

Nations Unies

**United Nations Division for the Advancement of Women, now part of UN Women
United Nations Economic Commission for Latin America/ Subregional
Headquarters for the Caribbean**

**Expert Group Meeting on good practices in national action plans
on violence against women
United Nations Economic Commission for Latin America/ Subregional
Headquarters for the Caribbean
Port-of-Spain, Trinidad and Tobago
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These discussion notes have two parts: The first is prepared taking in consideration the NAP of Argentina. This NAP was established in April 2009, through National Law 26.485. In July 2010 the NAP was regulated by National Decree 1011-2010. Nevertheless, this NAP is still in the process of designing and has not been implemented.

The second part will refer to some good practices observed in NAPs implemented in the LAC region, taking in consideration other national plans.

I. NATIONAL ACTION PLAN OF ARGENTINA

(i) Guiding principles

Values and principles outlined in the NAP:

The guiding concepts outlined in the NAP, included in ARTICLE 7 of the LAW 26.485 are the following:

The three branches of government, whether of national or provincial level, should take the necessary measures to guarantee, in each of their activities, full respect of the constitutional right to equality between women and men and the following principles:

- a) The elimination of discrimination of women and of unequal relations of power between men and women;
- b) The adoption of measures to raise awareness in society about violence against women, promoting values of equality and discrediting violence against women;
- c) Assisting women who suffer any kind of violence in a timely and comprehensive manner, ensuring free, fast, effective and transparent services created for that purpose, and to promote rehabilitation of those who exercise violence;
- d) the principle of mainstreaming gender equality will be present in all measures and in the implementation of the provisions and policies, coordinating the various institutions and budgetary resources;
- e) The incentive for cooperation and participation of civil society;
- f) Respect for the right to confidentiality and privacy

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g) Ensuring the existence and availability of financial resources to enable compliance of the objectives of the VAW law;

h) Recognition of all the principles and rights recognized by the Convention on the Prevention, Punishment and Eradication of Violence against Women.

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The process that led to the development of a national plan on VAW was initiated by petitions from the women movement, and followed by the recommendations of the Hemispheric Report of the MESECVI¹. This is the intergovernmental mechanism created to follow up the Interamerican Convention of Belem do Pará. On July 18, 2008, the MESECVI launched this report where one of the most important recommendations to the States parties of the Convention was to design and implement a national Plan of Action on VAW that, among other requirements, should be funded by a specific and genuine budget item, and should create a statistical system.

- Which were the leading governmental bodies responsible for the development and the adoption of the NAP?

The leading governmental body responsible for the development and the adoption of the NAP is the National Council of Women.

(iii) Legislation

- Is there a reference in the national legislation on violence against women, if it exists, to the national action plan as the framework for the implementation of the legislation? Please specify.

The NAP was regulated by National Law 26.485, “Law on Comprehensive Protection for the Prevention, Punishment and Eradication of Violence against Women in the Areas in which they develop their interpersonal relations”.

(ix) Implementation

Coordination

- What type of measures on cooperation and coordination among different services and agencies and exchange of good practices are included in the NAP?

The national state will implement the development of the following priority actions, promoting their articulation and coordination with different ministries and secretariats of

¹ OEA/Ser.L/II.7.10- MESECVI-II/doc.16/08 rev. 1 - 18 julio 2008

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- d) Promote the incorporation of the theme of violence against women in tertiary curricula and university levels both in degree and post degree;
- e) Encourage revision and updating of textbooks and teaching materials in order to eliminate stereotypes or discriminatory approaches, promoting equal rights, opportunities and treatment between women and men;
- f) The measures proposed above will be promoted in the area of the Federal Council of Education.

4 .- Ministry of Health of the Nation:

- a) Incorporate the issue of violence against women in the comprehensive health programs for women;
- b) To promote the discussion and adoption of the instruments adopted by the Ministry of Health of the Nation on violence against women in the Federal Health Council;
- c) Design specific protocols for early detection and treatment of any type and form of violence against women primarily in the areas of primary health care, emergency, medical clinic, obstetrics, gynecology, orthopedics, pediatrics, and mental health, which specify the procedure for the care of women suffering from violence, protecting the privacy of the person assisted in the medical practice and promoting non-sexist treatment. The procedure should ensure the collection and preservation of evidence;
- d) Promoting services or programs with interdisciplinary teams specializing in the prevention and treatment of violence against women and / or those who exercise the use of care protocols and referral;
- e) Promote the implementation of a register of persons assisted by violence against women, to coordinate between national and provincial levels.
- f) Ensure the specialized care for children witnessing violence;
- g) Promote agreements with the Superintendency of Health Services, to include prevention and care programs on violence against women at the health-care facilities, social security institutions and Prepaid Health Care, which shall incorporate in its coverage on an equal footing with other benefits;
- h) To encourage continuing education for health care personnel in order to improve early diagnosis and medical care;

into agreements with institutions and civil society organizations.

5.- National Ministry of Justice, Security and Human Rights:

5.1. Department of Justice:

- a) Promote policies to facilitate women's access to justice through implementation and strengthening of information centers, legal advice and free legal assistance;
- b) Promote the implementation of agreements with professional associations, academic institutions and civil society organizations to provide specialized and free legal assistance;
- c) Promote the harmonization of criteria for the preparation of court reports on the status of women who suffer violence;
- d) To promote coordination and cooperation between the various courts involved in order to improve the effectiveness of legal action;
- e) Promote the development of a protocol for receiving complaints of violence against women in order to avoid unnecessary prosecution of those cases requiring other approach;
- f) Promote exchange and joint request with the Supreme Court's Office to encourage the various Judiciary levels of specific training;
- g) Encourage the creation of spaces for specific training for legal professionals;
- h) Promote research on the causes, nature, severity and consequences of violence against women and the effectiveness of measures implemented to prevent and redress its effects, regularly disseminating results;
- i) Ensure access to specific care services for women prisoners.

5.2. Safety Department:

- a) Encourage the police and security forces, the development of interdisciplinary services that provide support to women who suffer violence to optimize their care, referrals to other services and compliance with legal provisions;
- b) Develop the scope of the Homeland Security Council, the basic procedures for the design of specific protocols for the police and security forces in order to provide appropriate responses to prevent victimization, provide adequate care, assistance and police protection to women who file complaints before the police;

- c) Promote the coordination of the police and security forces involved in addressing violence against women, government institutions and civil society organizations;
- d) To sensitize and train police and security forces in the issue of violence against women within the framework of respect for human rights;
- e) Include in the training programs for the police and security forces curricula on human rights of women and in particular on gender violence.

5.3. Human Rights Office and the National Institute against Discrimination, Xenophobia and Racism (INADI):

- a) Promote the inclusion of the issue of violence against women in all programs and activities of the Secretariat of National Human Rights and INADI, in coordination with the Federal Human Rights Council.

6.- Ministry of Labor, Employment and Social Security of the Nation:

- a) Develop awareness programs, training and incentives to business and unions working to eliminate violence against women and promote equal rights, opportunities and treatment in the workplace and respect to the principle of non-discrimination:

1. Access to jobs;

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Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention, Punishment and Eradication of Violence against Women;

b) Promote programs and / or affirmative action measures designed to eliminate patterns of discrimination against women in the armed forces;

c) Raise awareness at all levels of hierarchy on the issue of violence against women in the framework of respect of

The Observatory has the mandate of elaborating protocols and guidelines to facilitate the implementation of the VAW Law.

Specific institutional mechanism to monitor implementation

- Which mechanism coordinates and assesses activities undertaken for the implementation of the NAP is included in the NAP? Which governmental agencies participate? Does the civil society participate as well? - What are the functions of such mechanism/s? What kind of reporting is in place?

To evaluate the NAP was created an Observatory on Violence against Women in the area of the National Council of Women, aimed at monitoring and recording data and information on violence against women.

The Centre shall have the task of developing an information system that provides inputs for the design, implementation and management of public policies to prevent and eradicate violence against women.

The functions of the Observatory on Violence against Women:

- a) Collect, process, record, analyze, publish and disseminate regular and systematic and comparable data on violence against women;
- b) Promote the development of studies and research on the development, prevalence, types and forms of violence against women, its consequences and effects, identifying those social, cultural, economic and political factors that are associated in some way or may be a cause of violence;
- c) Incorporate the results of the researches and studies on violence against women produced by regional and international organizations;
- d) Conclude cooperation agreements with public or private, national or international organizations, in order to articulate and develop interdisciplinary studies and research;
- e) Create a network of information and dissemination of the data gathered, as well as the studies and activities of the Centre, through its own web page or site linked to the National Council of Women. Create and maintain a current documentation center permanently open to the public;
- f) Review best practices in prevention and eradication of violence against women and disseminate the innovative experiences in the field among civil society organizations and national, provincial or municipal institutions;

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Brazil:

The first interesting issue in the Brazil NAP is the process of elaboration that includes a high level of participation of different actors, including academia, experts and civil society organizations.

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Women in prison and affected by HIV are specially addressed in the plan. The NAP has a time limit of 4 years.

México

This program establishes a comprehensive strategy with four lines of action closely related, cross-cutting strategies and it also include measures to ensure prevention, care, punishment and eradication of all types and forms of violence against women during their life cycle. This program articulates a set of objectives and strategies around four axes:

1. Prevention
2. Care
3. Punishment
4. Eradication

It covers all areas of occurrence and all types of violence.

- The Plan is framed in several international covenants, including CEDAW, Belem do Para and the Convention on the Rights of the Child.
- At the national level, it is based on the National Constitution; on a comprehensive law: General Law on the Access for Women to a Life free of Violence and its regulation, and on the Federal Human Rights Program 2008/2012.

One of the Strategies (Strategy 5.4) aims to combat and punish more severely gender-based violence through awareness programs and training addressed to the police, medical doctors, public prosecutors, judges, and all staff responsible for providing protection and care to women who experience violence in all its forms and modalities.

The NAP has indicators and strategies for each axial point.

One interesting strategy consists in designing a manual to guide the media in the coverage of violence against women to avoid victimization and justification of the crime committed by the aggressor.

Another is to strengthen the content and design of radio and video bilingual programs with gender equality and human rights principles in campaigns designed to spread through mass media and cultural radio system in Spanish and Indian language, to help generating a culture of respect for human rights of indigenous women, visibilizing gender violence and diffusing legal remedies that assist them.

The also propose to promote alliances with publicist from the advertising companies organizing contests and awards that promote the elimination of gender stereotypes.

It is also very interesting the strategy of encouraging the development of media spaces with gender perspective and to promote a national network of journalists that contributes to the promotion of human rights of women.

Four different Ministries at the Federal level are involved in the implementation of the NAP, what requires an important level or articulation.