

## **PRESENTATION OF THE ARGENTINE REPUBLIC**

### **Statement made by the National Government Representative, Gloria Abán, President of the National Women's Council (CNM)**

Madam President

Distinguished Members of this Committee

Ladies and Gentlemen

As President of the National Women's Council, designated as from January by the present government, I am very pleased to represent the Argentine Republic at this meeting of the Committee in order to consider the *Fourth and Fifth Regular Reports* submitted by Argentina.

It is worth mentioning that these reports correspond to two presidential periods of different political parties; the Fourth Report covers from September 1996 to October 1999, during the Presidency of Dr. Carlos Menem, and the Fifth Report, from February 2000 to December 2001, covering the presidential period of Dr. Fernando de la Rúa. The Committee has also the responses to the request about the information of the impact of the Argentine crisis on the women population after December 2001 and up to April 2002.

First, I would like to point out that it has been 10 years now that the National Women's Council has been created, by Decree No. 1.426/92, as an Agency within the National Executive Power. It was organized to materialize the commitment made by the Argentine State to ratify the adherence to. ***The Convention on the Elimination of all forms of Discrimination against Women***

This agency has been continuously working on specific objectives during all these years, regardless of the political changes occurring in our country and the goals prioritized by each one of its four administrations from the time it was created until today. This represents cumulative and sustained experience that allowed this agency to promote and articulate actions with political and congresswomen, and with civil organizations, thus contributing to the achievement of important progress.

On legislative matters, we may especially mention the enactment and regulation of the Quota's Law, the Constitutional Reform, which is a fundamental landmark for women as far as citizen rights and concerned actions as well as in the recognition of real equal opportunities and treatment between men and women, the Family Violence Law, the amendment to the Criminal Code, etc.

In connection with technical and managerial capacities, follow-up actions as well as the filing of appeals to comply with the effective incorporation of women in the National Congress have been implemented. Other actions have also been implemented, such as: the way to understand the perspective on a sector basis in order to promote public policies tending to modify discriminatory situations against women in different areas of the society.

The promotion of the creation and the institutional strengthening of Provincial and Municipal Women Areas has been a priority objective of the CNM's policies. In a federal country like Argentina, with different social, economic and cultural conditions, it is essential to have local Women Mechanisms as agencies responsible for promoting public policies with a gender perspective and jurisdictional government requests to coordinate joint actions within the national territory.

This proposal is developed through the Women Federal Plan, which we will be referring to below. Up to this date, twenty-one (21) Provincial Women Areas were created and there are about two hundred and forty (240) Women Areas operating at the municipal level throughout the country, with different levels of institutionalization and organization.

Another essential government step taken, was the creation of the Women Federal Council in 1996. It is made up of the Federal Counselors appointed by the corresponding provincial governments and by the representatives of the Women Provincial Areas (23 jurisdictions plus the City of Buenos Aires). This Council operates as an area where the different situations and problems of the women in this country are dealt with, and where the principal annual working schedules of the CNM are approved. There is also a Board of Directors, which acts as a link among the representatives from each one of the ministries of the Executive Power and of the two Houses of the National Congress.

The ad hoc Commission for the Follow-up of the Action Platform of the IV Worldwide Conference on Women is under the control of the Women Direction - created in 1995 - which depends on the Ministry of Foreign Affairs International Trade and Worship. This Commission is made up by representatives of the Central Government, of the Provincial Governments and of civil society organizations. For 2002, there will be a meeting and it is planned that the Women's Department depending on the Ministry of Foreign Affairs and the National Women's Council will work together. Likewise, there is the Specialized Meeting of Women, dependent on Mercosur's institutional structure. From the space of Women and Mercosur (REM), through RES. 04/02 of the VII Meeting held in Buenos Aires in May, it was decided to recommend the incorporation of the gender approach in the elaboration of the National Assumptions of the Member States.

The whole institutional network coordinates with other women members of non-governmental organizations, both nationwide and on a provincial basis, where in many cases they become a part of the Provincial Advisory Councils on Women Affairs, participate in training and technical assistance programs and benefit from projects just as it will be discussed later under the Federal Plan issue.

The CNM is currently working on the creation of a Working Committee with the participation of political women and women members of non-governmental organizations: 1.- Labor and production integration 2.- Political Rights and Reform and 3.- Women Health.

I would like to point out that two hundred and fourteen (214) Non-Governmental Organizations throughout the country took part in the Diagnosis Workshops during the formulation and design stage of the Federal Plan. Twenty-five per cent of all participants were representatives from civil organizations. In the training and technical assistance furnished to the nine provinces selected by the Federal Plan, and forty per cent from such organizations have been selected to be assigned projects within the same Plan.

## **INSTITUTIONAL, SOCIAL AND ECONOMIC SITUATION**

Everybody is aware of the serious crisis our country is undergoing. This economic, political and social crisis started abruptly in December 2001, but it is part of a process originated several years ago.

After an expansive cycle generated by the "Convertibility Plan", which fixed the rate of exchange on a strict basis (one peso = one dollar) and which was accompanied by the restructuring of the State, the privatization of almost all mass consumption utility companies, the economic opening to the free movement of financial capital, the lowering of import fees, the negotiation and increasing external indebtedness, more flexible working conditions, and important changes in tax policies, the country was strongly exposed to external movements of the international economy. Since the 1995 crisis starting in Mexico and definitely in 1997, the economic scene started to show itself as a recessive setting.

There is a growing process of concentration of wealth in the hands of a few in comparison to an increase of poverty, unemployment and underemployment rates and the deterioration of social rights, having a direct effect on the status of women.

Unemployment rate, which shows a growing increase since 1995, attained a historical maximum rate in 2002. According to the Homes Permanent Survey (EPH) results corresponding to May 2002, the total unemployment rate of the twenty-eight (28) urban districts surveyed, increased from 16.6 to 21.5 in one year. In the case of the Greater Buenos Aires (GBA), which includes the City of Buenos Aires and the

suburban administrative areas, unemployment reached 22 % of the Economically Active Population (PEA). The information available up to date is only broken down by sex for the GBA. In these districts unemployment strongly hit the male population (23.2 %) compared to a 20.1% of female population unemployment, a situation that occurred only in 1990. The increase of unemployment in the male population nowadays is no doubt explained by the annihilation of jobs recorded during the first months of this year, which especially affected the following areas: industry, building and transportation; these activities provide employment mainly to the men population.

It is important to notice that in 2002, women unemployment rate is the same (20.3%) as the one pointed out with great concern by the Committee in 1997. Therefore, the rate fall between 1997 and 2002 was the result of interim policies such as the emergency labor plans, but they were aimed at the genuine creation of employment and were not a result of an economic recovery.

If we add both demanding and non-demanding hourly underemployment rates to these unemployment rates, the result sets out the magnitude of the crisis, since it shows that 41.3 of PEA faces serious working problems.

If we consider household heads by sex, the impact is also higher among the male population: the unemployment rate is 18.2, while the rate for the female population is 15.4.

While the convertibility cycle closes, there is the possibility of opening a period of growth in the export and substitution of imports areas, the adaptation to new technologies and the recovery of a highly qualified labor force that had been removed from the economic due to the indiscriminate opening of the economy. Several indicators show a three consecutive-month increase in the industrial production, an increase in the power supply to the industrial sector, a two-month budget surplus and an increase in tax collection.

The National Government carried out a more effective reassignment of budgetary resources by concentrating its efforts, basically on four principal plans tending to give a response to the current national emergency situation.

## **PRINCIPAL PLANS IMPLEMENTED BY THE NATIONAL GOVERNMENT**

- ***Food Emergency Plan***

Decree No. 108/2002 "Need and Urgency Decree stating a National Food Emergency and creating the National Food Emergency Plan". This

emergency plan will be in force up to December 31, 2002 and it is established within the scope of the Ministry of Social Development and the Environment and will be financed with the National Administration Budget up to a total amount of 350 million pesos.

It provides financial assistance to pay for food portions and it is implemented through the provincial and municipal governments.

- **Household Male and Female Heads Plans**

Decree No. 165/02 states the Occupational Emergency until December 31, 2002 and Decree No. 565/02 creates the Household Male and Female Heads Plan. The purpose is to provide economic assistance to household male and female heads who meet the requirements indicated in the decree in terms of beneficiary population, in order to guarantee the Social Inclusion Family Right, ensuring: a) the school attendance and the health control of children; b) the incorporation of the beneficiaries to the formal education; c) their participation in training courses aiming at a future reintegration into the labor force; d) their incorporation into production projects or into community services having an important effect as far as the occupational matter is concerned. By means of these regulations, the compliance of other actions could be anticipated, which lead to or tend to improve the employment possibilities of the beneficiaries for the development of production and/or service activities (Article 3).

The number of males and females who benefit from both Plans I and II totals 1,822,227. Plan II shows data broken down by sex. Out of a grand total of 1,309,091: 689,341 are men (52.66 %) and 619,750 are women (47.34 %).

The Plan may be extended to young unemployed people and to people over SIXTY (60) years old who had no access to a welfare benefit. The competent authority will establish the opportunity and the requirements necessary to have access to the benefits of this PLAN and to finance it in future budgetary fiscal years.

- **Health Emergency**

Decree No. 486/02 states a health emergency until December 31, 2002 in order to guarantee the Argentine population the access to basic goods services aimed at health care.

Purpose:

1. To promote the progressive decentralization of the plan to the other provinces of the Republic as well as to the City of Buenos Aires;
2. To ensure the normal provision of medicines (especially those not produced in the country) and medical supplies;

3. To ensure the basic essential assistance;
4. To redefine the basic essential assistance: they are the ones which are necessary and indispensable to preserve life and the assistance of diseases within the framework of the Compulsory Health Program and in accordance with the emergency. The National Health Insurance System shall guarantee this assistance as a priority measure.

The Provincial or National Health Care Centers providing hospitalization services are the beneficiaries of this decree.

A main Program and two secondary Programs are created.

- ***National Program for the Universalization of the Access to Medicines, which contains:***

- 1<sup>o</sup>. A subprogram of insurance of medicines for ambulatory use aimed at male and female household heads.
- 2<sup>o</sup>. A subprogram of generic medicines for primary health assistance, financed by the Inter-American Development Bank. It guarantees the provision of medical supplies and critical medicines to provincial and national health care centers.

## **MECHANISMS FOR WOMEN**

In our country, as well as in the rest of the countries within the region, most of the Mechanisms for Women are vulnerable agencies as to the adjustment and reduction process of public expenditure. However, until today, all Provincial Women Areas are still working although most of them lack the necessary economic resources.

In 1999 the CNM had a budget of almost 4 million pesos, but as of year 2000 it has undergone budget cuts of around 74% for that year, 27% for year 2001. In 2002, the CNM's budget was affected as a result of the budget adjustment suffered by all the National government organizations. Similarly, in the 2001 and 2002 budgets it is no longer shown as a Public Policy Program for Women, as it was shown since it was created, but it is an Activity within a program. This budget situation was presented to the current administration and was satisfactorily resolved and as of July 1 of the present year, the program was renamed as Program 17 " Public Policies for Women".

As a result of this new situation and by means of a petition issued by this organization to the National Department of Projects Financed by International Credit Organizations, that makes part of the Commission for the elaboration of the National Budget in the Ministry of Economy, we produced our proposal of the budget limit for 2003. Finally, the Ministry of

Economy allocated a ceiling implying an increase of funds of 295% as compared to the present year, thus elevating the total National Women's Council to \$ 8,210,088 to be used to public gender policies.

The National Women's Council depended on the Presidency of the Nation until 1999, in which time it was derived to the Chief of the Ministries Cabinet, who exercises the general administration of the country and coordinates the actions with the other ministries. In the present administration, the National Women's Council depends on the Presidency of the National Council in charge of Coordinating Social Policies, in the Presidency of the Nation, the Chairwoman of which is Mrs. Hilda Beatriz González de Duhalde, wife of the President of the Nation, with a well-known backgrounds for more than 10 years on social policies in general and on women in particular.

We believe that in the current situation our country is undergoing, it is indispensable to coordinate the action together with an agency having these characteristics and functions, in order to combine efforts to develop social policies that have an impact on the status of women and their family members.

Participating in the same area together with the National Ministries of Health, Labor, Education and Social Development allows an effective coordination to promote the development of comprehensive policies. An example of these are the Agreements entered into with the Ministry of Labor in the month of March and with the Ministry of Health in May.

Regardless of the socioeconomic conditions already described, the CNM has continued to develop most of the activities and programs, and was able to materialize other programs with the World Bank that had been developing before.

Likewise, together with the Federal Council for Women, we seek to give a response to the new challenges set out in the current situation such as the Political Reform and the new social programs, understanding that they will be made available to thousands of women within the country by offering them training and technical assistance proposals in order to provide them with tools to modify not only their living conditions, but also to improve their social status.

The National Government, through the National Council for Women as an executing agency, implements the Federal Plan for Women (PFM), which is a global response by means of which it materializes the commitment made in compliance with the Convention throughout the country and with Beijing's World Action Platform and also it tries to create the bases in response to the Committee Recommendations.

This Plan is a program aimed at the institutional strengthening of national, provincial and municipal Women Areas.

The purpose is to develop political, technical and operating capacities necessary to design, develop, follow-up and assess public policies on a basis of equality of men and women. It is a *structural equality plan* because it provides the areas of all jurisdictions with identical hardware equipment, training, and technical assistance, in order to enable them to develop their own capabilities to materialize plans, programs and activities aiming at the equality of men and women. Consequently, in a federal country like Argentina, it makes the decentralization possible.

The main objective of the Federal Plan for Women is to improve the creation, follow-up and assessment of public policies and programs in order to benefit the status of women in Argentina. The specific purposes are as follow:

- To furnish women offices with the necessary abilities and tools to direct other government and non-government offices in the incorporation of a gender approach in their policies and programs and
- To bring about a more effective role of civil organizations in the definition and strengthening of prime policies and programs for women.

The plan was set up in 1999. Under Decree 17/99, dated on January 9<sup>th</sup>, the IDB Loan Agreement 1133/OC-AR between the Argentine Government and the IDB was approved, with the purpose of financing the Federal Plan for Women, for a total amount of 15 million dollars. The 50 % was paid by the National Government. The Plan establishes in one of its legal bases that "*the aim of the Program receiving the resources is to create, follow-up and assess public policies and programs with the purpose of benefiting the status of women in the Argentine Republic, and more specifically of: (i) improving the ability and response quality of national, provincial and municipal offices of women in their guidance mission aimed at other State and civil agencies so that they incorporate a gender approach in their policies and programs; and (ii) promoting the collaboration among civil organizations and provincial and municipal public sector agencies so that they develop initiatives bearing a gender perspective.*"

Article 5 appoints the National Council for Women as the executing agency of the plan, and its President (articles 7 and 8) or the officials she may designate, to enter into cooperation agreements with participating provinces and civil organizations.

Computers have been acquired to be distributed among all the provinces having Women Area offices.

It is important to point out that this Program underwent a total reduction from 15 to 10 million, which caused the postponment of certain activities especially in connection with the development of the subcomponent



National Information System for Women (SNIM). Also, the Program underwent some delays during its implementation stage, mainly due to the lack of subsidies by the National Government and to the agency budget cuts. However, the program has been developing and was the principal transformation tool, both on a short and a long-term basis, for the situation and position of women in our society. Although in practice some operating modifications have occurred, all of what has been said thereof both in the Fourth and the Fifth report is still in force. Consequently, I would like to point out the current situation of the Plan and provide some brief references for a better understanding.

The Program has two component parts:

## **1. Component: Institutional Strengthening**

1.1 Institutional Strengthening of CNM's

1.2. Institutional Strengthening of AMP's

1.2.1 Basic Institutional Strengthening (FIB)

1.2.2. Enlarged Institutional Strengthening (FIA)

1.3. National Information System for Women (SNIM)

## **2. Component: Support To Local Initiatives (AIL)**

### **1.1. Institutional Strengthening of the CNM's**

The purpose is to strengthen the abilities required by the CNM to act as a coordinating body of the national policy for women and as an executing body of this program.

Two International Seminars were developed during 1999, one of them on "Public Policies of Equal Opportunities for men and women" and another one on "Women and Mass Media: figures, users and mediators of a cultural change". Federal Counselors (regular and substitute members) participated in these seminars as well as two members of each one of the Provincial Women Areas, representative members of all the ministries which are a part of the Board of Directors, and national congresswomen were also invited.

### **1.2. Institutional Strengthening of the AMP's**

Within this subcomponent, the Training and Technical Assistance (FIB) has been completed with a gender perspective, public policies, elaboration of projects, and strategic planning, among other subjects that are essential to strengthen its political and management capacities, aimed at political and technical officials within Provincial and Municipal Women Areas and at other key actors of the Provincial State and of civil organizations. This action is carried out in 9 provinces: La Pampa, La

Rioja, Salta, Neuquén and Misiones, in a first stage (1999-2001) and in the provinces of Chubut, Catamarca, Chaco and Río Negro, during 2001 and 2002. The goals projected for this year anticipate the incorporation of ten new provinces.

An average of fifty people per province has been trained, which totals 450 people in a condition to repeat the courses taken within their jurisdictions. Thus, approximately 25% belong to civil organizations.

### **1.2.2 Enlarged Institutional Strengthening**

Implementation of workshops about Reproductive Health, Family Violence Prevention and Training in the use of the Consolidated Record of Family Violence Cases in the provinces of Salta, Misiones, La Rioja, La Pampa and Neuquén.

- Seminar "*Reproductive Health, Gender, Public Health and Human Rights*" CNM-UNICEF Cooperation Agreement
  - Attendants: 180 people (Provincial Executive: Health Area, Provincial Women Areas, Municipal Women Areas and civil organizations)
- Seminar: "Use of the Consolidated Record of Family Violence Cases"
  - Attendants: 180 people (Provincial or local government organizations, non-government organizations, the Judiciary, Curator of Minors Agencies, Police Offices for Victim Assistance, Health Organizations specialized on the matter.)

The Second Component of the Program starts in the mentioned five provinces:

#### **Component: Local Initiative Support (AIL)**

The component envisages the financing of initiatives that are essential at a local level and that have the purpose of supporting public policies with a gender perspective and which contribute to overcome the different forms of discrimination against women and promote the appropriate social conditions to guarantee the effective exercise of their rights.

Public Bidding No. 1/00 was launched in order to submit proposals in the Component of Local Initiative Support of the Women Federal Program (AIL). One hundred and seventy-two projects were submitted and the CNM provided the technical assistance during the stage of creation of proposals and a "Guide to draw up and submit projects" was devised, in which orientation lines according to subjects and programs are identified, cross-checked by the gender perspective.

After the analysis, assessment and budget adaptation have been carried out, fifty-one projects were submitted to the IDB for approval. Projects approved by province were as follow:

Salta: 9 - Misiones: 10 - La Rioja: 10 - La Pampa: 15 - Neuquén: 7

Among the projects approved and classified according to their subject: sixteen (16) correspond to reproductive and women health, thirteen (13) to violence, seven (7) to women rights, seven (7) to employment, five (5) to rural/aboriginal women, two (2) to female household head and one (1) to education.

From the point of view of institutions that submitted projects, they were approved as follows: twenty-one (21) from civil organizations, twelve (12) from provincial public sector agencies, six (6) from municipal women areas, three (3) from national universities, five (5) from local governments and four (4) from provincial women areas (La Pampa, La Rioja, Misiones and Salta)

Most of projects selected correspond to institutions and organizations that have submitted counterparts (local contributions and/or contributions coming from other sources), which in most cases reach almost fifty per cent (50%). This shows the interest and concern of agencies and organizations to make these projects viable and sustainable.

#### **Anticipated Impact:**

Projects selected involve over two hundred and fifty (250) technicians and specialists that make up interdisciplinary teams and that are expected to consolidate working techniques, methodologies and modes, which strengthen the capacity installed in the provinces in the gender subject. The population directly benefited is calculated in three thousand (3000) people, while indirect impacts have been estimated in twenty-five thousand (25,000) (female/male) beneficiaries.

The execution of projects, due to different circumstances, started in March and April 2002. Forty-four (44) projects are being currently carried out. The expected length is 12 months and a total financing of \$ 542,790.

#### **International Co-operation:**

In my capacity as Chairwoman, I have managed to develop two externally-funded programs which serve as complement to the purpose and mission of the National Women's Council, since they incorporate the gender perspective to the public policies, programs and activities:

**PROGEN: "Technical Assistance Project on Gender".** Japanese donation made through the World Bank, with the specific purposes of: a) Strengthening the projects financed by the World Bank so that they can meet the differentiated gender needs, priorities and interests more effectively, and closing the gender gaps which affect both women and men, and b) Addressing the issue of negative gender stereotypes. The donation amounts to U\$S 335,000.- The National Women's Council is executing the project.

**PROFAM:** is a government-sponsored program aimed at backing projects for poor families by strengthening the development of each family member with a gender perspective. In addition, it seeks to foster co-operation among the civil society organizations, the local government and the families themselves in the joint development of alternatives for vulnerable groups to overcome poverty. It consists of three components: (a) Strengthening of the Family through: (i) the raising of a fund, Equity Program (EQUITY FUND), for supporting gender perspective sub-projects aimed at strengthening the family, (ii) the strengthening of Social Capital through the financing of Network-promotion activities; (b) Community and gender awareness by spreading information, exchanging positive experiences and integrating sectorial associated work horizontally; (c) Institutional Development for supporting the work done by the National Women's Council in the dynamic execution of the project.

Through PROFAM we also aim to reinforce the informal social networks, reduce isolation of families, increase their participation in the development of local programs, build lasting relations with the Civil Society Organizations (OSC) and the Local Government (GL) geared to the permanent support to be provided to families.

At present, the project is on the PPF stage (Loan for Facilitating Loans), in re-drafting the Operations Manual. PROFAM is executed through the CNM and the Provincial Women Areas are responsible for short-listing and monitoring the projects to be developed. The project is worth 6, 680,000 dollars.

As a result of its participation in events, seminars and international conferences, the CNM has reached agreements and updated institutional co-operation networks. The following meetings are worth mentioning:

- 8<sup>th</sup> Meeting of Mercosur Women Forum "Woman, Culture, Business and Work from Mercosur to the World ", Buenos Aires.
- 7<sup>th</sup> Special Meeting of Women in Mercosur, Buenos Aires
- Latin American and The Caribbean Seminar: "Challenge posed by the Millenium Objectives ", Washington, DC., organized by PNUD, CEPAL, World Bank and Inter American Development Bank.
- Seminar: "Bringing down Poverty and Inclusive Social Policies", organized by the Ministry of Planning and Co-operation of Chile, World Bank and FLACSO, Santiago de Chile.
- VIII Regional Meeting on Responsible Mechanisms of Public Policies in favor of Women in Latin America and The Caribbean, Guatemala.

## **Actions taken to implement the Suggestions and Recommendations put forward by the CEDAW Committee.**

The Committee Report of the XVII Meeting held in July 1997 on the Second and Third periodical reports (1991-1997) highlights a series of Positive Aspects that will be pointed out later on, and includes 16 Suggestions and Recommendations.

These were submitted to the President of the Argentine Republic, Dr. Carlos S. Menem, the Principal Private Secretary and all National Cabinet members. In addition, they were spread through the CNM Magazine, which has a circulation of one hundred thousand issues throughout the country.

These Suggestions and Recommendations will be responded in connection with each of the Convention articles they refer to, for a better consideration and contextualization of the issues they address.

### **Articles 1 to 4**

Generally speaking, we can say that the Argentine legislation does not discriminate against women in matters of human rights and fundamental freedoms they are entitled to in the different social spheres. It provides for the clear and straightforward elimination of all forms of discrimination against women. However, it is necessary to continue work on the legislation reform by adapting each provision to the different human rights treaties, and in particular to the provisions set forth by the "Convention on the Elimination of All Forms of Discrimination Against Women".

These aspects, some of which have been pointed out as "Positive" by the Committee, are guaranteed by: the Constitutional rank granted to the Convention and to the rest of the International Treaties on Human Rights; by the local legislation; by the powers conferred to the National Congress for the promotion of positive action measures aimed at securing equal opportunities and treatment; by the availability of new constitutional judicial instances for bringing actions to protect these rights, both individually and collectively, against any form of discrimination as well as the collective incidence rights by the affected party, the Ombudsman and associations created for those purposes; habeas data and habeas corpus actions. Furthermore, they are guaranteed by the equality plans fostered by the National Government and the creation of the entities responsible for their co-ordination.

### **New Decree Regulating the Quota's Law**

The Fifth Report comments on the new decree regulating the Quota's Law and its immediate effects on the participation of women in the National Congress.

This Decree No 1246 dated December 28, 2000 includes the remarks made by the previous decree and ensures the effective enforcement of the law, while establishing the general criteria for its application by political parties and electoral judges.

The Decree constituted a friendly solution proposed by the Inter American Commission on Human Rights (CIDH) when it declared the Case No 11.307- María Merciadri de Morini, and was based on the protection of the rights guaranteed by the American Convention on Human Rights. The CNM worked actively on its drafting and signing.

It provides for the minimum number of elected national female senators, since the National Senate renovates for the first time by direct vote. Three Senators per province are elected.

In the national election of October 14, 2001 the results of this reform can be seen, since women reached *the 30% minimum participation in the National Congress elective positions, holding 101 positions as national legislators of both Chambers: 76 deputies and 25 senators.*

During the National Elections held in 1997, 1999 and 2001, the CNM followed up the fulfillment of the Quota's Law in all the country, presenting the resources for its effective fulfillment. The presidents of all the parties at jurisdictional and national levels were noticed and then, the CNM worked with the Electoral Courts and National Electoral Fiscals.

### **Optional Protocol:**

In February 2000, Argentina signed the Optional Protocol to the Convention of the Elimination of All Forms of Discrimination against Women, thus confirming its commitment to safeguarding women's rights through international verification mechanisms.

The National Women's Council was the organisation that originated the bill to be approved by the National Congress. Nevertheless, it has been delayed in the Senate with a clear intention of some senators to hinder the definitive approval. A request has been made to the National Executive Power to withdraw the bill.

At present there is in the Senate an initiative to proceed to its ratification, declaring that the Argentine Republic does not recognize the competence of the Committee established in articles 8 and 9.

At present the Council activities consist in providing political support and spreading the need to count on this legal instrument. This is how it stated its view in the sense that *"the absence of approval of the Optional protocol implies placing the Convention in a situation of inequality against the rest of the International Agreements on Human Rights signed by the country, specifically those which refer to the rights of women and the absence of discrimination as a matter of human rights"*. In this sense, it

has requested a meeting with the Commission on Foreign Affairs and Worship of the Senate, where the bill has been referred to for an opinion.

**Three Recommendations arise from these articles:**

- **The first one, on the need to adjust the Penal Code to the Convention provisions.**

The National Congress passed Act 25,087 on "Crimes against sexual integrity" which was approved by the National Executive Power on May 7, 1999. It amends Title III of the Penal Code Second Book. It substitutes the title "Crimes against the Virtue" for "Crimes against sexual integrity", thus eliminating the concept of "woman of virtue". It amends the previous article 119 by incorporating the figure of sexual abuse and rape, perpetrated when there is penetration of any kind and by any means whatsoever. In addition, it provides for different aggravating assumptions as a result of which punishment ranges from 8 to 20 years imprisonment. In the same assumptions considered for the previous crimes, it punishes defloration of minors from 16 to 13 years perpetrated by adults who take advantage of the sexual immaturity of the victim, excluding relations between teenagers. It eliminates article 132 which exempted the offender who later married the victim.

It introduces the figure of agreement. If the victim is over 16, it may propose an agreement with the defendant. The Court may exceptionally sustain that it has been made freely and on equal terms, where a previous love relationship can be proved. In this case, the Penal action does not prosper. This addition has generated a reaction by women associations, who suggested that it should be eliminated.

The police report and arrangements are still hard to make, we do believe that training should be provided to both police and judicial officers for a better law enforcement. The Department of Assistance to Victims has been created by the Federal Police, and the Public Prosecutor has made a Bureau of Overall Assistance to Victims available.

- **The Second Recommendation aims at maintaining, promoting and assessing the Government's equality plans with a more systematic approach.**

The implementation of the Federal Plan is a response to this Recommendation, as well as the systematic assessment mechanisms having been devised. The Plan Guidelines and Monitoring System have already been developed.

- **The Third Recommendation refers to the breakdown of data according to sex**

The Fourth Report details how the National Institute of Statistic and Census (INDEC), has been developing a Redesign Program for the Social-demographic Statistical Integrated System (SESD) since late 1996, with the purpose of establishing special procedures and indicators for the sex-based breakdown of the information gathered in the different social areas, and whose objective is to provide periodical information on the situation of the country and the provinces.

The Woman Federal Plan implements the National Woman Information System (SNIM) with a view to producing and spreading information on the situation of women in our country. To this effect, an agreement has been signed with INDEC for the establishment of indicators from a gender perspective, which will enable us to count on broken down information by sex in all the areas of interest. Another similar agreement has been signed with the Social Development Secretariat, aimed at working together with the Social Program Monitoring, Assessment and Information System ( SIEMPRO).

Five National Reports have been produced (2001) on:

- ⇒ Woman and labor;
- ⇒ Woman and health;
- ⇒ Woman and justice;
- ⇒ Woman and education and
- ⇒ Woman and decision-making.

### **Establishment of indicators**

The Council has also prepared a gender gap indicator system to monitor the situation of women in Argentina, which became a useful tool for formulating corrective policies.

The indicators selected aimed at learning about the comparative situation of women and understanding the differences based on gender. Therefore, gender indicators have been developed to state the women reality as compared with that of men by showing relative advantages and disadvantages, except for those subject-matters where gender indicators are necessary. In the first case, the differences are expressed as gaps between men and women. The gap concept enables us to establish the distance between the average situation of men and women alike.

These indicators are detailed in the Fifth Report.

### **Article 5**



The Committee recognized the effort made so far to eliminate the stereotypes about the social role of men and women, and recommends that the programs be reinforced.

This is the objective of all the actions and activities carried out by CNM and the Federal Plan.

As stated by the Fourth and Fifth Reports, the Argentine Republic counts on vast legislation in such matters as family violence both at the national and provincial levels.

As a result of the ratification of the Belem do Pará Convention by the National Congress in 1996m, its provisions apply in the whole national territory. Its has been incorporated to the local legislation as an invaluable contribution which provides a new legal framework based on the new women rights categories and concepts provided for by international legislation.

At present, laws have been passed by the corresponding legislatures in 20 provinces, except for 3 of them (Salta, Tucumán, Córdoba). Their common grounds are: the civil law jurisdiction; the extended consideration of formal and informal marriages (unions of men and women); easy mechanisms for reporting violations of the law; the availability of related precautionary measures; the need for a family interaction diagnosis; educational or therapeutic programs or treatments; free medical and psychological assistance, etc.

In some provinces, either directly or through the provisions contained in the law, special entities have been created to assist in this issue or to develop comprehensive prevention and treatment programs. Moreover, there is a considerable number of NGOs specialized in this field. In many cases, both public entities and NGOs work jointly to strengthen their management and development capacities. Provincial Women Areas such as the Woman Department of the Government of the City of Buenos Aires, Neuquén, Río Negro, Mendoza, San Luis, Buenos Aires, Catamarca, La Rioja, Santa Fe, etc. count on services for the prevention of violence against women with different levels of development.

However, in spite of the progress made in the achievement of this legislation, there are fundamental situations to reinforce, such as:

- A larger number of specialized assistance services for women victims of violence;
- Co-ordination among the different services (health, violence, security and judicial areas) and the operation of NGOs networks;
- A service registration system in order to count on accurate, reliable and comparative data;

- An easier access to legal protection provided free of charge,
- A wider circulation of the rights being protected.

There are no specified statistics at the national level, though at present, the National Direction of Criminal Policy of the Ministry of Justice and Human Rights, through its Investigations Department, is working on a report about Victimization Studies, which deals with crimes committed against women. The findings of the December 1, 2000-December 2001 period will be published shortly.

## **PLANS AND PROGRAMS**

- **National Training, Technical Assistance and Awareness Plan on the issue of Violence against Women – National Women’s Council**

In 1996, as a result of an agreement made with UNICEF, a National Training, Technical Assistance and Awareness Plan on the issue of Violence against Women was started. This program is still in force, and its objectives and priorities are detailed in the reports we are submitting. Some of these objectives are: creating and/or developing multi-disciplinary services throughout the country, fostering the development of networks formed by government entities and civil organizations to assist women victims of violence, and building awareness among police officers, civil servants and Judicial members.

In 1999, the Series "Violence against women within the family context" was published and distributed. It consisted of: a Training Manual which provided theoretical information and basic methodologies for the intervention and assistance, and two Instruction charts, one for trainers and the other for participants. Five thousand copies of each were published and distributed.

Late in 1999 these materials were distributed with over 140 governmental and non-governmental services throughout the country, the necessary number of Provincial and Municipal Women Areas in order to provide training in each jurisdiction.

During 2001, Training and Technical Assistance Workshops were given in the provinces of Santa Cruz, Jujuy, La Pampa and La Rioja, with the participation of governmental and non-governmental services, police and Judicial Power members. The Provincial Women Areas, with the technical assistance of CNM, will provide training in their jurisdictions. A total of 230 persons were trained directly through hands-on experience and specialization courses in this field.

In addition, 40,000 copies of the Inter American Convention to Prevent, Punish and Eradicate Violence against Women have been distributed in all the country, and in Capital Federal 20,000 brochures have been circulated to inform women on the Family Violence Law.

- **Information and Monitoring System of Family Violence against Women**

The objectives of this system are to contribute make family violence against women visible, and provide public policy makers with judgment elements and knowledge.

The lack of reliable data to assess the range and characteristics of this kind of violence at the national level, makes it hard for us to plan on adequate public policies for its treatment.

This is the reason why among the different materials produced on Violence, we have created a *Methodological Guide for Applying the Registration Instrument of Cases of Violence against Women* with its corresponding *Software* for entering and analyzing data. We seek to estimate the prevalence and incidence of institutional demand, i.e., the cases dealt with by the Services specialized in this field. By starting this registration instrument, the CNM intends to produce comparable, reliable and systematic data on the institutional demand and on cases of family violence against women received by specialist services throughout the country. On the one hand, this registration will enable the user to make a diagnosis of the population being assisted, on the other hand it will enable the CNM to produce a national diagnosis which clearly shows the geographical, regional, ethnical and cultural features within the heterogeneous group of victims assisted.

During 2000 and 2001, four training workshops on How to Use the Registration Instrument were organized with the participation of 60 specialized governmental and non-governmental services, and two workshops on the Assessment of the Application of the Registration Instrument, the experience gained, the difficulties encountered and the goals achieved were given as well. The CNM provides permanent technical assistance to these services on questions that might be raised either directly or by electronic mail. We have already started the Council Centralized Data Base to process the information forwarded by each of the services. We have sought to integrate the services of the different geographical areas in order to count on trends, characteristics of the violence against women and social and economic profile, victims' historical background at the local, provincial or regional level. The CNM sends each of the services integrating the network a newsletter with interesting data and information for a better performance.

During this year, the CNM staff has traveled to provide training to Provincial Women Areas with a view to constituting information centers in their provinces that will forward the data produced to the Council. We have worked with the Provinces of Salta and Misiones, and expect to visit other two provinces before the end of the year.

Regarding the Agreement with the Argentine Lawyers Association (FACA) -"National Program to Access the Use of Rights and Training of "Intra-family Violence Operators" signed in October 2000, aimed at the implementation of a training program for lawyers to work as "Intra-family Violence Operators ", at present 20 Associations have adhered to it. Eight have received training: currently we are working on the assessment of the seminars given and the possibility to continue this program.

### **Recommendation of the Committee on the development of an Awareness Program for Police Officers, Judges and Health Professionals**

The following is worth mentioning:

In 1997 a pilot test was conducted in the Province of San Juan for 72 public officers and members of the Judicial Power. Though it was a successful experience, it could not be repeated because of the difficulties and obstacles we came up against.

The Training courses given to the provinces reserve a number of vacancies for police force, Judicial Power members, as well as for health service professionals.

The Provinces of Salta and Neuquén are currently developing training programs for the police forces within the AIL Component of the Federal Woman Plan.

The Argentine Federal Police has been holding annual seminars on Violence since 1995.

Between 1997 and 2001, the Under Secretariat of Community Assistance of the Ministry of Health and Social Action implemented the Pilot Project for the Assistance and Prevention of Intra-family Violence against Women. This program has been financed by the IDB, and takes places simultaneously in Argentina, Paraguay, Mexico, Dominican Republic and Venezuela. In order to carry out this initiative, a pilot test was conducted in two suburban districts of Great Mendoza with the purpose of obtaining basic guidelines for a National Plan of Prevention and Assistance of Intra-family Violence against Women, to be agreed on by the authorities of the 24 Health Ministries of the national territory.

In December 2000, this Project and the CNM organized the National Seminar: "Public Policies, Health and Intra-family Violence. Towards the formulation of public policies for the protection of girls, boys and women's

rights ". This seminar was specially designed for the health sectors of all the country and those of the Provincial Women Areas, to members of childhood-related policy making entities, justice officers and members of the educational sector.

We intended to enhance the inter-institutional work and the co-ordination of these services in each provincial jurisdiction and the analysis of the impact that these violence situations have on the health field.

As a result of the seminar, the following papers were published by the Ministry of Health and the National Women's Council:

- "Public Policies, Health and Intra-family Violence. Towards the formulation of public policies for the protection of girls, boys and women's rights ". National Women's Council and Ministry of Health of the Nation – IDB Technical-Financial Co-operation. 2000.
- "Women and Violence in the Argentine Republic. International Conventions, national and provincial legislation. Challenges". National Women's Councils. Ministry of Health - IDB. 2001.
- Two Guides of basic elements for the assistance of violence in the health sector: "Violence to girls, boys and teenagers: cruelty and sexual abuse"; and "Violence to women in the couple ". Ministry of Health and National Women's Council.

In May 2002 the CNM entered into an Agreement with the Ministry of Health of the Nation, which incorporates the Basis for an Additional Protocol on the subject of Gender Violence. We seek to articulate joint awareness-building actions in health agents at the different levels, prevention measures through media campaigns and health education, clinical research and epidemiological works and the institutionalization of the services which provide assistance in cases of Family Violence in the health sector.

## **Article 6**

In December 2000, Argentina signed the Protocol to Prevent and Punish Trade Slave especially of Women and Children, which serves as complement to the United Nations Convention against Transnational Organized Crime. The National Congress must approve it. We think that its approval will be highly positive; therefore, this Entity commits itself to passing a bill in connection with this project.

The National Women's Council, together with the Fiscal Public Ministry, the Secretariat of Criminal Policy and Penitentiary Affairs of the Ministry of Justice and Human Rights and the Council of Minors and Family have agreed (September 2000) a Comprehensive Action Plan against the sexual exploitation of children, with the purpose of guaranteeing the rights of boys and girls to a life free from exploitation and violence, and

strengthening the State capacity and that of civil organizations to secure these rights.

The Fourth Report details the amendments made to the Penal Code through Law 25,087 of 1999 in connection with punishment in cases of corruption and prostitution crimes, by increasing the minimum imprisonment when victims are under 18, or where the offender is a relative, an educator or has forced the victim in any manner whatsoever. In addition, punishment has been increased to those who promote the inflow or outflow of minors with prostitution purposes.

The Penal Code does not typify prostitution as a crime, but provides for punishment to those who promote, facilitate, profit from or exploit other people's prostitution economically.

The City of Buenos Aires has also been informed on the Misdemeanors Code, whose chapter VIII on the Use of Public Spaces, article 71 on the Alteration of Public Peace, describes as a misdemeanor the act of offering or requesting sexual services in public spaces for themselves or for others.

Nevertheless, I must admit that a sociological study on this section is extremely necessary but has not been conducted yet.

## **Article 11**

### ***Five of the Committee Recommendations refer to this article***

The National Women's Council proposed to implement part of them through Decree 254/98 of the Executive Power, which approved the *Plan of Equal Opportunities in the Labor Market* containing proposals agreed to by the Ministry of Labor and Social Security and the CNM, aimed at:

- Increasing and regulating child care services,
- Complying with Agreements N° 100 and N° 156 of the ILO,
- Promoting and providing technical and professional training for women in order for them to diversify their professional options and employment opportunities,
- Promoting employment of women, in general and young, in particular,
- Establishing specific indicators broken down by sex.

This Decree was incorporated as an integral part of the *Labor Federal Agreement*, a commitment made between the Nation and the provinces in 1998. However, it has never been implemented.

These proposals were taken from the Plan of Equal Opportunities prepared for the 1995-1999 period.

## **House Keeping**

In 2000, the CNM and the Ministry have instrumented and implemented this system by including it in the Tax Reform Law 25,239 -Title XVIII, which provides for medical insurance, retirement, early retirement due to disability and pension for women who work as maids.

At the end of 2000, the National Cabinet understood that house keeping, who worked under informal conditions, should be incorporated to the labor market and enjoy the same rights as those of formal employees. A working group was created and coordinated by the CNM in order to promote actions towards the incorporation of approximately 800,000 workers to the formal employment system. Representatives of the Ministries of Labor, Economy and Health, besides the CNM, formed this group.

In spite of the fact that the National Government's main objective was to increase tax revenue, the CNM managed to install this concept as a way to stop the discrimination suffered by women house keeping, by protecting their basic rights to social and health security systems, and basing the communication strategy on a social concept of gender solidarity to reverse the typical employer/employee relation in this kind of work.

The working group discussed and agreed on the necessary regulations to clarify some issues and fill some of the gaps existing in the law in force, and on March 8, 2001, Decree 291/01 was approved to establish that the CNM and the Ministry of Labor shall run an information campaign on the system scope. The campaign was not run due to the lack of resources; therefore the objectives that had been set were not reached. There were some difficulties and contradictions on the part of the medical insurance companies that were supposed to provide coverage to these workers, since the system was not attractive to them.

## **Sexual Harassment**

### **Bills on Sexual Harassment cases in the private sector**

At present, there are in Congress approximately 10 bills sanctioning sexual harassment. Some of them include amendments to the Labor Law and incorporate punishments in the private labor market. Other bills suggest including sexual harassment in the amendments proposed for the Penal Code, applying to other kinds of relations beyond the labor context. In 2001, the Senate received the Bill on Labor Violence that had been prepared within the "Woman Program" framework of the Justicialist Block and the Secretariat of Equal Opportunities of the Nation's Civil Service Union. It includes the case of Sexual Harassment.

The CNM, the Direction of Women of the City of Buenos Aires and civil organizations are working hard to have Congress pass a Sexual Harassment Law.

### **Sexual Harassment in the National and Provincial Civil Service**

The National Women's Council worked actively on the preparation of Decree 2385/93, which incorporates *Sexual Harassment* to the Basic Legal System of the Central Civil Service. The chapter "On the Duties and Prohibitions", states in its second paragraph, section e) of article 28 as follows...*"be duress of any other kind and nature understood among other things, as sexual harassment, where an officer performing his public duties takes advantage of his hierarchical position to urge others to meet his sexual requirements either by way of sexual intercourse or otherwise. The legal actions arising out of this behavior may be brought under the legislation in force or, at the option of the plaintiff, to the human resources head of the corresponding jurisdiction "*

On the other hand, Ordinance 47,506 - AD 230-57 BM 17/1/94 incorporates *Sexual Harassment* as a punishable behavior within the disciplinary system in force in the Municipality of the City of Buenos Aires, at present Autonomous City of Buenos Aires.

The CNM gives advice to women victims of sexual harassment and has taken part in some of the cases brought in the Central Civil Service, thus managing to have the accused –and not the victim- transferred to another location while the proceedings are being conducted.

The provinces of Santa Fe and Buenos Aires followed similar guidelines to those contained in the National Decree, by incorporating the case of Sexual Harassment through a law for employees and officers in the different entities. The Province of Buenos Aires did so through Law 12,764 of 2001 on "Sexual Harassment "; which is defined and applied by warning or suspension of up to 60 running days, except when it leads to redundancy if considered serious depending on the regulations involved; the Province of Santa Fe did so through Law 11,948 of 2001, which amends the Misdemeanors Code of the province and incorporates a new article (78 bis) on Sexual Harassment and establishes punishments of up to five days in prison. It considers as employees those persons appointed by competent authority in the Executive, Legislative and Judicial Power or in the centralized or decentralized administration, self-governed organizations and the like, and any provincial, municipal and community state entity. It provides for summary proceedings to be conducted by the corresponding administrative authority.

Regarding the promotion of employment of young women and the introduction of the gender perspective in the employment plans, some issues should be borne in mind:



Since 1995 there has been a high rate of unemployment. In 1997 it reached around 17%, which, in the case of women, jumps to 21.1%. This higher unemployment level has been steady over the past years, though during 2002 unemployment has been lower for women (20%) than for men (+23%). This generalized unemployment scenario has made it hard to promote the creation of jobs for women in particular. The highest levels can be found in education, social and community services, house keeping or other personal services, in the lower and middle income levels, with unfavorable wage gaps compared with those earned by men.

In spite of this situation, we have continued our steps towards increasing the number of working women by fixing the women quotas entitled to employment plans and professional training, the incorporation of the gender perspective to overcome stereotypes in connection with jobs traditionally considered for women.

From its beginnings, the CNM has sought to interact with the Ministry of Labor to devise joint programs. In 1993-1994 an agreement was signed with this Ministry for the implementation of the First Plan of Equal Opportunities for Women (PIOME), which gave rise to a series of programs and actions included in the previous reports, and which the Committee recommends to maintain and reinforce.

The Fourth Report details the activities carried out since April 1997, when a new Framework Agreement was signed for the inter-institutional cooperation and the provision of technical assistance within the framework of active employment policies implemented by the Ministry of Labor to bring down unemployment.

One of these was the Community Service Program, under which the projects submitted should include a minimum 80% of women beneficiaries, preferably women heads of household. The target population was estimated in 605,240 persons at that moment. For its implementations, an Additional Protocol was signed whereby a) a specific area is created at the Ministry and CNM for developing the Program to be executed each year; b) the CNM is incorporated as full member of the Provincial and Buenos Aires City Governmental Application Units; c) the need to provide training for women to enter the work force is emphasized, once the projects are over; d) project selection and assessment criteria are established, as long as they promote the insertion of women in the community.

Consequently, the CNM took part in the different stages of the Program preparation, which enabled it to detect some gender-related weaknesses for the beneficiaries, the submission of projects and the training provided, serving as background for the recommendations made to the Ministry of Labor:

With regard to "training", two aspects were proposed:

- Training on the services and skills contained in the projects.
- Training on the "development of personal, market and social skills" so that the women beneficiaries can count on useful tools to enter the labor market at the end of the project. This training provides them with tools that go beyond their survival strategies.

With regard to project selection and approval, we recommended:

- Higher grade to projects that foster the participation of women in innovative activities or occupations traditionally reserved for men and which include training programs based on the above concepts.
- The design of a grid containing evaluation indicators in order to prioritize, select and approve projects.
- The necessary participation of the CNM in the project selection and assessment units.

Many of these recommendations were taken into consideration, which led to Resolution SEyCL 368/97 of the Community Services Program (a joint work of the Ministry of Labor and the CNM).

By 1999, the Community Services Program III introduced several important changes from the gender perspective. Two operation lines were implemented:

*Line A:* activities in connection with social promotion –production and delivery of basic goods and services- assistance to vulnerable groups, children, teenagers, cultural services, sanitary promotion services and support to the regularization of personal and ownership documentation, and

*Line B:* non-traditional activities performed by women (bricklayers, painters, woodworkers, blacksmiths, window pane fixers, sanitary, telephone, electrical and television fixers) as a pilot test. Training is given in these skills with the Ministry's own resources. Thus, women acquire different qualifications and improve their chances to enter the labor market.

The coverage of this Program between 1996 and 2000 reached around one hundred thousand beneficiaries per year. By 2000 the total number of beneficiaries had jumped to 116,308 persons, 84.3% of them women.

During 2001 these criteria were included in the Labor Emergency Plan (PEL) as detailed in the Fifth Report.

### **Results of the participation of the CNM**

- *Important changes in the Program objectives and incorporation of a gender perspective in the projects,*

- *Heightened awareness on the part of Provincial Assessment Units in connection with labor and gender, and awareness that projects should meet both practical and strategic women's needs.*
- *Integration of the CNM in the Assessment Units and Provincial Woman Areas as relevant Program referents, which enabled it to play an institutional role in front of provincial entities and become an information and technical assistance channel for potential project developers.*

We can add that in quantitative terms, the inclusion of poor unemployed women in these programs has meant a lot to many of them, since these programs have translated into an increase of the family income and also the acquisition of added value, more independence and self-esteem for a better insertion in the labor market.

On March 8, 2002, this enriching experience led to the signing of a *Framework Agreement with the Ministry of Labor and Social Security and an Additional Protocol in connection with Women and Men Heads of Households* within the National Employment Emergency declared by the National Executive Power.

As we could see in the general part, the Program objective is to provide financial aid to men and women heads of households who meet the beneficiary's requirements stated in the decree, with the purpose of guaranteeing the Family Right of Social Inclusion, making sure: a) that children go to school and that their health is provided for, b) that beneficiaries are incorporated to the formal education; c) that they participate in training courses to enter the labor market; d) that they are incorporated in productive projects or in community services with an impact on employment.

In the above Protocol it has been agreed that THE PARTIES shall count on specific entities for the design of the Program to be executed during this year; that the CNM shall be included as a full member of the Municipal and Provincial Woman Areas, the Provincial, Municipal and Buenos Aires City Advisory Councils, and to promote training for the creation of jobs for women.

Together with Governors and Mayors, the CNM has promoted the incorporation of the Woman Areas to the corresponding Advisory Councils, and has provided them with technical assistance for their effective and efficient participation in terms of number of women in the program and training activities. This incorporation has been more or less successful in the different provinces and municipalities, though it has integrated with the other areas rather slowly.

According to the Ministry of Labor, 47% (almost 650,000) of women are beneficiaries of this program.

In order to work directly with women from different locations of the country in the current crisis, especially with those in rural or small areas, the CNM has prepared materials (being in process at present) for Trainers, which can be managed by the Provincial and Municipal Woman Areas and whose purpose is to train women beneficiaries in their insertion in the labor market.

In 2001, the CNM held an ILO Seminar on the *ILO Institutional Strengthening Program for Gender Equality, Employment Promotion and Eradication of Poverty*, and signed a co-operation agreement with the following objectives: a) develop the skills of a wide range of social actors and institutions in order to formulate and execute policies and programs for creating employment, eradicating poverty and achieving gender equality and b) stimulate effective actions at the national level having the Provincial and Municipal Women Areas as leading actors. This agreement has been ratified and it is to be implemented this year.

With regard to the situation of rural women, the CNM ratified the *Framework Agreement entered into in 2001 with the Argentine Union of Rural Workers (UATRE)*, and in May 2002 an *Additional Protocol* was signed to promote the improvement of employment conditions and quality of the female rural population, a sector enduring special difficulties to enter the labor market and access information on the problems affecting their every day lives, so specific actions are required to promote their employment, training and information opportunities.

The parties agreed to work on the design and implementation of Training Programs for Trainers of Federation personnel assigned according to the subjects having a direct or indirect impact on the situation of rural women throughout the country. It will consist of three working cycles for each of the Program subjects: Gender, Prevention of Violence against Women and Women's Health, to be repeated in workshops held all over the country. Meetings shall be held periodically to assess and follow up these programs.

Training is promoted as long as it aims at inserting women in the community and improving the quality of life of the whole family group.

The Ministry of Labor continues implementing the "Institutional Strengthening Program for the Technical and Professional Training of Lower Income Women", which started in January 2000.

## **Article 12**

### **Health**

As stated in the Fifth Report, the CNM has made considerable progress in the co-ordination with different institutions, the drafting of agreements, the design of Plans and Programs and the achievement of goals.

## **Maternal Health**

Over the last decade, the death rate of mothers has fallen by 25%; by 2000, 39 mothers died for every one hundred thousand children born alive, which meant a relative worrying improvement: around 90% of these deaths might have been prevented through prevention actions, the knowledge available and the adequate quality of health services at all levels. In order to address this issue, the Ministry of Labor and the CNM, the Ministry of Social Development and Environment and the Ministry of Education and Culture prepared in 2000 the *National Plan for Reducing Maternal and Children Death Rates* – as detailed in the Fifth Report – as well as the main actions carried out by the CNM between 2000 and 2001: training workshops in reproductive health and gender; preparation of supporting materials for reproductive health diagnosing at the local level and for the design, monitoring and evaluation of reproductive health programs.

At present, the *Maternal-Childhood and Nutrition Program (PROMIN)* sponsored by the Ministry of Health, supports two main lines in connection with women's health:

1. Surveillance and control of mothers' death rate, Follow-up Program - audit- of mothers and children's deaths. Quali-quantitative analysis of women's death rates;
2. Technical assistance to the provinces in such matters as reproductive health by contributing to the creation of follow-up commissions on this problem.

An additional action has been expressed in the latest Health Emergency Decree, which incorporates the birth control pill to the basic list of medications.

In addition, the CNM has worked on information material regarding sexual and reproductive health, stages in the life cycles such as climacteric and menopause and the prevention of genital and breast cancer.

## **Agreements**

On May 28, 2002 the Ministry of Health of the Nation and the CNM signed an agreement with the purpose of co-operating and providing technical assistance in order to promote equal opportunities to both men and women in matters of health.

This inter-institutional agreement will promote the articulation of the CNM with the different areas of the Ministry of Health and the national, provincial and municipal levels in order to cope with the Health Emergency.

In addition, it intends to formulate operating policies, plans and programs which foster discussion and inter-sectorial articulation with the community in order to improve the efficiency of the health system providing assistance to women of all ages and to those in the maternal and childhood group. Besides, the purpose is to co-ordinate the participation of the Provincial Woman Areas with the Ministry of health in each jurisdiction, in order to assess the need for specific supplies for women and in particular for PROMIN and to co-operate with the Women and Men Heads of Households Plan in the promotion of health-related activities.

Other objectives aim at providing technical training at the provincial and municipal level to develop programs that will promote:

- Information and advise on health care for women and their sons and daughters,
- Surveys on women's specific demands according to their cultural levels,
- Optimization of the existing records on the general situation of women's health and on the problem of family violence,
- Quali-quantitative research on the access to the existing services, on the prevalence and incidence of diseases, in order to optimize equality in the access and financing of resources,
- Participation of specialized centers to do research on the work in the health sector from a quality perspective and a gender approach.

This agreement encourages actions towards equal opportunities and treatment of both women and men in every aspect of the labor relation and health sector.

In order to produce statistics, indicators on gender and on the employment situation in the health sector, co-operation is promoted among the Statistics areas of the Ministries of Health, Labor, Economy (INDEC), Social Development and the CNM. Academic centers and universities are also being called to conduct studies and do research on the work process of the health sector from a gender perspective depending on the provincial features.

As far as the legislation is concerned, the initiative to create a Responsible Parenthood National Program through a law is also worth mentioning, as well as the approval of provincial laws and municipal ordinances in connection with this issue over the last five years. Currently, 14 Argentine provinces and the City of Buenos Aires have either laws or programs which recognize the rights of women and men to control parenthood, and foster reproduction health services as an undeniable duty of the State towards the people (see Exhibit I). Some Argentine municipalities also count on similar regulations or programs.

The degree of application achieved by each of these initiatives varies according to the political decision of the ruling class, and in many cases have been delayed due to their tight budgets, which prevented them from carrying out the programs (lack of human resources, impossibility to purchase of methods contraceptive, etc.).

The CNM has prepared information materials on the discussion of these laws at the provincial and municipal levels, and has offered technical assistance to legislators while they were drafting the bills on reproduction health.

### ***Promotion of rights and access to services***

In order to promote the effective enjoyment of health rights and spread the services offered to the people by the Argentine State, service guides have been prepared: a) Responsible Parenthood Program (City of Buenos Aires) and b) Self-assistance programs and services for women with breast cancer. These guides are available on the CNM web page and are offered on-line by this entity.

Between 2000 and 2001, collaboration agreements were signed with Ombudsmen of the 21 jurisdictions of the country, and seminars were conducted in order to promote women's rights in the health sector and encourage the use of the legal tools available to protect those rights.

Different research works were developed and backed with the purpose of producing updated information on the health of women in Argentina: a) monitoring of the enforcement of the provincial reproduction laws (in co-operation with the World Bank); b) situation of reproductive health in rural areas (in co-operation with the World Bank); and c) report on the situation of women's health in Argentina (reproduction, violence, mental health and death rates in general).

Two national seminars were held to promote an informed and multi-disciplinary discussion, geared to the strengthening of the formulation and implementation of inter-sectorial public policies: a) National Seminar on "Mothers' Death Rates: public health and human rights issue" (in co-operation with the Ministry of Social Development and Environment, UNICEF and OPS); and b) National Seminar on "Reproductive Health: tools for formulating public policies" (in co-operation with the World Bank). The first seminar was sponsored by the City of Buenos Aires and was attended by around 250 participants from all over the country, including officers of the health, woman, social development and education areas, women's NGOs and social organizations which work with and for women. The second seminar was held in the City of Posadas in co-operation with the National University of Santiago del Estero and the participation of around 150 attendees from all over the country with a similar profile to

that of the first seminar. The papers submitted at both seminars shall be published shortly.

### **Article 16**

Since 1999, as indicated in the Fifth Report we have made important progresses in the legislation with reference to the alimony and the penalties imposed for delinquent alimony. It may be characterized as a considerable problem and a permanent reason for claims from the separated or divorced women as to their children's alimony. In that year, in the month of November, Act No. 269 was sanctioned. This law creates a Register of Delinquent Parents for the City of Buenos Aires, and after that other eight provincial laws have been approved in: Chaco, Córdoba, Chubut, Mendoza, Misiones, San Luis, Tucumán and Santa Fe. In general, these Registers will work in different areas of the Executive Power and/or the Judicial Power of each province.

As a general rule, these laws share some aspects with some variations that do not affect the spirit of the rules. The main aspects are: they establish a minimum amount of unpaid alimonies: 3 consecutive alimonies or 5 alternate alimonies in a period not exceeding one year, whether these are temporary or permanent alimonies, established or confirmed or ratified by a final judgment; a judicial order issued by the competent judge whether it is at his own initiative or at the request of the interested party, who will order the registration in the Register of Delinquent Parents of their jurisdiction; their main effects for the debtors registered, are a series of impediments and obstacles to take different administrative steps before public or private entities (driving licenses, credit cards, opening of current or savings accounts in banks, municipal authorizations, franchises, qualification for electoral purposes, or the designation of high ranked officials of the government administration of the Judicial Power, etc.) before which entities they shall produce a certificate issued by the Register of Delinquent Parents stating the bearer is not in arrears as prescribed by the law.

The Senate has approved a bill for the creation of a National Register of Delinquent Parents in November 2001 and is now to be approved by the House of Representatives.