



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the eighth periodic report of Argentina\*

#### General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity, geographical location and socioeconomic background, on the current situation of women in the State party to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

#### Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises

2. Please describe efforts made and mechanisms put in place to face the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity and the energy crisis. Please provide information on strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises and in elaborating adequate responses, such as policies, assistance programmes, recovery efforts and the consolidation of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in these processes, and that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

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\* Adopted by the pre-sessional working group on 2 March 2023.



### **Visibility of the Convention and the Optional Protocol**

3. In the light of the Committee's previous recommendations (para. 9),<sup>1</sup> please provide information on:

(a) Measures taken to encourage judges, public officials and lawyers to apply the Convention in court and administrative proceedings and to take into consideration the jurisprudence of the Committee, including in cases in which the Convention has been invoked or applied by domestic courts;

(b) The expansion of capacity-building programmes on the Convention and the Optional Protocol thereto for relevant stakeholders, including government officials, members of legislative bodies, the judiciary, lawyers, law enforcement officers, health-care professionals and the general public;

(c) Strategies to enhance women's awareness of their rights and the means to enforce them, targeting women facing intersecting forms of discrimination.

### **Legislative framework**

4. In the light of the Committee's previous recommendations (para. 11), please provide information on steps taken to harmonize legislation in line with the Convention and to ensure the protection of women against direct and indirect discrimination, including intersecting forms of discrimination, in both the public and private spheres. Please also describe the accountability mechanisms in place to monitor the implementation of legislation intended to promote gender equality at all levels of jurisdiction and how appropriate human, technical and budgetary resources have been allocated for such implementation.

### **Women's access to justice**

5. In the light of the Committee's previous recommendations (para. 13) and its general recommendation No. 33 (2015) on women's access to justice, please provide information on:

(a) The systematic capacity-building programmes implemented for judges, prosecutors, lawyers and law enforcement officers on gender equality and the application of Act No. 26.485 on violence against women, as well as information on the impact of these programmes;

(b) Measures taken to strengthen the role of the Women's Office at the Supreme Court to monitor respect for gender equality in the judiciary and the steps taken to implement a system of mobile courts to facilitate access to justice for women living in rural and remote areas;

(c) The human, technical and financial resources allocated to the unit of attorneys for victims of gender-based violence, created by Act No. 27.210, as well as access to justice centres and the specialized units at the Public Legal Aid Service and the provision of free legal aid to women without sufficient means in all provinces;

(d) The availability of information on legal remedies to all women, including interpretation services for Indigenous women, and in formats accessible to women with disabilities;

(e) Actions taken to ensure that cases of gender-based violence are not addressed under mediation procedures, that perpetrators are duly investigated, prosecuted, convicted and adequately punished and that victims of gender-based

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the seventh periodic report of the State party ([CEDAW/C/ARG/CO/7](#)).

violence and discrimination against women have access to timely and effective remedies, including compensation.

#### **National machinery for the advancement of women**

6. In the light of the Committee's previous recommendations (para. 15), please indicate:

(a) Whether the mandate of the new Ministry of Women, Gender and Diversity includes women's human rights and gender equality in all areas covered by the Convention and whether it has the necessary human, technical and financial resources to carry out its work;

(b) Measures taken to ensure permanent coordination between the Ministry of Women, Gender and Diversity, the provincial women's offices and the municipal women's offices to implement gender equality policies;

(c) The implementation and impact of the national plan for equality in diversity 2021–2023 and the results of gender-responsive budgeting in the State party;

(d) How women's organizations and other non-governmental organizations participate in the design and monitoring of the implementation of gender equality policies.

#### **National human rights institution**

7. Please inform the Committee of steps taken to strengthen the Office of the Ombudsperson of the Nation so as to effectively and independently discharge its mandate in full compliance with the Paris Principles, and enhance its efforts to name an Ombudsperson through a transparent and participatory selection and appointment process.

#### **Temporary special measures**

8. In the light of the Committee's previous recommendations (para. 17), please indicate whether the State party has adopted any temporary special measures, in line with article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, at the federal, provincial and municipal levels, with specific targets and time frames to accelerate substantive equality of women and men in all areas in which women are disadvantaged or underrepresented, including for Indigenous women and women of African descent, migrant and older women and women with disabilities. Please also provide information on the assessment of the impact of such measures.

#### **Gender stereotypes**

9. In the light of the Committee's previous recommendations (para. 19), please provide information on measures taken to address gender stereotypes among public officials and on the impact of Act 27.499 (known as the Micaela Law) concerning capacity-building on gender equality and violence against women for public officials and indicate whether this strategy addresses intersecting forms of discrimination against women. Please also indicate the steps taken by the State party to adopt a comprehensive strategy targeting women, men, girls and boys to overcome the machismo culture and discriminatory stereotypes, including awareness-raising campaigns, such as the #NiUnaMenos campaign. Please describe the measures adopted to promote the equal sharing of domestic and childcare responsibilities between women and men, including by extending paternity leave or shared parental leave.

**Gender-based violence against women**

10. In the light of the Committee's previous recommendations (para. 21) and its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please provide information on:

(a) The impact of the national action plan against gender-based violence 2020–2022 and the mechanism in place to monitor the implementation of the national action plan against gender-based violence 2022–2024;

(b) Human, technical and financial resources provided to the integrated gender-based violence case system and the number of reported cases of gender-based violence against women, investigations, prosecutions and convictions, as well as on the redress provided to victims and their families;

(c) Initiatives taken to prevent and protect women from all forms of gender-based violence, in particular Indigenous women and women of African descent, women with disabilities and lesbian, bisexual, transgender and intersex women, as well as sexual violence against girls;

(d) Measures adopted to ensure that women and girls who are victims of gender-based violence have effective access to protection orders and shelters, legal and psychological counselling, economic assistance, rehabilitation and other support services, recognizing the specific needs of women facing intersecting forms of discrimination;

(e) The economic reparation and comprehensive health services provided for the children of victims of femicide under Act No. 27.452 (known as the Brisa Law);

(f) Whether the 144 hotline and the national programmes "Acompañar", "Producir", "Generar" and "Acercar derechos" are operational in all parts of the State party, in particular in rural areas.

**Trafficking and exploitation of prostitution**

11. In the light of the Committee's previous recommendations (paras. 23, 25) and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please describe:

(a) Actions taken to strengthen the Federal Council to Combat Trafficking and Exploitation of Persons, evaluate the results of the national plan to combat trafficking and exploitation of persons 2020–2022 and harmonize legislation criminalizing trafficking in persons and exploitation of prostitution in all jurisdictions;

(b) Disaggregated data on both internal and cross-border trafficking in and exploitation of women in prostitution, and the assessment of the functioning of the federal criminal information system on trafficking in persons;

(c) The results of capacity-building programmes for judges, prosecutors and law enforcement professionals to enable them to conduct, effectively and in a gender-sensitive manner, investigations and to prosecute and punish perpetrators of trafficking in women and girls and exploitation of prostitution;

(d) Efforts aimed at bilateral, regional and international cooperation to prevent trafficking, including by exchanging information and harmonizing legal procedures to prosecute traffickers;

(e) Measures adopted to strengthen the identification and referral mechanism and coordination at the provincial level of focal points to assist victims of trafficking, including migrant women;

(f) Human, technical and financial resources for providing shelters, free legal aid, psychosocial assistance, rehabilitation, reparation and reintegration services for victims of trafficking and exploitation of prostitution;

(g) Strategies adopted to combat the entry of girls into prostitution and their exploitation, including by enhancing income-generating opportunities, reducing demand for prostitution and providing exit programmes for women who wish to leave prostitution.

### **Equal participation in political and public life**

12. In the light of the Committee's previous recommendations (para. 27), please provide information on:

(a) Disaggregated data on the situation of women in political and public life, in both the public and private sectors;

(b) Measures taken to accelerate the equal participation of women in elected and appointed bodies of the provincial and municipal administrations and the judiciary, in particular women facing intersecting forms of discrimination;

(c) Legislation establishing gender parity in the executive branch and the Supreme Court;

(d) The assessment of the implementation of Act No. 27.412 on gender parity in areas of political representation and Act No. 25.674, which aims to ensure the representation of women in trade union positions;

(e) Initiatives developed to promote women candidates and women in leadership positions in political parties, including fundraising for their campaigns, training and a strategy to combat political violence based on gender.

### **Education**

13. In the light of the Committee's previous recommendations (para. 29), please provide information on:

(a) The implementation of the national comprehensive sex education programme and its incorporation into the regular school curriculum in all provinces, including the budget allocated and training of teachers to deliver the programme in an age-appropriate manner at all levels of education, aimed at promoting responsible sexual behaviour and preventing adolescent pregnancy and sexually transmitted diseases;

(b) Actions taken to ensure that no pressure is placed on pregnant girls to leave school and to facilitate re-entry into school for young mothers, including by granting scholarships;

(c) Strategies to promote women's and girls' choice of non-traditional fields of study and careers, such as mathematics, engineering and new information technologies and science, and other technical-vocational areas, including by providing career counselling and ensuring that the teacher-training curriculum addresses stereotypes;

(d) Policies adopted to accelerate equal access to all levels of education by Indigenous girls and women, including by implementing targeted temporary measures, and to enhance school infrastructure in rural and remote areas;

(e) Data, disaggregated by age, sex, ethnic origin, national origin, disability, geographical location and socioeconomic status, on primary, secondary and tertiary education in the State party.

### **Employment**

14. In the light of the Committee's previous recommendations (para. 31), please provide information on:

(a) Measures taken to adopt a time-bound plan to implement the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), of the International Labour Organization, in particular by promoting the equal sharing of domestic and family responsibilities between men and women, providing sufficient and adequate childcare facilities and strengthening incentives for men to exercise their right to parental leave;

(b) The impact of programmes at the national, provincial and municipal levels aimed at promoting access to employment opportunities for women who experience intersecting forms of discrimination;

(c) Strategies to promote women to decision-making positions in the public and private sectors, including by training them in management skills and facilitating the reconciliation of work and care responsibilities, such as promoting flexible working arrangements;

(d) How the State party is addressing the persistent gender pay gap, including through gender-neutral analytical job classification, evaluation methods and regular pay surveys;

(e) Actions taken to adopt legislation addressing sexual harassment in the workplace and ensure that victims have access to independent and confidential complaint procedures and are protected from retaliation, as well as the number of reported cases of sexual harassment against women, investigations, prosecutions and sentences imposed on the perpetrators;

(f) The mechanism in place to monitor the situation of women domestic workers, including regular inspections of private households, and to ensure that women domestic workers are aware of their rights and have access to legal aid and social security schemes, as well as to effective legal recourse in cases of abuse;

(g) The results of labour inspections to detect child labour and prosecute employers who recruit girls for exploitation purposes, including domestic work.

### **Economic empowerment of women**

15. In the light of the Committee's previous recommendations (para. 37), please provide information on measures taken to approve the caring in equality bill presented in 2022 and to adopt a comprehensive national support and care system, in compliance with the Buenos Aires Commitment, to recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family. Please also indicate the initiatives in place to provide adequate support for the entrepreneurship of women by facilitating their access to income-generating opportunities and financial credit, including low-interest loans and technical assistance and counselling.

### **Health**

16. In the light of the Committee's previous recommendations (paras. 33, 35), please provide information on:

(a) Actions taken to reduce maternal mortality, ensuring that women have access to gynaecology and emergency obstetric services, including antenatal, maternity and postnatal services, in particular in rural and remote areas, and to enforce

Act No. 27.611 on comprehensive care and health care during pregnancy and early childhood and Act No. 25.929 aiming to combat obstetric violence;

(b) Measures adopted to ensure access to counselling on sexual and reproductive rights for adolescent girls and boys and to conduct awareness-raising campaigns, increase access to safe and affordable modern contraceptives and guarantee the continuity of the national plan to prevent unintended adolescent pregnancy in all provinces;

(c) Steps taken to implement a strategy with time-bound targets and indicators to provide access to community-based mental health services for women throughout the State party, as well as policies to ensure access to health care for older women;

(d) The implementation of Act No. 27.675 on a comprehensive response to HIV, viral hepatitis, other sexually transmitted infections and tuberculosis and Act No. 27.696, which incorporates a protocol for victims of gender-based violence into the compulsory medical programme;

(e) Ratification by the State party of the World Health Organization Framework Convention on Tobacco Control, and strategies to reduce the high tobacco consumption among adolescents, in particular girls, and address the health consequences.

17. Please inform the Committee about:

(a) The assessment of the implementation of Act No. 27.610, which regulates the right to voluntary and legal interruption of pregnancy and post-abortion care for persons with gestational capacity, including disaggregated data on the provision of these services in all jurisdictions;

(b) Measures adopted to address unequal access to abortion services in the provinces, delays in responding to requests for abortion services, the persecution of health-care teams or women who perform abortions and the stigmatization of women who use these services;

(c) How the State party guarantees access to information about the legal interruption of pregnancy and the provision of required medicaments and equipment to perform safe abortions, and how it ensures that the use of conscientious objection does not impede access to these services, particularly in cases of adolescent pregnancy as a result of rape and incest.

### **Rural women**

18. In the light of the Committee's previous recommendations (para. 39) and its general recommendation No. 34 (2016) on the rights of rural women, please indicate:

(a) Measures taken to monitor the implementation of the comprehensive plan for women in small-scale, Indigenous family farming and to enhance programmes aimed at improving rural women's access to education, financial literacy, employment, health care, access to justice, social protection schemes and economic assistance;

(b) Mechanisms in place to protect rural women's ownership of land, including safeguards and monitoring processes for the acquisition and leasing of rural land, and to facilitate their participation in the revenues of large-scale development projects and prevent forced evictions and violence against them;

(c) How the State party ensures that rural women are represented in decision-making processes at all levels in the agricultural sector, including rural organizations, regarding initiatives aimed at promoting their economic empowerment and policies concerning disaster risk reduction and climate change;

(d) Actions taken to guarantee the prompt investigation of complaints by rural women about the harmful use of pesticides, fertilizers and agrochemicals that affect their sexual and reproductive health.

### **Indigenous women and women of African descent**

19. In the light of the Committee's previous recommendations (para. 41), please provide information on:

(a) Policies adopted to improve access to health care, education, social protection, formal employment and justice for Indigenous women and girls and women and girls of African descent, while respecting interculturality;

(b) Measures taken to formally recognize Indigenous women's land tenure and ownership and to develop a mandatory consultation and benefit-sharing mechanism to seek their free, prior and informed consent regarding the use of their natural resources and lands, as well as to ensure that Indigenous women have access to safe and affordable water for personal and domestic uses and for irrigation;

(c) The implementation of Act No. 26.160 on the territorial survey of Indigenous communities, and strategies developed to prevent forced evictions and ensure the meaningful participation of Indigenous women in decision-making processes regarding the use of their lands;

(d) Actions adopted to combat gender-based violence against Indigenous women and girls, including the rape of Indigenous women and girls by non-Indigenous men, particularly in northern Argentina (known as *chineo*), and bring perpetrators to justice and to ensure due process for women detained in the police operative in the Mapuche community Lafken Winkul Mapu;

(e) The assessment of the functioning of the Commission for the Historical Recognition of the Afro-Argentine Community.

### **Women with disabilities**

20. Please provide information on:

(a) How the State party incorporates a cross-cutting gender perspective into the formulation of public policies concerning persons with disabilities and the progress made by the Gender Policy Unit within the National Disability Agency and the "Equiparar" programme;

(b) Measures adopted to ensure that women with disabilities have equal access to sexual and reproductive health services, especially gynaecology and obstetrics services, including accessible facilities, equipment and information, and to ensure respect for their free and informed consent to medical interventions, including surgical contraception and voluntary interruption of pregnancy, and their equal access to parental rights;

(c) Strategies developed to guarantee the rights of women with disabilities to live in the community and their full inclusion and participation in it;

(d) Actions taken to protect women and girls with disabilities from violence and to ensure their access to justice, including by providing accessible facilities, information, shelters and complaint mechanisms, as well as legal aid, support and procedural accommodations;

(e) The impact of programmes aimed at promoting access to formal employment for women with disabilities and how the State party ensures that regulations on non-contributory pensions for persons with disabilities are compatible with programmes that promote women's economic autonomy, such as the Potenciar Trabajo programme.



**Migrant, refugee and asylum-seeking women**

21. In the light of the Committee's previous recommendations (para. 43), please provide information on actions taken to implement migration policies with a gender perspective at the National Migration Department. Please also describe the results of programmes developed to enable migrant, refugee and asylum-seeking women to have access to education, justice, employment, social protection, health care and a life free of violence, as well as programmes aimed at regularizing the situation of migrant women or leading to long-term solutions.

**Lesbian, bisexual, transgender and intersex women**

22. Please inform the Committee about the assessment of the implementation of Act No. 26.743 on gender identity, which includes surgical interventions or comprehensive hormone treatments in the compulsory medical programme; Decree No. 476/2021, which recognizes non-binary gender identities on the national identity document; and Act No. 27.636, which provides a quota in the public sector for transvestite, transsexual and transgender persons. Please also indicate actions taken to prevent hate crimes, monitor the Federal Council for Preventing and Combating Femicides, Transvesticides and Transfemicides, denounce attacks against lesbian, bisexual, transgender and intersex women and ensure adequate investigations, prosecutions and reparations in these cases.

**Women in detention**

23. In the light of the Committee's previous recommendations (para. 45), please provide information on measures adopted to improve the conditions in detention facilities and ensure adequate access to health care, education and employment programmes for women in detention. Please also indicate actions taken to provide alternatives to detention for pregnant women and mothers with young children, taking into account the best interest of the child, and to promptly investigate alleged cases of violence against women in detention.

**Marriage and family relations**

24. In the light of the Committee's previous recommendations (para. 47) and its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, please describe steps taken to ensure that women without sufficient means have access to free legal aid during divorce proceedings and to adopt guidelines on the compensation of the economically disadvantaged spouse for use in such proceedings. Please also inform the Committee on measures adopted to collect disaggregated data on and eradicate child marriage or unions.

**Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report (CEDAW/C/ARG/CO/7), in 2016. Such measures may include recent laws, developments, plans, programmes and ratifications of human rights instruments, as well as any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised in the present document, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.