



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/2005/NGO/250
8 March 2005

ENGLISH AND SPANISH
ONLY

COMMISSION ON HUMAN RIGHTS
Sixty-first session
Item 12 of the provisional agenda

**INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER
PERSPECTIVE**

**Written statement* submitted by the Permanent Assembly for Human Rights (ADPH),
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2005]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE

In 1985 the Argentine government ratified the Convention on the Elimination of All Forms of Discrimination against Women, since the government approved laws intended to solve the problems that affect the convention. Nevertheless, and in spite of the reiterated requests from feminist organizations, the Argentine government has yet not ratified the Facultative Protocol of the CEDAW, restricting therefore the possibilities for a more effective implementation of the Convention.

On the normative aspect, the human rights of women have significantly advanced. Today, we do not have a legislation that discriminates against women. However, this legislative equality is not often reflected on judicial decisions because despite the norm, what cannot yet be modified are cultural patterns based on traditional stereotypes that still subsist.

More than 50% of the Argentinean population lives under the line of poverty. The highest level of poverty was reached in October 2002 when 57.5% of the urban population and 73.5% of the children under age 14 were living in poverty. During the second semester of 2003, 60% of children under age 14 were living in poverty and half on them under the line of indigence.

Poverty is associated to other problems like homelessness and inadequate housing, analphabetism, unemployment and inadequate health, which transform these people into the new disappear, the social disappear, that in many cases, are pushed by the hopelessness to an end of violence. These children will continue being poor due to the lack of education and proper nutrition, thus generating new poor families.

50% of these children are exclusively in charge of the mothers who must solely confront this situation with employments as maids or other "shelter" occupations without any social benefit or retirement benefits.

On this socioeconomic context, the situation of poor women has had very little progress as far as the knowledge of their rights and the right to have rights is concerned. A strong patriarchal culture and female submission are still a difficult reality of our society. Women with higher economic and cultural level are the only ones who know and enjoy their human rights.

In its report CEDAW/C/ARG/5/Add.1, the Committee for the Elimination of the Discrimination against Women recommended the Argentine government to pay special attention to the situation of women and to adopt the necessary measures to prevent women -specially those on the countryside, indigenous populations and the most vulnerable segments of society- from carrying the heaviest load of the crisis. Also it requested the government to guarantee that the program for unemployed persons who are heads of family and have children under the age of 18 or handicapped children includes a gender perspective so that the few available resources for social pension are distributed without discrimination.

Argentina was a pioneer in the protection of labour rights for women. Law 5291, approved in 1907, to grant maternity license and daily rest for lactancy, today this

essential right is disappearing. After the flexibilization of labour rights licenses are no longer paid and women working at informal employments -black labour relations- (40% of the women work in these conditions) are immediately dismissed upon news of pregnancy. Despite existing legislation, the reduction of working hours for maternal lactancy is an exception and not the rule, even in formal employment, nurseries at work places have not been created and there are not enough public kindergartens.

The principle of equal remuneration for equal job is not yet observed and it is estimated that women earn between 25 and a 30% less than men do.

Family violence is a public health and human rights concern that requires for its resolution an agreed strategy of public policies. The violence against woman whether inside or outside the family is a result of the asymmetric relations between genders.

According to a report from UNICEF for the year 2000, in Argentina, 82% of sexual abuses against children are perpetrated by close relatives such as parents, grandparents, uncles or brothers. 30% of women victims of homicide are assassinated by their couple.

Although there is a national law on familiar violence, the limited resources that are assigned to such a serious problem are spent in the attention of emergencies. It would be important to create judicial courts specialized on domestic violence -following the example of Spain- as well as interdisciplinary bodies at police stations to deal with the victims. The shortage of shelter homes for the battered women prevents its effective protection.

Another serious problem in Argentina is reproductive health. Contraception is not considered to be a positive activity, nor does it constitute a hierarchized medical specialty.

Clandestine abortions are the third cause of death among women in age to procreate. Although there are no official figures it is estimated that 400 to 500,000 abortions take place annually in Argentina.

Women of all social status resort to induced abortion, and although it is penalized, those that can pay for it have it in a doctor's office with proper aseptic methods. Unwanted pregnancy takes place more frequently among women with less education, whether as a consequence of ignorance of contraception methods or as a consequence of poverty.

According to the Ministry of Health, in the 2003, 27% of the poorest women became pregnant by the age of 10 to 19, a figure which only reached the 1.6% among the richest ones. Most pregnant adolescents do not study nor do they work.

There are national and provincial laws on reproductive health, and contraceptives are given for free in some hospitals. Nevertheless, this possibility is still ignored by a large number of women.

Reproductive health must reach all social segments. Therefore, it is necessary to

implement massive campaigns to inform people about this matter and about the existing resources to handle it. Also, sexual education in schools must be considered high-priority subject. All children must receive the proper information to avoid unwanted pregnancies and prevent abortions or infections with the HIV virus.

By the end of 2003, there were around 27 thousand cases of HIV/AIDS in our country. Women are increasingly affected by this epidemic. The relation men/women is 2.6 to 1, thus approaching parity. Heterosexual transmission constitutes the most frequent way of HIV infection and keeps increasing. In the last years, 80% of the women were infected by heterosexual transmission. According to the Bulletin on AIDS, one out of two women get infected with HIV/AIDS when aged 25 to 34. Although some progress has been made, there's still not enough focus on women's vulnerability to HIV/AIDS.

Another social problem of unusual gravity is the traffic of women, which in Argentina affects particularly impoverished women. The number of women victim of traffic has been gradually but inexorably increasing. Although Argentina has ratified the Protocol to the Convention for the Suppression of the Traffic in Persons and of the Exploitation public policies are yet to be implemented in order to face this problem. The lack of means, the corrupt practices and the impunity help to increase the number of victims. We are collaborating with legislators and other human rights organizations in order to adopt the necessary measures to face this tragedy, which constitutes another consequence of the extreme poverty that affects a large part of our population.
