

Follow-Up Mechanism to the Belém do Pará Convention (MESECVI)

**Regional Declaration on the Eradication of Gender
Stereotypes in Public Spaces Resulting in Symbolic
and Political Gender-based Violence Against Women**



**REGIONAL DECLARATION ON THE ERADICATION OF GENDER
STEREOTYPES IN PUBLIC SPACES RESULTING IN SYMBOLIC
AND POLITICAL GENDER-BASED VIOLENCE AGAINST WOMEN**

1/2/3/4/5/6/7

FOLLOW-UP MECHANISM TO THE
BELÉM DO PARÁ CONVENTION (MESECVI)

Third Special Conference of the States Parties

To the Belém do Pará Convention

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1. The Competent National Authorities and the Committee of Experts of the Follow-up Mechanism of the Inter-American Convention to Prevent, Punish, and Eradicate Violence against Women, Convention of Belém do Pará (MESECVI) of the Organization of American States (OAS), meeting in occasion of the Third Extraordinary Conference of States Parties to the Convention of Belém do Pará;

CONSIDERING,

2. That the Charter of the Organization of American States (1948)⁸, in its article 3, establishes as principles the fundamental rights for all persons without distinction of sex, and education oriented towards justice, freedom and peace;

3. That the States Party of the American Convention on Human Rights⁹ (1969), in its first article, prohibits discrimination based on sex language, religion, political or other opinions, national or social origin, economic status, birth or other social condition;

4. That the preamble of the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women,¹⁰ “Convention of Belém do Pará” (1994) states that “violence against women is an offense against human dignity and a manifestation of the historically unequal power relations between women and men”, and that their elimination is an essential condition for the exercise of all their human rights;

5. That Article 1 of the Convention of Belém do Pará establishes that “violence against women shall be understood as any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere”;

6. That, in addition, the Convention of Belém do Pará, in its article 5 establishes that “Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights” and that “[t]he States Parties recognize that violence against women prevents and nullifies the exercise of these rights”;

7. That the Convention of Belém do Pará recognizes, in Article 6, that the human right of women to a life free from violence includes “the right of women to be free from all forms of discrimination” and “to be valued and educated free of stereotyped patterns behavior and social and cultural practices based on concepts of inferiority or subordination”;

8. That the Convention of Belém do Pará also, in its Article 7, establishes that “States Parties condemn all forms of violence against women”;

9. That the Convention of Belém do Pará in its article 7, in addition to condemning all forms of violence against women, establishes the obligation of States to act with due diligence against it in the following terms: “The States Parties [...] agree to adopt, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence”;

10. That the Convention of Belém do Pará in its article 8 paragraph b) establishes that the States must adopt specific measures to “modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women”, and that paragraph g) establishes that States “should encourage the media to develop appropriate guidelines that contribute to the eradication of violence against women in all its forms and to enhance respect for the dignity of women”;

11. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)¹¹, in its article 2, condemns discrimination against women in all its forms and points out, in article 5, the importance of States taking the necessary measures to “modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped functions of men and women”;

12. That, likewise, CEDAW, in its article 7 establishes that “[t]he States Parties will take all appropriate measures to eliminate discrimination against women in the political and public life of the country”;

13. That violence is a form of discrimination which is exacerbated by gender stereotypes that affect the lives of women and girls, and the States Parties of the Inter-American Convention against all forms of Discrimination and Intolerance¹², in its article 1.2, established that “[i]ndirect discrimination shall be taken to occur, in any realm of public and private life, when a seemingly neutral provision, criterion, or practice has the capacity to entail a particular disadvantage for persons belonging to a specific group, or puts them at a di-

sadvantage, unless said provision, criterion, or practice has some reasonable and legitimate objective or justification under international human rights law”;

14. That according to the Inter-American Convention against all forms of Discrimination and Intolerance, in its Article 4, “States [Party] undertake to prevent, eliminate, prohibit, and punish, in accordance with their constitutional norms and the provisions of this Convention, all acts and manifestations of discrimination and intolerance, including: i. Public or private support provided to discriminatory activities or that promote intolerance, including the financing thereof; ii. The publication, circulation or dissemination, by any form and/or means of communication, including the Internet, of any material that: a) defends, promotes or incites hatred, discrimination and intolerance [...] x. Preparing and introducing teaching materials, methods, or tools that portray stereotypes or preconceptions, based on any of the criteria set forth in Article 1.1 of this Convention”;

15. That the Inter-American Court of Human Rights has, since the *Campo Algodonero vs. Mexico* case, drawn attention to an interpretation that has maintained in its constant jurisprudence: that gender stereotypes refer “to a pre-conception of attributes or characteristics possessed or roles that are or should be performed by men and women respectively” and that “the creation and use of stereotypes becomes one of the causes and consequences of gender-based violence against women”¹³;

16. That the Committee of Experts of the MESECVI has recognized, following the Inter-American Court of Human Rights, that: [t]he creation and use of stereotypes in this region continues to be the breeding ground for the causes and effects of violence against women and girls.¹⁴ Therefore, it is worrying that “the programs aimed at addressing the right of women and girls to be valued and educated free of stereotyped patterns of behavior and social and cultural practices based on concepts of inferiority or subordination, continue to be very limited and require greater structure;

17. That the Committee of Experts of the MESECVI has repeatedly expressed its concern regarding situations of gender-based political violence in the region and it referred to “hate speech in public spaces, especially those based on gender stereotypes, which, through symbolic violence, pave the way for other forms of violence against women”¹⁵;

18. That the Inter-American Model Law to Prevent, Punish and Eradicate Violence against Women in Political Life¹⁶, adopted by the Committee of Experts in October

2016, in its article 1, has as its objective “the prevention and eradication of violence against women in political life in order to ensure that they fully exercise their political rights and equal participation and under conditions of equality in all spaces and functions of political and public life, particularly in government positions” and defines violence against women in political life, in its article 3, as “any action, conduct or omission, carried out directly or through third parties that, based on their gender, causes harm or suffering to a woman or to various women, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women of their political rights, which “may include, among others, physical, sexual, psychological, moral, economic or symbolic violence”;

19. That the Model Law, mentioned in the previous paragraph, in its article 3, recognizes symbolic violence as a type of gender-based violence against women, and which, in its article 4b, following the Belém do Pará Convention, establishes the “right to be valued free from any stereotyped patterns of behavior and of political, social and cultural practices based on concepts of inferiority and subordination” and, to this end, ‘Gender stereotype’ is considered an opinion or a general prejudice on the attributes or characteristics that women and men have or should have or on the social functions that either perform or should perform. A gender stereotype is harmful when it denies a right, imposes a burden, limits women’s autonomy, decision-making over their lives and their life projects or their personal and professional growth”;

20. That the Declaration on Political Harassment and Violence against Women of the Sixth Conference of States Parties to the MESECVI¹⁷ considers that “both political violence and harassment against women can include any action, conduct or omission among others, based on their gender, individually or in groups, that has the purpose or result of undermining, annulling, preventing, hindering or restricting their political rights, violates the right of women to a life free of violence and the right to participate in political and public affairs on equal terms with men” and that “the use of symbolic violence as an instrument of political discussion seriously affects the exercise of women’s political rights”;

21. That the cited Declaration on Political Harassment and Violence against Women, identifies symbolic violence as a factor that affects political violence and harassment against women, for which reason it encourages “the inclusion in public policies for prevention, attention and punishment of political violence and/or harassment against women of approaches that promote changes in structural factors that affect violence against women and socio-cultural and symbolic standards as well as social and cultural stereotypes that perpetuate it”;

22. That progress has been made in some countries in the region in the incorporation of gender-based symbolic and political violence against women within their national legislation and decisions of the States Parties Constitutional Courts¹⁸, which represents a relevant starting point for its prevention, visibility, investigation, sanction, reparation and eradication¹⁹;

TAKING INTO CONSIDERATION,

23. That symbolic violence is a manifestation of the historical discrimination against women and girls in all their diversity²⁰ that has been present in our societies²¹;

24. That symbolic violence is the set of messages, values, symbols, icons, signs, and family, educational, ideological, social, economic, political, cultural, aesthetic, and religious impositions that generate, transmit, reproduce and institutionalize, directly or indirectly, inequality, domination and structural discrimination towards women in all their diversity, naturalizing the subordination of them. The prior, makes it difficult to perceive this type of violence despite its impact and its materialization through gender stereotypes that reinforce unequal power relations;

25. That symbolic violence and gender stereotypes relate women to the sphere of domesticity and care and, thus, perpetuate the unequal distribution of care and the sexual division of labor;

26. That symbolic violence affects women's freedom of expression and their autonomy and excludes them from public debate, weakening deliberative democracy and the rule of law;

27. That symbolic violence is manifested both in the public and private space, and, among other conduits, is facilitated through information technologies, artificial intelligence and the media;

28. That symbolic violence impacts all women, specially those in the political and public life field, human rights and women's rights defenders and feminists, thus configuring situations of political gender-based violence;

29. That symbolic violence hinders and affects the full enjoyment and exercise of civil, political, economic, social and cultural human rights of women and girls in all areas of their lives;

30. That symbolic violence in the sphere of political and public life especially affects the political rights of women in all their diversity, particularly because it discourages participation on equal terms in public life, politics and decision-making spaces and that the participation of women in politics and public life is essential to improve the work of public institutions, promote democracy and the plurality of voices in spaces of power and decision-making, reinforce the results of policies and thus achieve gender equality;

31. That, in the field of politics, attacks against women contain a sobering message that goes beyond their specific targets and affects all women, creating a ripple effect that harms their participation in public life;

32. That symbolic violence fuels other types of gender-based violence against women such as physical, psychological, sexual, economic, patrimonial, and femicide, in the institutional, family, community, work, educational, obstetric, media, digital, and political modalities;

33. That gender-based symbolic violence against women has become more visible in recent years due to the greater participation of women in public life and the acceleration of digitalization as a result of globalization and the pandemic caused by COVID-19;

34. That advertising, communication and information technologies, the media, the internet and social networks have, through its massive reproduction, made it more widely visible;

35. That, especially, the internet, social networks and other communication and information technologies represent powerful possibilities for change towards more just and egalitarian societies through the dismantling of systems that constitute symbolic violence, among other relevant issues;

36. Intersectionality, understood as the connection of multiple and compound forms of discrimination, exclusion and inequality, is a basic concept for understanding that discrimination against women on the basis of sex and gender is indivisibly linked to other factors that affect women²², such as race, ethnicity, religion or belief, health, status, age, class, sexual orientation and gender identity²³, among others; and which makes it possible to understand how the different categories of discrimination are related and linked in the lives of women and how this interaction causes additional barriers, based on stereotypes, to the exercise of their human rights;

37. That symbolic violence is naturalized and made invisible, which is why it is essential to identify and name it in order to be able to prevent, respond to, punish and eradicate it;

38. That preventing, addressing, and punishing symbolic violence is a mechanism to eliminate the roots of discrimination and gender-based violence;

39. That it is necessary to advance in the incorporation and prohibition of symbolic violence, gender stereotypes and the mechanisms used to reproduce them, as a type of gender-based violence that reproduces and reinforces discrimination against them in the legislation of the States Parties;

40. That all public policies must consider the effects and impacts of symbolic violence and gender stereotypes in the lives of women and girls in all their diversity;

41. That preventing and eradicating symbolic violence requires determined actions by the States Parties, while the participation of society as a whole is essential;

42. That advertising agencies, the media, journalistic companies, digital corporations, technology developers, universities, educational centers, private and public companies, cultural managers, unions, civil society, feminist organizations, families, social, religious and political leaders, human rights defenders and society in its entirety, are key to playing a relevant role in preventing and advocating against symbolic and political gender-based violence against women;

CONCERNED,

43. About the escalation of gender stereotypes that translate into gender-based symbolic and political violence against women at the regional level, as the names of Berta Cáceres, Juana Quispe and Marielle Franco, women politicians and activists, swelled the list of femicide victims in this region, not only because they are women, but also because they are women politicians. This direct threat against their lives remains latent, as reflected in the assassination attempts against two vice-presidents of the region, Cristina Fernández de Kirchner and Francia Márquez, victims of femicide attacks;

44. That in our region there is no clear understanding of the ambit of symbolic violence and the ways in which it impacts the lives of women and girls in all their diversity, and limits the exercise of their human rights;

45. At the lack of information and statistics disaggregated that incorporate gender perspective, research and studies that allow us to know the magnitude and scope of gender-based symbolic violence and the impact of gender stereotypes in our region, as well as its consequences on the rights of women and girls in all their diversity;

46. About the imperative need to act with enhanced due diligence in cases of violence against women in political life to ensure effective access to justice for victims, expeditious investigation of acts of violence, punishment and reparation and non-repetition that allow the continuity of political participation of women victims;

47. At the lack of comprehensive legal frameworks that define and address all dimensions of symbolic violence, which invisibilizes it, reproduces it and does not allow it to be identified, prevented, addressed, investigated, its impact repaired and eradicated;

48. About the need to enhance public policies, programs and projects that are being promoted in the region to deal with symbolic violence, and thus take steps towards the effective guarantee of the human rights of women and girls to enjoy a life free from violence;

49. That the mass media, digital corporations, media associations and journalists, social networks and other actors in the mass reproduction of information need to move with urgency towards the creation of structural and permanent monitoring and self-regulation mechanisms to advocate against the use of gender-based symbolic violence against women and both in the messages they reproduce and through educational work;

50. About the need to strengthen efforts to systematically monitor existing public policies, programs and projects to eradicate gender-based symbolic violence against women, articulated with empirical evidence that provides the basis for promoting equality and eliminating discrimination;

AGREE TO,

51. Promote the adoption of the definition of symbolic violence and recognize its impact on the life and rights of women and girls in all their diversity, as well as gender-based political violence;

52. Work to transform the social and cultural representation of women and girls in all their diversity and to reverse the stereotypes that have naturalized their subordination in society and are a source of reproduction of gender violence;

53. Encourage the implementation of public policies and legislation for the prevention, sanction and eradication of symbolic violence, as well as the creation of programs that have sufficient resources and compliance indicators that allow their evaluation and monitoring;

54. Support the participation of boys and men in the transformation of gender roles and stereotypes that perpetuate relationships of domination, exclusion, inequality and discrimination against girls and women in all of their diversity through the promotion of co-responsible and non-violent masculinities;

54. Advocate for the awareness and training of all public officials on the causes and consequences of symbolic violence in order to prevent, sanction and eliminate it;

56. Promote strategic initiatives with stakeholders such as advertising agencies, media, digital corporations, social networks, journalists, artists, cultural managers, autonomous organizations, universities, educational centers, trade unions, civil society, feminist and women's organizations, political organizations, as well as human rights defenders, always in line with the most rigorous standards of freedom of expression, for the prevention and eradication of symbolic violence and gender stereotypes in the messages issued through formal and informal education and the information and messages distributed through these actors;

57. Promote, in collaboration with academia, civil society, women's collectives, feminists, research and studies to fully understand the extent and consequences of gender-based symbolic violence against women, as well as the impact of gender stereotypes on the effective enjoyment of the human rights of women and girls in all their diversity;

58. Encourage the creation of specialized training programs aimed at media professionals, social networks, digital corporations and advertising agencies, recognizing their fundamental role as strategic allies in the prevention and eradication of symbolic violence, as well as in the reconfiguration of the narrative around gender stereotypes;

59. Encourage the inclusion of the gender perspective, interculturality and the intersectional approach in programs in various sectors, especially in educational institutions dedicated to training in journalism, communication, advertising and disciplines related to communications. This will guarantee the visibility, identification and approach to discriminatory and subordinating practices towards women and girls in all their diversity in education and society in general;

60. Promote the creation of mechanisms for the collection and dissemination of statistical data disaggregated, that incorporate gender perspective;

61. Create campaigns aimed at the general public that promote awareness and sensitization about the fact that symbolic violence and gender stereotypes are the source of other types of gender-based violence against women and represent a barrier to the full exercise of the human rights of women and girls in all their diversity;

62. Develop awareness campaigns on the implications of violence against women in political life, as a factor that weakens democracy, as well as prevention and information on the routes of attention and reporting in cases of violence in the exercise of political rights;

63. Prevent and eradicate violence against women in political life through concrete actions aimed at disseminating and raising awareness of women's human rights and

64. Request the Technical Secretariat of the MESECVI that, with available resources, generate the necessary recommendations to strengthen the capacity of the States Parties in the materialization and effective implementation of the agreed measures.

FOOTNOTES

1 The Republic of El Salvador reaffirms its firm will to comply with its obligations and commitments acquired in the field of human rights, both at the Inter-American and universal levels, especially in the protection of the rights of all women, teenagers and girls, in an equitable manner and without discrimination of any kind. El Salvador hereby establishes a reservation to any interpretation or application of the terms contained in this Declaration that, by their nature and scope, conflict with Constitutional principles and the domestic legal system. Likewise, those that, in the legal sphere, are not in accordance with public policies oriented to favor the great majorities, or that tend to modify language agreed upon in international treaties ratified by the country. El Salvador ratifies its commitment to the full application of the constitutional principle of equality and non-discrimination of persons and compliance with the obligations derived from this principle applicable to national legislation. Likewise, it reaffirms its responsibility to continue working in a coordinated manner to transform socio-cultural patterns that generate violence, inequality and discrimination in all spheres.

2 The Republic of Panama reiterates its irrevocable commitment to protect and guarantee the fundamental right of all persons, which are universal, inalienable, imprescriptible and indivisible, in accordance with the principles of equality and non-discrimination, exalting human dignity, promoting justice and social welfare. We recognize that the spaces for multilateral political dialogue are ideal for advancing in the development of standards for the protection of the human rights of all persons; and that this progressive development may be embraced by national authorities through the legitimate channels of each sovereign State.

3 The State of Guatemala is fully committed to the fight to eradicate violence against women as evidenced by the signing of the Convention of Belém Do Pará and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the creation of the Law against Femicide and Other Forms of Violence against Women, and Guatemala has therefore joined the Declaration mentioned above.

However, it cannot fail to express its disagreement regarding the absence of a due process of negotiation in which the States Parties could carry out a true negotiation to reach consensus language on an issue of the utmost importance. The first meeting for the presentation of the draft began on September 13, 2023

and culminated its only reading on the 18th of the same month and year, therefore, the mechanism used for the adoption of this Declaration is rejected.

Likewise, Guatemala reaffirms its commitment to promote, defend and protect the human rights of all persons, without any discrimination, in accordance with the provisions of international treaties ratified by Guatemala and in accordance with an interpretation according to the meaning of its own words, its context and the constitutional provisions and national legislation.

In this regard, and in accordance with article 7, third paragraph of the Statute of the International Criminal Court (ratified on April 2, 2012), the term “gender” shall have no other meaning than that referring to the two sexes, male and female.

In accordance with the Resolution Promotion and Protection of Human Rights and Declarations “For the Rights of All Women, Adolescents and Girls in Rural Areas of the Americas” and “For the Protection and Integration of Migrant and Refugee Children and Adolescents in the Americas” issued by the General Assembly during its Fifty-third regular session, Guatemala interprets the term “intersectionality” as the interconnection of multiple forms of discrimination, exclusion and inequality.

Likewise, Guatemala disassociates itself from all provisions, uses or terms of this Declaration that are not expressly set forth in the international commitments to which it is a party and contravene its national legislation, including, but not limited to, the interpretation and/or legal recognition of “women, teenagers and girls in all their diversity”, “women in all their diversity”, “sexual orientation”, “diverse gender identity” and “gender identity”.

4 Paraguay adheres to this Declaration in the points that do not conflict with its National Constitution and its internal regulations in force. The following terms are visualized in this document: women and girls in all their diversity, intersectionality, women with diverse gender identity, LGBTI+ persons, gender identity and sexual orientation; which terms are interpreted by the Republic of Paraguay based on its national legislation.

Likewise, it is hereby stated for the record that the declaratory document signed does not establish any precedent position for Paraguay, nor will it be considered as an agreed text for future negotiations.

5 The Dominican Republic recognizes that the purpose of the State is the protection of the rights of individuals and its actions are based on respect for human dignity, which is sacred, innate and irrevocable. We advocate for the incremental expansion of the means that allow all people to improve themselves in an egalitarian, equitable and progressive manner, within a framework of individual freedom and social justice, compatible with public order, general welfare, and the rights of all.

Our State is organized for the real and effective protection of the rights that are inherent to people and we aspire that this be an ideal shared by all in the international community. We understand that this incremental process must be the result of the sovereign decision of legitimate authorities, acting within the framework of their competencies, to materialize freedom, equality, the rule of law, justice, solidarity, social welfare, progress and peace.

6 The Government of Barbados states that paragraphs 23, 24, 26, 28, 29, 30, 31, 33, 36 40, 44, 45, 47, 50, 51, 53, 56, 58 and 60 contain the use of language that is neither reflected in its national laws and policies nor is the subject of national consensus. As such, Barbados is not in a position to support the specific language as contained in the aforementioned paragraphs, specifically “women in all their diversity”. Nevertheless, the Government of Barbados remains committed to protecting the rights of all women and girls in keeping with the rule of law, the provisions of its Constitution as well as the Belem do Para Convention and to this end has adopted a policy of zero tolerance of violence against women and girls as reflected in various national enactments.

7 The State of Costa Rica agrees with the core of this Declaration, we believe that respect for and adherence to procedures and prudential timeframes could have allowed for an adequate and more in-depth discussion to fully address the substantive issues raised, an important weakness pointed out by several States. We believe that this is an important moment to make clear that the relevance of the form is as important as the substance, especially when it is a matter of multilateral will in making agreements of the different representations, where transparency prevails in the processes that result in the declarations.

In this regard, the Republic of Costa Rica presents this footnote with three observations regarding the negotiation process implemented for the adoption of this Declaration.

1) In relation to the negotiation timeframe, where we state for the record that the timeframe provided for the negotiation process was not adequate to facilitate the exchange of opinions of the different delegations of the States Parties to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, known as the Belém do Pará Convention.

2) The timeframe for consensus building was insufficient. Costa Rica believes that the negotiations that take place in the multilateral framework and, in particular, within the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (MESECVI), should be carried out with working spaces that facilitate the possibility of reaching consensus on the most sensitive and important issues for all Member States. This should be done with respect for the positions expressed by all parties during the negotiation process, with appropriate spaces for debate and consideration. Thus, all the voices and positions of the States Parties to the Belém do Para Convention will be heard in a healthy, respectful, inclusive and pluralistic debate.

3) Finally, with respect to the voting process implemented, Costa Rica considers that adequate mechanisms should be adopted for voting in “virtual” format. These procedures must also respect pre-established guidelines, agreed upon by consensus and with independent oversight to guarantee full transparency.

Therefore, Costa Rica makes a call and sets a precedent to continue respecting the processes in the development, discussion, analysis and consensus, as a principle that must prevail in order to guarantee the intended result of these instruments and their legitimacy.

8 OAS. Charter of the Organization of American States, 1948, Available at: <https://www.cidh.oas.org/basicos/carta.htm>.

9 OAS. American Convention on Human Rights, 1969, Available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>

10 OAS. Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Belém do Pará Convention, 1994, Available at: <https://www.oas.org/en/mesecvi/docs/BelemDoPara-ENGLISH.pdf>

11 UN. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, Available at: <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

12 OAS. Inter-American Convention against all forms of Discrimination and Intolerance, 2013, Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-69_discrimination_intolerance.pdf

13 IHR Court. *Case of González et al. ("Campo Algodonero") v. Mexico*, Preliminary Objection, Merits, Reparations and Costs. Judgment of November 16, 2009. Series C No. 205, para. 401. Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_205_ing.pdf

14 OAS/MESECVI. Committee of Experts, *Third Hemispheric Report on the Implementation of the Belém do Pará Convention. Prevention of violence against women in the Americas: Paths to follow*, 2020, p.26. Available at: <https://www.oas.org/en/mesecvi/docs/TercerInformeHemisferico-EN.pdf>

15 OAS/MESECVI. Committee of Experts, Communiqué: "Self-censorship, harassment, fear, and impunity: Violence against women in public and political life in Argentina", 2023, Available at: <https://belemdopara.org/wp-content/uploads/2023/03/Communique-Argentina-Visit.pdf>;

OAS/MESECVI. Committee of Experts, Communiqué: "Committee of Experts expresses its repudiation and concern regarding the attempted femicide of the Vice President of Colombia, Francia Márquez", 2023, Available at: <https://belemdopara.org/wp-content/uploads/2023/01/Communique-Francia-Marquez-Political-Violence-1.pdf>;

OAS/MESECVI. Committee of Experts, Communiqué: "Committee of Experts expresses its categorical repudiation and concern regarding the attempted assassination of Argentine Vice President Cristina Fernández", 2022, Available at: <https://belemdopara.org/wp-content/uploads/2022/09/Communique-Political-Violence-Cristina-Fernandez.pdf>;

OAS/MESECVI. Committee of Experts, Communiqué: "Committee of Experts expresses concern over reports of political violence against women in opposition and the repercussions of the message that inhibits the participation of women in political life in Nicaragua", 2021, Available at: <https://belemdopara.org/wp-content/uploads/2022/02/Communique-NIC-August-6-ENG.pdf>;

OAS/MESECVI. Committee of Experts, Communiqué: “The Committee of Experts expresses its concern over political violence against Pamela Alejandra Aguirre, representative of the Andean Parliament”, 2020, Available at: <https://belemdo-para.org/wp-content/uploads/2021/12/CEVI-ComunicadoParlamentoAndino-2020-EN.pdf>

16 OAS/MESECVI. Committee of Experts, “Inter-American Model Law on the Prevention, Punishment and Eradication of Violence Against Women in Political Life”, 2016, Available at: <https://www.oas.org/en/mesecvi/docs/LeyModeloViolenciaPolitica-EN.pdf>

17 OAS/MESECVI. Conference of States Parties, “Declaration on Violence and Political Harassment against Women of the Sixth Conference of States Parties of the MESECVI”, 2015, Available at: <https://www.oas.org/es/mesecvi/docs/DeclaracionViolenciaPolitica-EN.pdf>

18 This is the case of the following countries:

- Argentina, which in Law 26,485 on Comprehensive Protection to Prevent, Punish, and Eradicate Violence against Women in the Environments in which They Develop their Interpersonal Relations, defines symbolic violence as: [t]hat which through stereotyped patterns, messages, values, icons or signs transmits and reproduces domination, inequality and discrimination in social relations, naturalizing the subordination of women in society;

- Bolivia that in Law 243, Law Against Harassment and Political Violence towards Women, in article 7, section b establishes that “[p]olitical violence is understood to be actions, behaviors and/or physical attacks , psychological, sexual committed by a person or group of people, directly or through third parties, against women candidates, elected, appointed or in the exercise of political-public function, or against their family, to shorten, suspend , prevent or restrict the exercise of its position or to induce or force it to carry out, against its will, an action or incur an omission, in the performance of its functions or in the exercise of its rights;

- Brazil, that in Law No. 14,192 to Prevent, Punish and Combat Political Violence against Women establishes that: “women’s rights to political participation are guaranteed and discrimination and unequal treatment based on sex or race in access to political representation and in the exercise of public functions is prohibited”;

- Ecuador that in the Law to Prevent and Eradicate Violence against Women recognizes symbolic violence within the types of violence against women as: any conduct that, through the production or reproduction of messages, values, symbols, icons, signs and impositions of gender, social, economic, political, cultural and religious beliefs, transmit, reproduce and consolidate relations of domination, exclusion, inequality and discrimination, naturalizing the subordination of women;
- El Salvador that in the Special Comprehensive Law for a Life Free of Violence for Women understands that symbolic violence is manifested through: messages, values, icons or signs that transmit and reproduce relations of domination, inequality and discrimination in social relations that are established among people and naturalize the subordination of women in society;
- Mexico, which in the General Law on Women's Access to a Life Free of Violence points to symbolic violence as conduct that expresses political violence; however, it should be noted that there are efforts in local legislatures, as is the case of the Oaxaca State Law for Women's Access to a Life Free of Gender Violence, which defined for the first time symbolic violence as "that which is exercised through stereotyped patterns, messages, values, icons or signs that transmit and reproduce domination, inequality and discrimination in social relations, naturalizing the subordination of women in society, implies a covert and systematic reproduction, difficult to distinguish and perceive;
- Paraguay that in Law 5777/16 on the Comprehensive Protection of Women Against All Forms of Violence states that symbolic violence: "consists of the use or dissemination of messages, symbols, icons, signs that transmit, reproduce and consolidate relations of domination, exclusion, inequality and discrimination, naturalizing the subordination of women";
- Peru that in Law No. 31155, Law that prevents and punishes harassment against women in political life, establishes that "the purpose of this law is to establish mechanisms for attention, prevention, eradication and punishment of harassment against women." women, due to their status as such, in political life, with the purpose of guaranteeing the full exercise of their political rights and that they participate on equal terms";
- Uruguay Law No. 19580 on Gender-Based Violence against Women states that symbolic violence "is that exercised through messages, values, symbols, icons, images, signs and social, economic, political, cultural and of religious beliefs that

transmit, reproduce and consolidate relations of domination, exclusion, inequality and discrimination, which contribute to naturalize the subordination of women”.

19 For example, the Constitutional Court of Colombia has indicated regarding symbolic violence that analysis focused on gender allows us to distinguish when we are faced with pre-understandings or generalizations with discriminatory effects that generate material or symbolic violence against women and prevent them from fully enjoying themselves. of their fundamental rights (...) despite the fact that we do not realize it, since it is deeply rooted and, for this very reason, it is as imperceptible as the air that is breathed [Constitutional Court of Colombia, Judgment T-140/21. Available at: <https://www.corteconstitucional.gov.co/relatoria/2021/T-140-21.htm>].

Likewise, the Constitutional Chamber of Costa Rica has defined symbolic violence as a phenomenon that annuls the right of women to be free from all forms of discrimination based on gender.

20 Saint Vincent and the Grenadines and Trinidad and Tobago did not join the consensus on the language “women in all their diversity” established in various paragraphs of this Declaration.

21 OAS/MESECVI. Conference of States Parties, “Rapporteurship Eighth Conference of the States Party 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” (MESECVI)”, 2020, Available at: <http://oas.org/en/mesecvi/docs/MESECVI-VIII-doc.135.eng.Relatoria.pdf>

22 UN. Committee on the Elimination of Discrimination against Women, “General Recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women”, 2010, Available at: <https://digitallibrary.un.org/record/711350?ln=en>

23 Saint Vincent and the Grenadines and Trinidad and Tobago did not join the consensus on the language “gender identity” in various paragraphs of this Declaration.



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