

ARGENTINA

Argentine Republic

Questionnaire on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)

Part I

Main achievements

In keeping with the high priority it assigns to the advancement of women's rights, Argentina is a party to the main international agreements that enshrine such rights; and in most cases it accords them the highest possible legal rank through the constitutional reform of 1994. The commitments arising from these international instruments provide a solid conceptual foundation for developing a State policy for the advancement of women, entailing both institutional and legislative measures, including the following:

- Constitutional rank for the Convention on the Elimination of All Forms of Discrimination against Women, and inclusion of affirmative actions to promote equal opportunities for men and women to elective and political party positions, in the chapter on "New Rights and Guarantees" in the National Constitution.
- Significant progress made in terms of women's participation in power and decision-making structures, following the 1991 passing of Act 24.012, known as the Women's Quota Act, which requires both houses of the National Congress to have a female membership of at least 30 per cent. Strengthening this measure, Decree 1246 of 28 December 2000 establishes that the compulsory aspect of the Quota Act will only be considered fulfilled "*when it also applies to the number of posts that the political party, confederation or temporary alliance renews in the election in question.*" The application of quotas in candidate lists for the national legislature has developed a momentum such that the Senate Chamber currently has female representation of 44 per cent – compared to a traditional proportion not exceeding 7 per cent. In the Chamber of Deputies female membership has advanced from 25 per cent to 35 per cent. Similar laws have been passed in at least half of the 24 national jurisdictions.

A similar provision was adopted in the labour union domain through Act 25.674 of 6 October 2002 (the Union Quotas Act), whereby the proportion of women delegates in any unit involved in collective bargaining on labour conditions must reflect the number of female workers in the sector or activity in question. As this measure is very recent, no data are yet available to measure its impact.

A similar process has recently been set in motion to establish a female quota in the National Supreme Court, and a bill has been passed in one of the two houses of Congress establishing that the country's top ranking judicial body, "*may not draw more than 70 per cent of its membership*

from the same sex”, providing for gradual compliance. Of every two successive vacancies that arise, one must be filled by a woman. The law invites the provinces to implement similar regulations for the higher courts in their respective jurisdictions.

The appointment of Supreme Court judges is based on a mechanism – also recently created – whereby the President of the Republic proposes candidates to fill the vacancies that arise. Once a proposal has been made, consultations begin with civil society in order to gauge the level of support or opposition. The outcome of this process is evaluated with a view to an appointment being made by the Honourable National Senate. The President of Argentina has used this mechanism to propose two women candidates, Drs. Carmen Argibay and Elena Highton de Nolasco, to fill current vacancies arising in our top-level court.

- Coordination among women members of Congress to promote bills: a group of female legislators decided to establish a cross-party mechanism among women deputies from all political groupings, in order to prioritize decisions in the various committees and promote bills that are of common interest on gender or other compatible grounds. Projects that have attracted consensus include the creation of the National Registry of Overdue Alimony Debtors, and a bill to amend Article 250 of the Code of Criminal Procedure “on the interrogation of child victims of sex crimes, or psychological or physical abuse.”
- Incorporation of the gender perspective in plans, projects and programmes (not including those relating to spheres of special concern, included in point II):
 - **FEDERAL PLAN FOR WOMEN:** This is a programme funded jointly by the national Government and the Inter-American Development Bank for the period 1999-2003, to provide institutional strengthening for the National Women’s Council (CNM), and for women’s offices in provinces and municipios throughout the country. It also includes civil society organizations concerned with women’s issues. The plan has made it possible to provide training and technical assistance to 15 provinces, creating an installed capacity of 1,800 persons who will be responsible for passing on their training nationwide. In addition, an intranet jurisdictional coordination network with contact points is being developed. Under the auspices of the plan, 97 projects are being funded in the support for local initiatives component, covering reproductive health, domestic violence, labour force participation, and women’s rights and citizenship, involving some 400 participants. The projects have benefited 5,420 persons directly and 27,100 indirectly, and have had a qualitative impact on their communities in terms of changing practices, beliefs, attitudes and behaviours. Qualitative indicators with a gender perspective have been developed to measure the results and impact of the projects financed. The preparation of outreach materials has increased the number of beneficiaries. The intention is to extend the programme to cover all 23 provinces.
 - **TECHNICAL ASSISTANCE PROJECT ON GENDER (PROGEN):** This is a programme of inter-agency cooperation, exchange and coordination of resources, designed to facilitate response to gender-differentiated needs and interests in projects

financed by the World Bank in Argentina. International seminars were held and technical assistance given on reproductive health and domestic violence in 15 provinces.

- **PROGRAMME TO STRENGTHEN THE FAMILY AND BUILD SOCIAL CAPITAL (PROFAM) FINANCED THROUGH A WORLD BANK LOAN:** This is intended to support projects that focus on assisting poor families by supporting the development of each member, from a cross-cutting gender perspective. It entails promoting collaborative initiatives by actors at all jurisdictional levels to incorporate the gender perspective in the development, execution and oversight of public policies. The programme has three components: (a) strengthening the family, with two subcomponents: (i) an equity fund to support initiatives to achieve gender equity between women and men in all spheres of social life, both public and private, by narrowing the equal opportunity gap between them; and (ii) building social capital by financing activities to promote the creation or enhancement of social networks; (b) raising awareness about community and gender through information campaigns, exchange of positive experience and horizontal integration of collaborative sectoral initiatives; (c) institutional development to enhance the management capacity of the National Women's Council to execute the programme effectively. It is hoped that PROFAM will also help strengthen informal social networks, reduce isolation among families, encourage families to take a greater part in formulating local programmes, and build permanent relations between civil society organizations and local governments in order to sustain practices that support families.

Main obstacles

□ The need to strengthen national mechanisms for the advancement of women, improve their institutional engagement and consolidate their hierarchical status. Effective incorporation of the gender perspective in State programmes and projects is a key task that requires suitable mechanisms. In Argentina, gender mechanisms have played a major role in helping to incorporate that perspective through a variety of processes, including the drafting and tabling of legislative bills and the planning of programmes containing a gender perspective. In many cases, however, the effectiveness of these mechanisms has been seriously undermined. A case in point is the situation of the **National Women's Council**, created in 1992 by Presidential Decree 1426/92. This was originally given the rank of a State Ministry, placing it at the highest level of State policymaking, reporting directly to the President of the Republic and operating its own budget. In 2002, however, its status was altered by the creation of the Social Policies Coordinating Council, which initially made the National Women's Council dependent on this body; nonetheless, following successive budget cuts, it is now located in the General Secretariat of the Office of President of the Republic.

□ Shortcomings in gender statistics and indicators: data with a gender breakdown are very scarce, and only three types of gender indicator are available: Index of femininity (number of women for every 100 men); Female presence (percentage of women within the total population or specific groups); and Gender gap (proportional difference between women and men for indicators in a given category). In addition to the gender gap, the social gap indicator is also used, which measures differences existing among women themselves in terms of their social,

economic or cultural status. In recent years, various State programmes have developed statistical tools to measure gender differences, and CNM is preparing a single registry for cases of domestic violence. Nonetheless, these efforts remain fragmentary and are frequently beset by economic problems. Other negative aspects stem from a lack of technical training which prevents the management, use or application of this information; causes difficulty in accessing statistical data; and results in scant diffusion and lack of circulation among public bodies as a normal practice.

□ In the resolution of administrative and judicial cases, the rulings handed down generally do not take account of the provisions of the Convention for the Elimination of All Forms of Discrimination against Women. In fact the parties themselves reveal a lack of knowledge of such provisions when filing their complaints.

Part II

(A) Women and poverty

Human dignity is strengthened in the fight against poverty, which affects women in specific ways. It is therefore necessary to guarantee women's access to credit and productive structures, and to ensure co-responsibility from the male partner in raising the family. Within this framework, the following programmes and projects have been implemented by the National Government:

- **PROGRAMME FOR UNEMPLOYED HEADS OF HOUSEHOLD.** The key objective of this programme is to provide comprehensive protection for the family, by supplying an income source to the most vulnerable households, while ensuring school attendance by the children of beneficiaries, and the incorporation of unemployed heads of household into formal education or participation in training courses that improve their future labour market prospects. The programme's administrative records show that the total number of beneficiaries by the end of 2002 was around 1,735,000. Data from the 2001 national census show that beneficiaries thus represent 67.3 per cent of the unemployed in the 18-and-over age-group, and 4.7 per cent of the country's overall population. The percentage of women beneficiaries is high, at an average of 67 per cent, and this does not vary significantly across regions. Of all women beneficiaries, just 26 per cent are identified as heads of household, and most of such households are among the poorest 40 per cent. The average age of women beneficiaries is 35, and their educational level, in line with the population at large, is higher than for men: 11 per cent did not finish primary school, 43 per cent did not finish secondary school, 33 per cent did not complete college education, and 13.5 per cent were college graduates. Research data indicate that access to the programme has brought a 4 per cent reduction in the incidence of poverty among participating households, and a greater impact in the case of extreme poverty. On average, 20 per cent of households accepted into the programme would have been in a state of extreme poverty if they had not been accepted. The programme is scheduled to continue during 2004, with certain modifications. It functions as a feeder plan for the National Plan for Local Development and Social Economy entitled "Let's Get to Work", which is a system designed to support initiatives for socioeconomic development at the local level, aimed in particular at low-income sectors. Decree 1253 of 29 December 2004 extends the duration of the National Employment Crisis Plan and the Programme for Unemployed Heads of Household until 31 December 2004.
- **RURAL WOMEN PROJECT:** The Rural Women Project of the Ministry of Agriculture's Department of Agricultural Development operates the Rural Action Network, which comprises individuals and institutions working with rural women throughout the country. Its aim is to "incorporate the issue of rural women into the public agenda, (...) as well as to increase the visibility of rural women as active social and political participants who have the potential and capacity to contribute towards the design and implementation of policies targeted at the sector ..." The Rural Action Network organized the National Symposium of Rural and Aboriginal Women, which was held in Buenos Aires in October

2002 (*sic*), representing a response to demands from over 300 groups composed exclusively of rural women. The 400 delegates represented about 600,000 rural women in Argentina. The issues raised included the sector's main problems: access to land, access to quality public health, education, environment, production, work, identity, daily life, etc. A number of conclusions were reached concerning the proposals discussed by participants, which were sent to the highest levels of Government. In December 2003, work began on looking for ways to resolve some of the issues raised. The National Women's Council and the Rural Women Project of the Department of Agricultural Development have formulated a joint programme to train rural and indigent women in how to start up productive projects. Thus far, training workshops have been held for trainers in: violence against women, with material supplied for repeating workshops around the country; and on women, equity and work, for the involvement of women in productive activities, which includes modules on gender, rights and business planning.

- NATIONAL WOMEN, EQUITY AND WORK PROGRAMME (MET): Run by the National Women's Council, the general aim of this programme is "to promote, from the perspective of gender equity and equal opportunities, the development of women's capacities and self-esteem, with a view to improving their position in the workplace". It is hoped that the training process will equip participants with tools that will help them integrate into the workplace.

(B) Women's education and training

The promotion of women's rights requires priority to be placed on education. The Federal Education Act gave the State prime responsibility for laying down the guidelines of educational policy, including making equal opportunities and possibilities effective, rejecting discrimination of any kind, including that based on gender, and overcoming discriminatory stereotypes in didactic materials. This Act is notable for its use of non-sexist language, and for the coordination of educational policies and materialization of strategies to formulate a comprehensive national educational system, free from discrimination or exclusion.

A priority in designing education policies is to ensure students of both sexes enter and remain in school education, reducing grade repetition and dropout rates. Throughout the country, basic compulsory enrolment applies to all children from 4 to 14 years old. In all provinces, compulsory basic general education and non-compulsory multi-track education is free in State-run, public schools. Similarly, the right of all to education without discrimination based on gender or religion has been incorporated into the common core curriculum of basic general and multi-track education, primarily in the subjects of citizenship education and social sciences.

One of the requirements for participation in the Programme for Unemployed Heads of Household is provision of documentary proof that the children of beneficiary homes are attending educational establishments.

In 2004, the province of Buenos Aires (which accounts for 38 per cent of the country's total population and has high levels of poverty) is implementing a programme entitled "Everyone at

School Learning”, in order to guarantee the right of children, young people and adults to education. Its main objectives include: total school enrolment of five-year-old children; strengthening of rural education for the full inclusion of the children of rural workers and producers; development of social and educational policies, such as scholarships; rural transportation; school food service; provision of school supplies; special attendance scheme for pregnant pupils; creation of nurseries to look after the children of students in the multi-track cycle, etc. Another important change introduced in 2004 was ratification of a law obliging all colleges in the province of Buenos Aires to provide sex education classes to students in the first year of the multi-track cycle.

The city of Buenos Aires is implementing a plan to maintain school attendance among pupils of both sexes, including mothers/fathers and pregnant students, in secondary and technical schools. This forms part of the defence of the right to education enshrined in the Convention on the Rights of the Child (Act 23.849) and in the Convention on the Elimination of All Forms of Discrimination against Women. From 2001 onward, Act 709 has extended the leave periods authorized to female students before and after childbirth. The programme also aims to set up a separate space in the school for students of either sex who are going through the experience of parenthood. The monitoring of female students is essential to make the necessary arrangements to provide assistance for pregnancy and childbirth, and also on issues relating to learning and school attendance. The challenge is also pedagogic since it aims to ensure learning as a result of a longer period spent in school. At the same time, it implies a process of reflection throughout the educational community regarding the importance of continuing studies and completing secondary school for students of both sexes, as a complementary project to the status of pregnancy and parenthood.

ACCESS TO EDUCATION: Data from the May 2003 Permanent Household Survey show that just over 12 per cent of the population of 25 years of age or older did not complete primary school. At the other extreme, over one fifth gained access to higher or college education. Generally speaking, there are no gender differences, except for the larger proportion of women who have completed higher or college education.

LITERACY: The illiteracy rate in Argentina is virtually zero, and there are no differences between the sexes in this regard.

FORMAL SCHOOL ATTENDANCE: Evaluated on the basis of net enrolment rates, formal school attendance is high at the primary level, with no significant differences between the sexes. Rates fall off at the secondary level, however, where the situation is more favourable for women; and this pattern is repeated and intensified at university level, where the gender gap in favour of women is wider still.

(C) Women and health (pp. 16 through 20)

I.- National Programme for Sexual Health and Responsible Parenthood

Established by National Act 25.673/2003, the significance of this programme lies in its emphasis on prevention, free and universal provision of contraceptives, access to information and counselling, early detection, promotion of female participation in decision-making, and the quality and scope of sexual and reproductive health services. The programme sets out the following objectives:

- Reduce maternal mortality rates by 40 per cent by 2005 in jurisdictions where the rate is double the national average, and by 25 per cent in those where the rate is equal to or below the national average.
- Reduce by 50 per cent, as compared to 2000 and 2001 levels, the number of hospital admissions due to post-abortion complications by the time the programme has been in place for five years.
- Reduce adolescent fertility rates by 40 per cent by the time the reproductive health programme has been in place for five years in each province.
- Provide supplies of contraceptives for all health-care workers attached to each provincial programme.
- Ensure that the provinces with established programmes for reproductive health and responsible parenthood achieve 50 per cent information coverage by 2005 and 100 per cent coverage by 2010.
- Ensure that the provinces carry out counselling activities in the area of sexual and reproductive health.
- Ensure that all women covered by the national programme have pap smears.

The activities carried out under this programme can be summarized as follows:

- 1.- Distribution of contraceptives to all jurisdictions: they are delivered to a single warehouse, designated by each jurisdiction, for distribution to healthcare workers.
- 2.- Monitoring the distribution of contraceptives, carried out by the Monitoring and Assessment Unit of the Mother and Child Programme.
- 3.- Training in the area of counselling for members of interdisciplinary teams working at the provincial level.
- 4.- Awareness-raising for technical staff and professionals in each jurisdiction.

5.- Training for health workers involved in the programme: training workshops are being held and there is a support manual for health-care workers.

6.- Technical assessment activities in order to carry out on-the-spot assessment of teams working at the central provincial level.

7.- Community outreach activities: meetings with NGOs, the National Directorate for Youth, the Council for Children and the Family, the Women's Support Network, and various social actors in order to outline relevant community work and develop an action plan for 2004.

8.- Social communication targeted at various groups of beneficiaries, carried out by the Training and Communication Section of the Mother and Child Programme.

II.- Policies and programmes to prevent and deal with adolescent pregnancy and motherhood.

The Chamber of Deputies has approved a draft law on the comprehensive protection of children and adolescents, which promotes the safeguarding of all the rights recognized by the Convention on the Rights of the Child.

The government of the City of Buenos Aires has two laws that deal specifically with the rights and needs of adolescents in the area of sexual and reproductive health: Municipal Act 114, on the Comprehensive Protection of the Rights of Children and Adolescents in the City of Buenos Aires; and Act 418, on Reproductive Health and Responsible Parenthood, which prioritizes reproductive health care for adolescents. Pursuant to this legislation, the Council for the Rights of Children and Adolescents carried out training and preventive activities (in 2002, some 6,000 adolescents took part in workshops in secondary schools).

One of the stated objectives of National Act 25.673 on Sexual Health and Responsible Parenthood is to promote the sexual health of adolescents and ensure that the entire population has access to information, guidance, methods and services in the area of sexual health and responsible parenthood. Article 4 states that the Act falls within the scope of the rights and obligations relating to parenthood, but that the child's best interests and full enjoyment of the rights and guarantees enshrined in the Convention on the Rights of the Child will in all cases be regarded as having primary importance.

III.- Main activities to prevent HIV/AIDS and STDs

The LUSIDA project for the prevention and control of HIV/AIDS and STDs was launched in 1997, with activities geared towards: large-scale and targeted social communication; training for teacher trainers at primary and secondary school levels; development of subprojects involving civil society intervention to prevent HIV/AIDS among vulnerable populations; quality control in blood banks; prevention of vertical transmission and diagnosis; treatment and care of patients through new methods, such as voluntary and anonymous diagnosis centres, outpatient hospitals and homecare.

The main achievements of the programme include making use of CSO networks as the driving force behind its activities; human resource training and the transfer of technology to provincial and municipal programmes; wider coverage for prevention programmes through the gradual adaptation of services to local conditions and needs. At present, the National Programme is continuing the work begun by LUSIDA by working closely with civil society in the various national and international forums, participating actively in the development of internationally financed projects and in the country coordinating mechanism for the management of the Global Fund. Likewise, it is continuing to disseminate preventive messages through television commercials, campaigns geared towards adolescents and young people, launch of the free telephone assessment service on HIV/AIDS, and the preparation, publication and distribution of training materials on sexual and reproductive health.

In addition, public hospitals meet the full cost of testing, care and drugs for women who do not have social security coverage or prepaid medical care, and they provide infant formula to prevent transmission through breast-feeding. Act 25.543, adopted in 2001, on testing for human immunodeficiency virus among pregnant women, makes it obligatory to offer an HIV test as part of prenatal care. Public assistance, social service and prepaid medical institutions must include the test in their coverage. Pregnant women must give their informed consent and sign a document agreeing to the test or else refusing it.

(D) Violence against women

Despite major policy strides and progress in the implementation of actions in this area, it should be noted that much remains to be done on many fronts, including the creation of specialized services to treat female victims of violence in most of the provinces; coordination among the various services (areas of health, violence, women's affairs, security, justice); the operation of networks among NGOs; the establishment of a registration system in various services that would generate serious, reliable and comparable data; accessibility to the courts with free legal aid; and greater dissemination of information on the protection of rights. It will also be essential to conduct ongoing national campaigns to stop violence against women, to train the judiciary and members of the police force in gender violence, and to establish shelters throughout the country and a programme to support and reintegrate female victims of violence.

Policies and programmes implemented in this area include the following:

- The National Women's Council has continued to carry out its *National Programme of Training, Technical Assistance and Awareness-raising Activities relating to Violence against Women*. This programme offers training in the establishment and/or strengthening of interdisciplinary teams throughout the country for the prevention and/or treatment of domestic violence and the establishment of inter-institutional and social networks; provincial and municipal women's offices, hospital services, judiciary and educational personnel, members of the police force and civil society organizations.

One aspect of the programme involves entering cases in the Domestic Violence Register and offering violence prevention and treatment services. About 50 services throughout the country participate in this project. The purpose of the Register is to provide information to help determine, inter alia, the profile of the population receiving assistance, prior incidents of domestic violence, the extent to which they are at risk at the time of counselling, how the women came to the Services and their socioeconomic profiles.

Various Argentine provinces receive technical assistance and training materials under the domestic violence projects contained in the Federal Plan for Women. An assessment of the health sector's Domestic Violence Treatment Services is also being conducted.

- CNM also operates an inter-institutional network for dealing with violence (RIAVI), which held two seminars in 2002 and 2003, respectively. The purpose of this network is to facilitate the exchange of experiences between agencies and services dealing with the problem in the city of Buenos Aires. Participants include: hospital centres and services, the Ministry of Justice and the municipal government of Buenos Aires.

In 2003 a total of 51 domestic violence projects of municipal women's offices and civil society organizations were incorporated into the PROFAM programme of the National Women's Council. Brochures for the International Day against Violence against Women were prepared jointly by CNM, the Special International Office for Women's Affairs of the Ministry of Foreign Affairs, and the Office of the Undersecretary for Human Rights, covering the whole country, together with a radio and television campaign and film screening on the topic of violence against women.

- The Buenos Aires Directorate-General for Women runs the Programme on the *Prevention of Domestic Violence and Assistance to its Victims*, which has a 24-hour hotline entitled "Women's Line" that is in service seven days a week. The hotline deals with violence control, and offers counselling and assistance to female victims of violence, including telephone follow-up. The Directorate operates a shelter for women victims of violence with young children in high-risk situations, seven Comprehensive Care Centres for Women and a shelter home offering personalized care to teenage mothers.

- In August 2003, the "*New Life*" programme to treat domestic violence victims was launched in the city of Córdoba. The programme disburses a subsidy over a six-month period, to help female victims of violence cope in situations of risk. It is also designed to control violence and provide treatment through expert teams.

Sexual violence

Another aspect of violence against women that needs to be addressed relates to so-called sex crimes. According to information provided by the National Directorate of the Criminal Police within the Ministry of Justice, in 2002, the rate of sex crimes against women rose to 33.75 cases reported per 100,000 inhabitants, while the corresponding rate among men was 5.62 per 100,000. Females were victims of sex crimes in 6,447 cases, 2,100 of which involved rape.

Sexual harassment

Women workers in the public sector who are victims of sexual harassment are protected by Decree 2385/93, which incorporates the offence of sexual harassment into the Regulations of the Fundamental Juridical Regime of the Civil Service, in the chapter entitled “Duties and prohibitions”. A civil servant who, in connection with or in exercise of his functions, takes advantage of his more senior position to induce another person to agree to his sexual requirements, regardless of whether this involves a carnal act, may be liable to the following disciplinary measures:

- (a) Caution
- (b) Suspension for up to 30 days
- (c) Layoff
- (d) Dismissal.

These sanctions will be applied without prejudice to any civil and criminal responsibilities that are applicable under current laws. Suspensions will be applied without the provision of services or receipt of incomes. The various trade associations and unions are responsible for publicizing the rights and remedies available to women in this regard. In addition, Ordinance 47.506 Ad 230-57 BM 17/1/94 incorporates the offence of sexual harassment as a punishable misdemeanour within the disciplinary regulations covering employees of the municipal government of Buenos Aires.

Workplace violence

Sexual harassment was contemplated in actions to establish a Specialized Office on Workplace Violence within the Tripartite Commission on Equality of Opportunities and Treatment between Men and Women in the Workplace (CTIO), attached to the Ministry of Labour, Employment and Social Security. This action involves the three institutions represented in the CTIO and business chambers. Training for persons involved in the care and guidance of complainants, of either sex, will be the responsibility of the International Labour Organization (ILO).

Trafficking in persons, especially women and children

In late 2002, Argentina ratified the United Nations Convention against Transnational Organized Crime, together with its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

The feeling that something must be done about the problem of trafficking in persons gained ground and visibility, and a number of public agencies were mobilized, both at the national level and in the city of Buenos Aires, together with civil society organizations, experts and academics.

One response was to establish a Working Commission composed of national and Buenos Aires agencies and NGOs, to study and propose appropriate legislation; to gather information on and harmonize public policies, proposals and agreements; and to conduct campaigns to disseminate the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Various meetings on human trafficking were held in the National Congress with the participation of Latin American legislators and public and private agencies. In 2002, the Ministry of Foreign Affairs, International Trade and Worship held the First Interdisciplinary Day on Trafficking in Women, under the auspices of the Inter-American Commission of Women (CIM) of the Organization of American States (OAS), and the International Organization for Migration (IOM).

The Ministry of Foreign Affairs of Argentina, is preparing a draft “Protocol of Action” to coordinate joint activities with other ministries and national and provincial institutions, with a view to coordinating measures aimed at preventing and combating this scourge, and provide adequate assistance to its victims.

At the regional MERCOSUR level, the issue of human trafficking was raised by Argentina at the Ninth MERCOSUR Special Meeting on Women (REM), held in Asunción in May 2003. On the basis of the Argentine proposal, paragraph 9, setting out the commitment of Governments to place the issue on their agendas and to carry out joint and coordinated activities in this area, was added to the Joint Declaration of Heads of States members of MERCOSUR, Bolivia and Chile.

(E) Women and armed conflicts

The Republic of Argentina recognizes and values the essential role played by women in promoting peace. This conviction underlies our firm support for initiatives that seek broader participation by women in operations to maintain and consolidate peace, both at grass-roots level and in all echelons of decision-making. It should be noted that our country has incorporated the gender perspective in its training centres for peacekeeping operations (AECOPAZ), and it provides female personnel to participate in peacekeeping forces. Data for September 2003 show that there were eight Argentine women in peacekeeping forces distributed as follows: six in the Argentine Task Force in Cyprus, one in the Kosovo Joint Engineers Company, and another in the United Nations Department of Peace-keeping Operations. The number involved at any given time varies, but it is important to note that there are no restrictions whatsoever on female personnel gaining access to any post or function; and participation in peacekeeping missions is voluntary.

(F) Women and the economy

The year 2002 marked a turning point in the deterioration of working conditions among the population. Jobs and unemployment levels recovered slightly in 2003 from the previous year, and in some cases exceeded 2001 levels.

At present, 46 per cent of women work in the informal sector of the economy, which is slightly lower than the percentage for men. Informal employment rose between 2001 and 2002, but dropped back in 2003. The fall was essentially due to a decline of more than four percentage points in women's participation.

Among employed women, wage-earners accounted for 79 per cent, compared to 67 per cent in the case of men. However, 55 per cent of wage-earning women receive either no social benefits at all or only partial benefits.

The proportion of women employed in skilled professional positions is low (8 per cent), which is similar to the proportion for men, indicating that there is no gender-based difference in this sector of the labour market.

Most women (70 per cent) perform unskilled jobs, mainly employed in domestic service, teaching, social services and health care, the textile industry, other personal services, restaurants and hotels, public administration and the retail trade. Nearly two thirds of women work in these professions.

The situation in the urban sector as a whole displays considerable vulnerability in employment: more than 30 per cent of wage-earners do not receive retirement benefits (black-market work); hourly underemployment affects a quarter of those in work, almost one fifth are unskilled and worked on their own account, over one third earn less than \$200 per month; one fifth perform work that is temporary, unstable, or of unknown duration, and 7 per cent are on employment training courses. In general, these levels are higher for women, and over two thirds of working women display at least one unsatisfactory employment-quality indicator.

One area that should be stressed is that of employment training courses. Although these are not true jobs, in a climate of structural crisis, such as the present, they offer a public policy tool that can help improve the situation of households in a situation of extreme vulnerability. These households, which account for 7 per cent of the employment market, make up 12 per cent of women's employment.

Policies and programmes implemented in the area of employment

- In the domain of the Ministry of Labour, Employment and Social Security, Resolution 656 of 2002 provided for *"incorporation of the gender perspective as a guiding principle in the design and implementation of all actions relating to employment and professional and technical guidance"*.

- In January 2002, when the Economic Emergency Act was passed, it was decided to pay double compensation for unfair dismissal, for a period of 180 working days, to staff then in employment. This measure has been extended on several occasions. It is not possible to say with any certainty that there have been discriminatory dismissals based on sex.

- National Women, Equity and Work Programme The overall objective of this programme is “to promote, from the perspective of gender equity and equal opportunities, the development of women’s capacities and self-esteem, with a view to improving their position in the workplace.” The following specific materials have been produced: 400 (*sic*) copies of the “Instructors’ manual” and 12,000 copies of the corresponding workbook. The programme provides training workshops for instructors and civil society organizations.

- Women’s support network: Training has been provided to an estimated 435 instructors, who will pass on their training to at least a further 2,250 people. It is estimated that at least 45,500 women in various provinces will benefit directly.

- In all cases, CNM offers technical assistance and review of projects designed by the groups receiving training. This training gives women the chance both to find better job opportunities and to earn to real incomes, which increases their sense of independence and empowerment (women are provided with information on productive projects funded by various State agencies and provincial and local governments, including the national “Let’s Get to Work” programme, the National Fund for the Creation and Consolidation of Microenterprises of the National Bank of Argentina, and the programmes of the Undersecretariat for Small and Medium-Sized Enterprises, among others). One crucial aspect of the Programme is the ongoing exchange with the local offices of the Ministry of Social Development, which coordinate the development of social and productive plans.

During 2004, in addition to training instructors across the country, the MET programme expects to work in the following activities: promotion of the establishment of a national network of women entrepreneurs and/or women’s associations throughout the country; construction of a database of women’s productive projects; and dissemination of best practices, permanent consultation of databases available in the “Let’s Get to Work” programme; identification of sources of credit and/or subsidies for the development of productive projects. In addition, CNM, acting through the Programme to Strengthen the Family and Build Social Capital (PROFAM) has approved financing for 40 productive projects; and, under the Federal Programme for Women, it has approved a total of 22 projects on employment and rural women, to which it provides technical assistance and materials from within the MET programme. These projects will be implemented in most of the country’s provinces.

- Training actions provided by the Tripartite Commission on Equality of Opportunities and Treatment between Men and Women in the Workplace: these are carried out through three commissions: (1) Observatory for Women in the Workplace and Production, the aim of which is to investigate and diagnose the problems facing women in the workplace. (2) Training and skill development; and (3) Promotion of provincial tripartite commissions.

(G) Women in power and decision-making (see part I)

(H) Institutional mechanisms for the advancement of women (see part III)

(I) Women's human rights

In terms of providing shelter for victims of violence, Argentina is one of the countries that has been most diligent in keeping abreast of progress in this field of rights, incorporating the gender perspective into eligibility criteria. The Committee on Refugee Eligibility (CEPARE) in practice registers cases where shelter is provided on the basis of a justified fear of suffering domestic violence. CEPARE is staffed by personnel from the Ministries of Justice and Foreign Affairs, with participation from ACNUR.

This is consistent with the Argentine position vis-à-vis international bodies, especially in the United Nations Commission on Human Rights, where the country has been active in supporting special reports and in cooperation for consensus especially on issue 12 (Women).

Part III (4 pages)

Institutional development: Institutional mechanisms for the advancement of women. National mechanisms. Programmes to expand capacity among sectoral ministries, resource allocation, and supervision and accountability mechanisms. Associations

With regard to national mechanisms for gender mainstreaming, there are various mechanisms devoted to women's issues at the national government level; and judging by the number of institutional mechanisms devoted specifically to women's issues, interest in this topic is clearly growing among national, provincial and municipal governments. In many cases, however, these mechanisms are marginal, have only skeleton staffing, and insufficient budget and funding, which results in deteriorating effectiveness.

The following mechanisms exist at the national level: *The National Women's Council* created by Presidential Decree 1426/92, in response to recommendations made by the Convention for the Elimination of All Forms of Discrimination against Women. The Ministry of Foreign Affairs, International Trade and Worship has the following mechanisms: *the Special International Office for Women's Affairs*, and the *Ad Hoc Commission to Monitor Application of the Beijing Plan of Action*. Other ministries have also been creating gender mechanisms, including: *the Tripartite Commission for Equality of Opportunities and Treatment between Men and Women in the Workplace* of the Ministry of Labour, Employment and Social Security, and *the Coordinating Unit of the Mother and Child and Nutrition Programme* of the Ministry of Health. At the provincial level, there were 21 women's offices with different degrees of institutionalization as of December 2003. In addition, there are 133 municipios with gender offices, which is laudable since these make it possible to give greater coverage to the issue with an approach that addresses local problems.

National mechanisms

❖ National Women's Council

The National Women's Council (CNM) was created in 1992, reporting directly to the Office of the President. In 2002, during the Duhalde administration, the National Council for Social Policy Coordination was established, presided over by Mrs. Duhalde, and the National Council became a dependency of that body, although the budget is handled by the General Secretariat of the Office of the President. Dr. Alicia Kirchner is currently Chair of the National Council for Social Policy Coordination.

In 2002, CNM suffered budget cuts affecting the performance of its mandate and functions. It has two internationally financed programmes, and in essence the three national plans stress the gender perspective, but approach it as part of a comprehensive concept of family, since social policy is conceived as a whole, and not from a purely a sectoral standpoint. The Senate recently approved a bill to establish such a national mechanism, and this has now gone to the Chamber of Deputies for its consideration.

Provincial women's mechanisms

As of December 2003 there were 21 provincial women's offices in various stages of institutional development. These offices make up the Federal Women's Council, where implementation of public policies and the realization of CNM programmes throughout the country are discussed.

Since 2003, CNM has been implementing various programmes and activities to promote gender equality and equity and the empowerment of women. It also runs training and assistance programmes relating to the gender perspective; women's rights and citizenship; political participation; women, equity and work; sexual health and responsible parenthood; violence against women, and others. These activities are carried out nationwide through the provincial and municipal women's offices and civil society organizations.

The National Council also prepares or helps prepare reports for submission to international organizations (Committee on the Elimination of Violence against Women - CEDAW, Economic Commission for Latin America and the Caribbean - ECLAC, United Nations Population Fund - UNPF, Inter-American Commission of Women - CIM, and United Nations Committee on Violence against Women). It also participates in workshops on the Millennium Development Goals in Argentina.

It monitored compliance with the Electoral Quota Act during the national legislative elections in 2003, which involved contacting election boards throughout the country, and providing technical assistance to federal councillors for monitoring the application of quotas in their jurisdictions.

The National Women's Council also compiles and organizes data at the national and/or provincial level, on areas of concern in the Platform for Action, which it disseminates on the institution's website.

In addition it works with members of the National Congress and follows up bills introduced in the legislature that have direct or indirect impact on the status of women.

Three meetings of the Federal Women's Council were held during the course of 2003, to present and discuss proposed work plans and their implementation throughout the country. Civil society organizations were invited with a view to putting together joint initiatives and policies.

❖ Ministry of Labour, Employment and Social Security: Tripartite Commission on Equality of Opportunities and Treatment between Men and Women in the Workplace.

Bearing in mind that the Convention on the Elimination of All Forms of Discrimination against Women has constitutional rank in Argentina, and that National Government Decree 254/98 approved the Plan for Equal Opportunities between Men and Women in the Workplace, national Government bodies are required to adopt measures to fulfil these objectives in their respective jurisdictions.

In this context, and as a result of the recommendation made by the International Labour Organization in October 1998, the Tripartite Commission was established, encompassing government, union and business sectors. Members of the Commission include the Ministry of Labour, Employment and Social Security, the Special International Office for Women's Affairs of the Ministry of Foreign Affairs, the General Labour Confederation, the Argentine Industrial Union, the Chamber of Commerce and the National Women's Council. Its objectives include developing action strategies for equality of opportunities and treatment between men and women, in employment and in professional and technical training.

❖ **Ministry of Foreign Affairs, International Trade and Worship: Special International Office for Women's Affairs**

This Office's main mission is to participate in identifying, preparing and proposing plans, programmes, projects and foreign policy goals, in relation to the condition and status of women, acting in international organizations, entities or special commissions.

For this purpose it drafts instructions, plans and operational programmes for international meetings on the condition and status of women, in which Argentina participates, and meetings which are held on this issue in international bodies of which our country is a member.

It also coordinates with the competent bodies in studying domestic legislation with a view to adapting it to international law on the condition and status of women, and in concluding international treaties, agreements and conventions.

At the national level, the Special International Office participates in the study, preparation and evaluation of projects, plans and programmes with other State bodies and dependencies involved in foreign policy. In addition, the Office maintains links with women's NGOs, especially those that have been recognized by international agencies.

This participation in international and domestic forums has made it possible to strengthen links with both public and private organizations, in order to collaborate with them in their activities and disseminate national policy on gender equality. In addition, the relationship established with other States and international organizations has enabled it to disseminate national policy on the subject and gain support in the various forums that exist to promote it.

❖ **Ad Hoc Commission to Monitor Application of the Beijing Platform for Action**

Origin and background

As part of its preparations for the Fourth World Conference on Women, and its precursor the sixth session of the Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, held in Mar del Plata in September 1994, the national Government created the National Coordination Centre. Following the positive experience gained with this body, National Government Decree 1013 of 28 December 1995 **established an Ad Hoc Commission to Monitor Application of the Plan of Action of the**

Fourth World Conference on Women, attached to the Ministry of Foreign Affairs, International Trade and Worship.

This commission consists of a representative from each Ministry and State Undersecretariat, the Office of the President, each of the other powers of State (judiciary and legislature), each provincial government, and the women's office of the government of the city of Buenos Aires.

The ad hoc commission also includes representatives from NGOs and labour unions, and from the university domain. Informative meetings were held with NGOs in order to maintain and nurture the relationship that exists with what is an important mode of citizen participation in women's issues, and to coordinate their work in a framework of cooperation and coordination of tasks between the Government and private bodies.

To enhance the functioning and organization of the commission, the country is divided into seven regions with one representative each.

The topic of women and poverty was considered the key strategic objective in the country, and the first stage of the Commission's work was devoted to overcoming this.

The issue of women's education and training, and women's health, required special attention from the Ad Hoc Commission, which designed strategies and made recommendations to government bodies.

Violence against women, which is a longstanding problem that has only recently been brought to the surface, was the subject of numerous meetings, proposed legal frameworks, and exercises to share experiences, to disseminate best practices implemented in each locality of the country, reject those that have not proven effective and disseminate those that have done so.

The topic of women and the economy was widely analysed, including the specific characteristics of women microentrepreneurs and SMEs; work was carried out on the difficulties faced in this area, and efforts were made to establish women's networks for organizational purposes in order to facilitate production and marketing.

Critical areas of the Beijing Conference relating to women in power and decision-making, and the girl child, were analysed in detail, and proposals were also taken to provincial governments of the municipal government of Buenos Aires.

Several regional meetings were held in 1997. In order to prepare an inventory of initiatives carried out within this framework, a questionnaire has been prepared to compile information on two topics from the critical areas of the Platform for Action of the Fourth World Conference on Women, coinciding with the issues scheduled to be addressed in the Forty-Seventh Session of the Commission on the Status of Women (United Nations, New York, March 2003).

Topic 1

Promotion of institutional capacity for application of the Beijing Platform for Action and the final document of the Twenty-Third Special Session of the General Assembly, including the incorporation of the gender perspective.

Topic 2

Women's human rights and the elimination of all forms of violence, including trafficking in women (linked to the tenth anniversary of the World Conference on Human Rights)

2004

Relaunch of the Commission

Part IV

➤ *NEED TO STRENGTHEN IMPLEMENTATION OF THE PLATFORM FOR ACTION*

As a response to the problems and difficulties in applying the Platform for Action, the Ministry of Foreign Affairs, International Trade and Worship, acting through the Special International Office for Women's Affairs, is preparing to implement a new stage in the functioning of the **Ad Hoc Commission to Monitor Application of the Plan of Action of the Fourth World Conference on Women** (see point III). The primary aim is to achieve full application of the Platform, together with the outcome of the Twenty-Third Special Session of the General Assembly: "Gender equality, development and peace for the twenty-first century" and the "Millennium Development Goals". The work to be undertaken in this domain will have the following strategic priorities: poverty, health, and institutional mechanisms for women's issues, promoting the necessary coordination of actions to make them more effective, and bearing in mind that their application will extend to every region of our country, which all have the same problems but with individual characteristics.

As a result of efforts by the MERCOSUR Special Meeting on Women (REM) to raise the status of national mechanisms for the advancement of women, a major commitment was included in the joint communiqué of Heads of State of the MERCOSUR countries, Bolivia and Chile at their Montevideo meeting of 15 December 2003. Following a recommendation made by REM, paragraph 24 of the communiqué states: *"They ratified their commitment to the goals and targets of women's full participation in political, economic and social life, seeking to consolidate full gender equity in the States members of MERCOSUR, together with Bolivia and Chile. They welcomed progress made on this issue, particularly the consolidation of high-level institutional structures such as Secretariats or Ministries for Women's Affairs. They reaffirmed that such mechanisms are fundamental and need to be strengthened and provided with resources."* The transcribed paragraph reflects the commitment assumed by each Head of State before his peers and the broader community in the regional trade bloc, by defining the institutionalization of women's offices as a strategic task for MERCOSUR countries.

➤ *ACTIONS TO PREVENT AND COMBAT TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND YOUNG GIRLS.*

The Argentine Republic accords the highest priority to the problem of human trafficking, and is lobbying for the issue to be established on the agenda of States members, both internationally and regionally, especially in MERCOSUR.

We favour a comprehensive and interdisciplinary approach to this issue based on unrestricted respect for the human rights of victims and their social reintegration, aiming to prevent, combat and eradicate this social scourge. We also believe that wide-ranging interagency coordination – within each State and among the international community – will help to raise the profile of a crime that is growing in the shadows of indifference and misinformation, and provide tools to combat it. This is not to ignore the active efforts of civil society organizations that have been raising awareness of this problem among the community at large. In keeping with these

premises, the following developments in the Argentine Republic to combat this scourge should be noted:

- **New Migrations Act (No. 25871):** in particular Articles 29 and 116. The first of these, in subparagraph c), makes having a criminal record in this area an impediment to entry into Argentina. The second article mentioned places it within the framework of “crimes against the migratory order” and also typifies human trafficking.
- **National Commission for the Eradication of Child Labour (CONAETI):** Decree 719 of 25 August 2000 created this National Commission attached to the Ministry of Labour, Employment and Social Security. It exists to coordinate, evaluate and monitor efforts to prosecute and effectively eradicate child labour. The commission consists of representatives from public institutions – including the Ministry of Foreign Affairs – related to the problem of child workers, together with employer organizations, workers and NGOs interested in this subject. The International Programme on the Elimination of Child Labour (IPEC) – International Labour Organization (ILO) – and the United Nations Children’s Fund (UNICEF) participate in an advisory capacity.
- **Action Protocol on human trafficking:** The Argentine Ministry of Foreign Affairs – acting through its Special International Office for Women’s Affairs – is preparing a “Protocol of Action”, coordinating with other ministries and both national and provincial institutions, in order to prevent and combat trafficking in women and children, and to provide assistance for the victims of this crime, with the basic aim of preventing them from being revictimized and facilitating their social reintegration in a climate of full respect for their human rights.
- **Argentine-Dominican Binational Workshop on Human Trafficking:** This workshop organized by the Special International Office for Women’s Affairs with sponsorship from the International Organization for Migration (IOM), was held in Buenos Aires on 19 March 2004 to enable two countries that have suffered the tragic effects of this scourge to exchange information and experiences. It was agreed to implement the mechanism in the United Nations Convention against Transnational Organized Crime (Palermo, 2000), in terms of designating a national focal point; and emphasis was placed on creating local prevention and suppression networks targeting at-risk population groups and assistance for victims – as a model of good practice to prevent and combat this crime.
- The National Congress is currently considering a bill to create the **National Programme for Prevention and Assistance for Victims of Human Trafficking and Sexual Exploitation**, under the auspices of the Ministry of Social Development and intersectoral coordination with the following ministries: Justice, Security and Human Rights, Labour, Interior, Foreign Affairs, International Trade and Worship, Health, and Education, and the Public Prosecutor’s Office.
- **Argentine-Dominican Binational Workshop on Human Trafficking:** This workshop organized by the Special International Office for Women’s Affairs with sponsorship from the International Organization for Migration (IOM), was held in Buenos Aires on 19 March 2004 to enable two countries that have suffered the tragic effects of this modern form of slavery to

exchange information and experiences. It was agreed to implement the mechanism in the United Nations Convention against Transnational Organized Crime (Palermo, 2000), in terms of designating a national focal point; and emphasis was placed on creating local prevention and suppression networks targeting at-risk population groups and assistance for victims – as a model of good practice to prevent and combat this crime.

- The National Congress is currently considering a bill to create the NATIONAL PROGRAMME FOR PREVENTION AND ASSISTANCE FOR VICTIMS OF HUMAN TRAFFICKING AND SEXUAL EXPLOITATION, under the auspices of the Ministry of Social Development and intersectoral coordination with the following ministries: Justice, Security and Human Rights, Labour, Interior, Foreign Affairs, International Trade and Worship, Health, and Education, and the Public Prosecutor's Office.

➤ *PRODUCTION OF GENDER STATISTICS AND INDICATORS*

An issue that we intend to make progress on – both nationally and in the regional MERCOSUR framework – concerns the formation of a database and methodological standardization of indicators on the status of women. In this regard, and in application of the strategy agreed at the MERCOSUR Special Meeting on Women (REM) held in Montevideo last November, the Argentine Ministry of Foreign Affairs, acting through its Special International Office for Women's Affairs, has begun consultations with the Sectoral Statistics Directorate of the National Institute of Statistics and Censuses (INDEC), with a view to creating new gender indicators in addition to those currently being used by that organization. The National Women's Council is also working with INDEC to develop new gender indicators, through data obtained from the Permanent Household Survey.

➤ *MEASURES RELATING TO TRAINING AND LABOUR MARKET PARTICIPATION*

It is essential that the holders of senior posts in the national Government are trained on gender issues, in order to act as multiplier agents throughout public administration as a whole. Work is therefore likely to be carried out with the competent national bodies – especially the National Women's Council and the National Institute against Discrimination – to prepare programmes to this end. The goal of achieving equitable participation by women in the higher institutional echelons must also be insisted upon.

Another priority line of action aims at improving women's labour market participation, to bring this in line with training indices, especially in the case of college graduates. The most significant inequalities in the labour market domain include the gap between female and male wages, which widens with the number of years of schooling. In Argentina, women with between 0 and 3 years' schooling earn 64 per cent of the incomes earned by men of the same education level; with 4 to 6 years' schooling, women earn 82 per cent of men's earnings, but those with university studies earn only half. This reality makes it essential to take action in this domain, to fulfil the goals of optimizing existing resources and improving the quality of life of Argentine women and society as a whole.

(Methodological note:

- ❖ Questionnaire of a qualitative rather than quantitative type.
- ❖ Nonetheless quantitative data are requested, with a sex and age breakdown.
- ❖ Indicate concrete deadlines for adopting measures and initiatives.
- ❖ Deadline: 30 April 2004
- ❖ Format: Printed and electronic
- ❖ Send to DAW and ECLAC).