIM. Accompanying the Presiding Officers were Dr. Mariana Yépez, Attorney-General; Dr. Lucía Salamea, Director-in-Charge of UNIFEM, Andean Regional Office, and Dr. Carlos María Ocampos Arbo, Director of the Office of the General Secretariat of the OAS in Ecuador. Also attending this ceremony were representatives of international organizations, the diplomatic corps, and high-ranking central and local government officials.

## **II. WORKING PROCEDURES**

Two plenary sessions were held which were attended by all the delegates. In addition three work sessions were held by the two working groups that were formed: one composed of experts from the Andean Subregion, and the other of participants from Ecuador only.

The moderators were Mrs. Miriam Ernst of CEPAM at the plenary sessions; Mrs. Gloria Mayra of *Feministas por la Autonomía*, at the sessions of the Andean Subregion working group; and, at the sessions of the Ecuador working group, Mrs. Nelly Jácome, National Director of Special Police Offices for Women of the Ministry of the Interior of Ecuador.

The first plenary session opened with a presentation by the Principal Specialist of the CIM, Mercedes Kremenetzky, of the results of the Project on 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.

Next to take the floor was Dr. Lucía Salamea, Director-in-Charge of UNIFEM, Andean Regional Office, who spoke about programs on prevention of and response to violence against women in the Andean Region.

Following these two presentations, both governmental and nongovernmental representatives of the countries gave presentations outlining progress and problems connected with measures and programs designed to respond to and prevent violence toward women and to implement the Convention of Belém do Pará.

These presentations provided the general framework for the ensuing activities of both the Andean Subregion and the Ecuador working groups.

The two groups began their work in the afternoon: the delegates of the guest countries and the 11 representatives of Ecuador met in the Simón Bolívar Room; and the representatives of governmental sectors and civil society of Ecuador met in the Cayambe Room. In the latter group, Dr. Rocío Salgado initiated activities with a presentation of the case of Ecuador, since it was she who conducted the research for a study that became one of a set of papers used by the CIM for its Violence in the Americas project.

The activities of the two groups of experts centered on the following thematic areas:

- Legal mechanisms to combat violence
- Public implementation of legal mechanisms
- Response to and prevention of violence in practice.

Activities on June 22 started at 7:30 a.m. with a working breakfast to which representatives of the international press were invited in order to interview the experts of the Andean Subregion and the delegates to the CIM. Afterwards the working groups continued their meetings in the morning and the afternoon.

After the exchange of views and proposals had concluded, the Second Plenary Session was held at 16:30, at which the meeting was informed of obstacles encountered in connection with the implementation of the Convention of Belém do Pará and of recommendations on priority areas for which a consensus had been achieved in each of the working groups.

Following are the conclusions and recommendations prepared by the Andean Subregion working group. Those of the Ecuador working group are attached in **Annex I**.

The Closing Session followed immediately thereafter, with an address given by Dr. Carlos María Ocampos Arbo, Director of the Office of the General Secretariat of the OAS in Ecuador, who underscored the importance of this meeting of experts and the subsequent impact it would have on the countries. Ms. Carmen Lomellin, Executive Secretary of the CIM and the Principal Delegate of Ecuador to the CIM also took the floor to thank the participants and those who helped to organize the meeting.

### **III. PRINCIPAL OBSTACLES IDENTIFIED BY THE GROUP OF EXPERTS OF THE ANDEAN SUBREGION WITH RESPECT TO MEASURES TO IMPLEMENT THE CONVENTION OF BELEM DO PARA.**

The principal obstacle is the lack of genuine commitment to application of the Convention on the part of the governments of the majority of the countries. It was plain that progress had been made in the region as regards recognition of violence against women and inclusion of the issue on the agenda of states. Nevertheless, the following obstacles were mentioned for continued progress in ensuring the effective protection of women's human rights in the Americas.

The meeting welcomed the Call for Action of Symposium 2001 "**Gender Violence, health and Rights,**" held in Cancun, Mexico on June 7, 2001 (**Annex II**)

## **1. INFORMATION AND RECORDS**

- Nonexistence of statistical records on violence broken down by gender and age.
- Lack of a national system of records on violence against women.
- Lack of a system for follow-up, monitoring and evaluation of the issue.
- Lack of a prevalence baseline study to measure impact.
- Lack of statistical information broken down by gender on acts of violence committed against women by officials

## **2. ERADICATION OF STEREOTYPES**

- Lack of systematic and standing state policies to encourage the mass media to conduct campaigns to promote prevention and eradication of violence against women and equality between women and men in society.
- Lack of mechanisms to monitor and regulate programs for mass audiences whose messages contain or reinforce stereotyped patterns of sexist or violent conduct.
- Reproduction through the mass media of gender and social and cultural stereotypes that legitimize subordination of and violence against women.
- Prioritization of family ties over the rights of women, thus promoting impunity for violence against women.
- Permanence of the traditional concept of family, obscuring the existence of other forms of family organization and of the violence that occurs within it.
- Persistence of socialization processes that keep women in subordination.

## **3. COMMITMENT OF THE STATES TO THE ERADICATION OF VIOLENCE AGAINST WOMEN**

- The design and implementation of state policies for the eradication of violence against women do not match the magnitude and seriousness of this problem.
- Absence within the state of an inter-institutional, intersectoral, and inter-disciplinary approach to tackling violence against women.
- Lack of political will on the part of governments for the sustained implementation of public policies to deal with violence against women.
- High turnover of officials and institutional weakness, which undermine the sustainability and continuity of programs on prevention of and response to violence against women.
- Insufficient knowledge, application and observance of the principles contained in the Convention of Belém do Pará in the region.
- Inadequate treatment of violence against women both at the community level and on the part of government officials.
- Predominance of an approach to the issue that fails adequately to connect violence against women with their integral development.

## **4. BUDGET ALLOCATION ON THE PART OF STATES AND OF THE INTERNATIONAL COOPERATION COMMUNITY**

- Insufficient allocation of budgetary resources that prevents ensuring the sustained implementation of state policies and programs to combat violence in a systematic, planned and horizontal manner.

- Inadequate budgets for implementation of policies and programs for women and a tendency to cut those resources even further in times of crisis.
- Absence of an analysis of the cost of violence against women on their economy and on the economy of the countries.
- Scant funding by international organizations and cooperation agencies of measures aimed at the prevention and eradication of violence.

## **5. EDUCATION AND TRAINING FOR ADDRESSING THE ISSUE OF VIOLENCE**

- Existence of stereotypes and practices among justice workers and civil servants in general (teachers, health care personnel, municipal officials, etc.) that tolerate violence against women.
- Inadequate training of officials in different sectors (judges and technical staff and officials of the judiciary, the police, health officials, teaching staff at all levels, and communicators) on the incorporation of the gender perspective and on the issue of violence.
- Failure to include the issue of violence against women in course programs at higher and technical education establishments.
- Lack of awareness and knowledge of national and international laws on violence against women on the part of justice administrators and workers.
- Shortage of professionals trained in providing care for women victims of violence.

## **6. CARE AND COMPREHENSIVE PROTECTION FOR WOMEN VICTIMS OF VIOLENCE**

- Absence of a model system of comprehensive care to deal with the different forms of violence against women.
- Nonexistence or lack of programs on response to violence that take account of women's diversity in terms of race, age, socioeconomic background, and sexual orientation.
- Lack of evaluation and monitoring of quality of attention in state and private services.
- Problems with addressing the issue of psychological violence against women in prevention, care, and rehabilitation.
- Lack of attention paid to the effects that violence against women has on care providers.

## **7. ACCESS TO JUSTICE**

- Difficulty for women to ensure the effective exercise of their rights due to ignorance of those rights and insufficient free and adequate legal protection.
- Insufficient measures to protect and safeguard the rights of women victims of violence.
- Problems with interpretation and application of legal frameworks on violence against women.
- Insufficient knowledge and awareness on the part of justice workers and administrators, which hinders effective use of existing legal, political and social resources.
- Trivialization and tolerance of violence against women by justice administrators.
- Masking of the harm that violence causes to victims and difficulty of ensuring just reparation or compensation.
- Existence of mediation or conciliation in cases of violence against women.

- Existence of discriminatory mechanisms for taking evidence that impede effective access to justice and real exercise of rights for women.
- Insufficient attention paid by the states to solving problems of access to the justice administration and to comprehensive care services for women victims of violence in rural and impoverished urban areas.

## **8. ADAPTATION OF NATIONAL LAWS TO THE PROVISIONS AND CONTENT OF THE CONVENTION**

- Persistence of discriminatory concepts in the legal orders of countries that perpetuate the various manifestations of violence, particularly in provisions that classify sexual offences and in those that protect decency, public morals, and the family.
- Failure to classify as crimes marital rape, sexual abuse within the family, persecution and sexual harassment, child pornography, trafficking of women and children for sexual exploitation, forced prostitution, and violence against women.
- Continued existence of domestic laws that contradict the Convention.

## **9. PROTECTION OF WOMEN AT RISK**

- Inadequate laws or state policies on trafficking in women and children, forced prostitution, child pornography, and sexual tourism.
- Inadequate public policies and programs on response to and prevention of violence for women who are migrants, displaced, indigenous, black, or live in rural or remote areas.
- Masking of violence against women and violation of their human rights in situations of armed conflict.

## **10. PROMOTION OF WOMEN'S RIGHTS AND PREVENTION OF VIOLENCE ON THE PART OF STATES**

- Lack of sustainability in programs on dissemination of women's rights.
- Limited violence-prevention measures.
- Absence of programs designed to change sexist and discriminatory cultural patterns of conduct.

## **11. CIVIL SOCIETY**

- Inadequate participation by civil society in democratic negotiations with states, international organizations and cooperation agencies for defining policies and programs on violence against women.
- Limited use of the Convention of Belém do Pará to enforce respect for women's rights.

## **IV. JOINT RECOMMENDATIONS ON REGIONAL PRIORITY AREAS FOR THE NEXT BIENNIUM. THE GROUP OF EXPERTS OF THE ANDEAN SUBREGION**

## **1. STATISTICAL RECORDS**

- Support the recommendation of the broadened MERCOSUR meeting with respect to a joint regional project sponsored by UNIFEM to collect and systematize information received by the various sectors that deal with situations of violence against women, thus enabling the compilation of accurate, comparative, and timely data.
- Recommend to the states the adoption at all levels of a system to record and construct statistical information broken down by gender.

## **2. ERADICATION OF DISCRIMINATORY SOCIAL AND CULTURAL PATTERNS OF BEHAVIOR**

- Regulation of the content of programs for mass audiences in order to move forward in the eradication of social and cultural behavior patterns that tolerate or perpetuate violence against women in the mass media.

## **3. ERADICATION OF VIOLENCE AGAINST WOMEN**

- Encourage the prioritization of violence against women in the public agenda of the state.
- Specific efforts to investigate, take a stand on, and adopt measures to curb sexual violence and other forms of violence against women in the community.

## **4. BUDGET ALLOCATION**

- Incorporate the component of prevention and eradication of violence as a criterion for the approval of the budget items for different state sectors.

## **5. EDUCATION AND TRAINING ON PREVENTION AND RESPONSE TO VIOLENCE**

- That training in gender and violence be regarded as a requirement for the accreditation of justice workers and public officials involved in the issue.

## **6. ACCESS TO CARE AND COMPREHENSIVE PROTECTION FOR WOMEN VICTIMS OF VIOLENCE**

- Draw up regional minimum standards of care for women victims of violence with a view to accreditation, monitoring and evaluation of care programs and services.
- Draw up and develop plans and programs on response to violence against women that take account of women's diversity in terms of race, age, socioeconomic background, and sexual orientation.
- Pay particular attention to the psychological dimension of violence and address the effects that it has on service providers.

## **7. ACCESS TO JUSTICE**

- Accord priority to rural and impoverished urban areas in the installation of services for responding to violence against women.
- Encourage production of audiovisual material for mass broadcast on state policies and services designed to ensure justice for women victims of violence.
- Assess at the regional level the application of laws on violence against women and recommend to the states reforms that might better ensure respect for human rights and justice for women.
- Eliminate conciliation, mediation and arbitration in cases of violence against women.
- Urge judicial review organs to ensure that justice workers adhere to international conventions in proceedings and decisions.
- Ensure the ethical and professional competence of coroners and legal experts responsible for certifying violence against women.

## **8. ADAPTATION OF NATIONAL LAWS PROVISIONS AND CONTENT OF THE CONVENTION**

- Abolition of provisions contrary to the Convention and classification as crimes of all forms of sexual violence.

## **9. PROTECTION OF WOMEN AT RISK**

- Introduce legislation and design state policies on trafficking in women and children, forced prostitution, child pornography and sexual tourism.
- Design public policies and programs on response to and prevention of violence for women who are migrants, displaced, indigenous, black, or live in rural or remote areas.
- Draw attention to violence against women and the violation of their human rights in situations of armed conflict.
- Recommend ratification of the Statute of the International Criminal Court.

## **10. PROMOTION OF WOMEN'S RIGHTS AND PREVENTION OF VIOLENCE**

- Carry out mass information campaigns that might help to change cultural patterns of behavior that encourage the subordination of women.

## **11. CIVIL SOCIETY**

- Create forums to monitor compliance with the Convention.

*Quito-Ecuador June 21 and 22, 2001*