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Eighth session of the Regional Conference on Women  
in Latin America and the Caribbean

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**THE CHALLENGE OF GENDER EQUITY AND HUMAN RIGHTS  
ON THE THRESHOLD OF THE TWENTY-FIRST CENTURY**

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## INTRODUCTION

The purpose of this document is to review progress and challenges in two areas of analysis: Gender Equity: the basis for a fair and equitable society, and Human Rights and Peace for Latin America and the Caribbean. This analysis is undertaken with a view to orienting the work of the eighth session of the Regional Conference on Women in Latin America and the Caribbean, to be held in Lima from 8 to 10 February 2000.<sup>1</sup>

This document will seek to analyse progress and challenges in these two areas of the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001, two years on from the last session of the Regional Conference on Women in Latin America and the Caribbean and five years on from the Fourth World Conference on Women, and to define the position to be taken by the region at the special session of the United Nations General Assembly, "Women in the year 2000: gender equality, development and peace for the twenty-first century".

This is not a report, since five years on from the Fourth Conference we can see that, although the social and political visibility of women has increased, the problem of statistical visibility has not been resolved. Thus, one of the main difficulties that will have to be overcome in future is the lack of national, regional and comparative official information and gender indicators with which to monitor the progress made in the different areas of concern agreed on at Beijing.<sup>2</sup>

This document takes account of the country reports prepared in response to the questionnaire sent out by the United Nations Division for the Advancement of Women, the results of the Third Caribbean Ministerial Conference on Women held in Port-of-Spain from 5 to 7 October and the Central American meeting to prepare for the eighth session of the Regional Conference on Women in Latin America and the Caribbean, held on 11 and 12 October 1999 in San Salvador.

A wide range of sectoral, national and regional studies, analyses and evaluations by non-governmental organizations were also studied, as was the information available from bodies in the United Nations system and ECLAC,<sup>3</sup> such as the technical secretariat of the Conference, from which general conclusions of a provisional nature can in some cases be drawn, to be expanded on subsequently.

The lack of systematic, regular, up-to-date, appropriate and comparable information to measure progress in closing the gender gap is in itself an indicator of the challenges that still lie ahead. The scarcity of statistics disaggregated by sex and of information on women's specific contributions to and

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<sup>1</sup> At the twenty-seventh meeting of the Presiding Officers, held in San Salvador from 2 to 4 December 1998, the member countries agreed to give priority to these two subjects.

<sup>2</sup> ECLAC has prepared a proposal for indicators to follow up the agreements adopted at Beijing (1995) and Mar del Plata (1994), and this has been placed at the disposal of the countries (see ECLAC, 1999b).

<sup>3</sup> See the bibliography at the end of the document.

participation in various aspects of the development process continues to act as a major constraint on efforts to arrive at an understanding of the conditions under which they live and work.

Remembering that for the member countries of ECLAC equity is bound up with the need to appreciate the diversity of the lives of different women and different social groups in terms of participation in the social structure, ethnicity, age differences and living conditions, it needs to be understood that this lack of disaggregated, comparative information means that these things cannot always be analysed in all their complexity.

Generally speaking, it is possible to obtain information for the whole region in relation to participation in employment, education, representation in decision-making bodies, the stage of institutional development of mechanisms for the advancement of women, and maternal mortality. Much of this information, however, is obtained from censuses and surveys conducted at intervals longer than the five years which have passed since the Fourth World Conference. Meanwhile, indicators of the progress made in policy formulation and medium-term results are not available. Data on rural and indigenous women are also lacking.

It should not be forgotten that the countries of the region are highly diverse in terms of productive development, institutional systems, legal frameworks and, lastly, information gathering. This means that it is not always possible or desirable to make comparisons or establish hierarchies when these obscure the historical circumstances under which the struggle for equality between women and men has taken place. The nature of this document means that it covers the general features and tendencies that predominate throughout the region. This does not signify ignorance of the emerging processes that are specific to each country or subregion. This document is a manifestation of the desire of the ECLAC member States to give the highest priority to the indissoluble link that binds social and gender equity to the exercise of and respect for the human rights of men and women, both as individuals and as a group, in the different spheres of social, political and cultural life.

For all the deficiencies in information gathering, major advances have been made, some of them irreversible, while others are in the process of consolidation. They count among the most significant contributions to equity and peace in the region.

In this document we shall attempt to show what types of relationships exist between the advancement of women and the changes this produces in society, together with the effects of global changes on social and gender equity. We shall attempt to demonstrate that progress is being limited by the symptoms of retrenchment and stagnation being seen in the region and that the extent to which the rights of women are advanced is an unequivocal indicator of progress in the consolidation of democracy and respect for human rights in the various countries. Lastly, we call upon the Governments and societies of the region to strengthen their efforts to fulfil their commitments through the allocation of resources and the establishment of mechanisms for the implementation of international agreements.

The document is divided into four parts. This division is made for purely methodological reasons, since the discussion is based on a clear awareness of the interrelationship and dialectic existing between the two areas selected for analysis by the Governments of the region at the twenty-seventh meeting of the Presiding Officers of the Regional Conference (San Salvador, 2-4 December 1998). The first part discusses the need for an integrated public policy approach and establishes this as the general frame of reference for the chapters that follow. The second is devoted to the issue of gender equity as the basis for a just and equitable society and analyses the importance of having mechanisms for institutionalizing gender policies in the State, the massive influx of women into the labour market and the

implications of this in terms of the reform of social security systems, the characteristics of poverty and the changes taking place in education, health and family life.

The third part of the study delves into the subject of human rights and peace for Latin America and the Caribbean, with special emphasis on changes in the laws and the way in which provisions upholding human rights, including participation in decision-making, have been incorporated into existing legislation. The fourth part, which consists of one section on gender equity and another on human rights and peace, sets forth the study's main conclusions and proposals.



## I. TOWARDS AN INTEGRATED APPROACH

Gender equity is a constituent element of social equity, and public policies designed to further it need to take a comprehensive approach. Hitherto, gender policies in the region have generally been associated with social policies, and it is only since the Fourth World Conference on Women that greater efforts have been made to relate the subject to macroeconomic and systemic governance policies. As the century draws to a close, the objectives being pursued are the same as before: to harmonize economic and social policy, institution-building and governance, and social and citizen participation on the basis of the indivisibility of human rights, using gender analysis as part of a cross-disciplinary and intersectoral approach.

The most important facet of the globalization process has been the strong growth in international trade (Ocampo, 1999). Thus, alongside the negative aspects of the financial crisis, it is the negative effects on equity and the distorted way in which opportunities have been distributed that are really striking. Faced with this situation, the question we need to pose is: How fair has trade liberalization been? Or, to put it another way, what contribution has trade liberalization made to gender equality? The globalization of finance and trade have gone hand in hand with the exclusion of various groups from participation in society, and the negative effects of this process in terms of gender equity warrant priority attention from the Governments concerned.

The region's economic growth rate between 1991 and 1998 was 3.6%, but the rate plunged in 1999 (ECLAC, 1999a). When we measure the decade as a whole, average growth is likely to have been barely 3% a year (Ffrench-Davis, 1999). Not only has growth been modest, but the opportunities opened up by globalization have been distributed inequitably. There is more heterogeneity than before in labour markets and in the performance and position of large enterprises as against small ones and of domestic firms as against foreign ones. Because of the way women participate in the labour market, their opportunities for individual and collective development have been seriously harmed by this state of affairs. This is even more the case when we consider that despite their growing participation in gainful employment, they have continued to bear primary if not exclusive responsibility for running the home.

One of the paradoxes of the century that is drawing to an end is the observable fact that women now possess a range of rights and a degree of visibility and recognition that they have never had at any time before. At the same time, the context of exclusion that characterizes the global village is perhaps more evident than ever before. The equality of women is being achieved, in many cases, in the face of the growing economic, social, political, cultural and media inequalities that are a feature of the globalized world. The concentration of wealth<sup>4</sup> and power, and the rise of absolute poverty<sup>5</sup>, are imperilling progress

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<sup>4</sup> Of 12 countries analysed by ECLAC, income distribution in urban areas improved in four (Bolivia, Honduras, Mexico and Uruguay), was unchanged in one (Chile) and worsened in seven (Argentina, Brazil, Costa Rica, Ecuador, Panama, Paraguay and Venezuela) (ECLAC, 1999c).

<sup>5</sup> While the percentage of people living in poverty in Latin America fell from 48% in 1990 to 44% in 1997, in relative terms the decline in the proportion of poor households that occurred during the 1990s merely brought the

towards equality between men and women. Not only this, but inequality between women themselves tends to increase dramatically unless appropriate policies are adopted.

The most significant changes that have occurred in Latin America and the Caribbean during the 1990s have been the result of a massive and ever more rapid influx of women into the labour market, the movement towards universal access to the different levels of education, the as yet insufficient increase in women's participation in decision-making and the increased coverage of mother and infant and reproductive health care. This has involved changes in various spheres: the law, the creation of institutions and alterations in family structures, cultures and values; an increase in economic independence is also being witnessed which is of great significance for the future of the region. These positive changes have been offset by certain factors, particularly the tendency towards inequity in economic development, the widening gaps being produced by the education system and the general decline of health systems and services provision.

The changes being produced by the globalization that is such a feature of today's world are so immense and rapid that they are shifting the reference points we use to interpret reality. One of these reference points, the belief that women naturally occupied a subordinate position and that their province was the private world, has changed so radically that there is now recognition not only of the possibility of changing the culturally constructed relationships that give rise to discrimination against women, but of the need for this change to take place.

Governments, often in collaboration with civil society, have implemented numerous strategies to apply the gender approach across the board in the design of public policies, adopting cross-disciplinary, intersectoral and participatory approaches for this purpose. As the century draws to a close, five years after the Beijing Platform for Action was approved and six years after the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001 was approved, the results of these approaches, the extent of the difference they have made and the new challenges they have to deal with can now begin to be discerned.

The increasingly rapid modernization of the economy, society and all political, legal and cultural institutions, while it holds out the hope of new opportunities for development, is producing new asymmetries and exacerbating old forms of exclusion whose effects on women are a cause for concern. In these circumstances, the successes achieved in overcoming inequalities between men and women have mitigated the effects of the poor distribution of opportunities that has hitherto been a characteristic of globalization processes.

In Latin America and the Caribbean, globalization has been intense but very uneven, unbalanced and incomplete (French-Davis, 1999), with large but unstable external markets, the general picture being one of heterogeneity that affects the economy, politics, culture and the exercise of human rights. After almost five years, there is a noticeable tendency for equality of opportunity to improve in most of the countries. In the case of Latin America, the gender-related development index (GDI) produced by UNDP

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level back closer to what it was in 1980 (35%), while the absolute number of people living in poverty has continued to increase (from 200 million in 1990 to 204 million in 1997). As regards indigence, this has followed a similar trend to poverty, although it must be emphasized that the number of people affected has been reduced. Sixty-two million people were indigent in 1980, a figure which rose to 93 million in 1990, since when it has fallen, so that in 1997 it stood at just under 90 million (ECLAC, 1999c).

has risen across the board, and this rise has not led to substantial variations in the relative positions of the countries.<sup>6</sup>

Change in the economic sphere has been only partial, and although the methods used to implement structural reforms have varied, certain mistakes have come up again and again, especially in macroeconomic management: in the design of financial and trade reforms, and in the limitations of efforts to correct the inequalities that are faced in the markets. These mistakes are attributed to the “extreme faith of neoliberalism in the efficiency of the traditional private sector and an equally extreme mistrust of the public sector and of non-traditional forms of private organization” (Ffrench-Davis, 1999).

Again, we are just emerging, both regionally and worldwide, from two decades in which egalitarianism has lost ground as an ideology and as a value (Hopenhayn and Ottone, 1999) and the idea of equality and social rights has diminished in strength. As regards the State, the idea that has prevailed has been of a non-interventionist State that sets rules and regulates but has a limited role in correcting inequalities.

It is against this background that those struggling for equality between women and men have not only succeeded in improving the judicial framework in all countries by removing manifestations of discrimination in the law but, by urging the creation of mechanisms and demanding redistribution of income and investment in favour of women, have begun in many cases, in a pioneering way, and albeit from the margins of institutional and political structures, to make an important contribution to policies to humanize the economy and to integrate economic policy with social policy on the basis of a sustainable development paradigm.

To put it another way, while economic reforms —and the political governance pacts that sustain them— have been marked in most cases by a commitment to the free market and representative democracy, with a limited social agenda to promote equal opportunities, national women’s offices (NWOs), non-governmental organizations and women’s social movements, both nationally and internationally, have done valuable work by urging recognition of human rights and placing strategic issues on the agenda for public debate in most of the countries, examples being the role of the State in correcting inequalities, the participation of civil society in policy formulation, the extension of the sphere of citizenship to the private sphere of the family through penalization of domestic violence, recognition of sexual and reproductive rights<sup>7</sup> and acceptance of the need for family responsibilities to be shared between men and women. Progress in gender equality has acted as a mechanism serving to counteract and mitigate the transmission of inequalities by which the region is threatened.

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<sup>6</sup> In 1995 the Central and South American countries were in an intermediate position, the range being from 0.80 in Uruguay to 0.48 in Guatemala. Five years later, countries such as Chile, Argentina, Uruguay and Costa Rica still have the best positions in the region (GDI of the order of 0.83, 0.81, 0.82 and 0.79 respectively). The bulk of the Latin American countries are still among the ranks of countries with *medium human development* (with GDI being put at 0.66), but it is these that have achieved the largest rises in their indices. Thus, we may highlight the efforts of countries such as Guatemala, Bolivia and Peru, with increases of around ten points (in Guatemala it has risen from 0.48 to 0.61, in Bolivia from 0.52 to 0.64, in Peru from 0.63 to 0.73). As detailed in the Human Development Report, progress in removing inequalities in the condition of the sexes is unrelated to national income, and this is true of health, political participation and literacy (UNDP, 1999).

<sup>7</sup> In the sense given to the term by the Beijing Platform for Action in 1995: “Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so” (paragraph 94).

Gender policies have also made another important contribution to the common good by fomenting redistribution of social investment resources, albeit so far to a limited extent. By demanding that the needs of specific groups of women, girls, heads of households, young pregnant women, victims of violence, poor rural women and indigenous women be attended to, they have drawn attention to the processes of social differentiation and made it more likely that the State will attend to the most vulnerable groups.

One of the most innovative, albeit still controversial, developments of recent years has been the increasing amount of attention being devoted in academia, State politics and civil society to the androcentric biases of economic policy.<sup>8</sup> It is widely accepted that the dominant tendency in economic policy obscures the presence not only of women, but of human beings in general.<sup>9</sup> Nonetheless, from the point of view of gender equality, it is considered that when the economy does recognize the social actors involved it tends to treat them in an undifferentiated way, setting out from an assumption of the “productive citizen” associated with a masculine paradigm that regards men as the main if not the only stable providers of family income and as the holders of social and economic rights.

These suppositions underlying economic policy, which include a masculine production paradigm, result in turn from a failure to question the nature of domestic work. Consequently, not only are policies formulated on the basis of a cultural standpoint that associates public life and the world of production with males, but the economic dimension of the domestic and unpaid reproductive work done by women is ignored. Until recently, recognition of the reproductive work done by women was regarded only as a justification for compensatory social policies. In the last few years, however, there has been growing demand for the work of women to be given greater prominence in the national accounts, in budgets and in the design of economic policies, as part of sustainable development. Although, as the reports are reviewed, there is no evidence of significant progress in terms of gender-oriented economic policy, this process of reflection and debate is clearly one of the most important new developments in this area.<sup>10</sup>

This process of reflection has been nourished by a critical evaluation from within women’s organizations themselves, both governmental and academic, and from civil society. It is recognized that policies, programmes and projects have benefited from technical, methodological and political gender inputs. Nonetheless, it has been noted that it is in the sphere of economic policy that opportunities and

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<sup>8</sup> This is demonstrated by the conclusions of the preparatory meetings for the Caribbean and Central America, which strongly recommended collecting studies and views on the gender impact of economic policies. Thus, a number of authors have started out by identifying the models and macroeconomic policies currently being developed as “gender-blind” (Cagatay, 1995; Walters, 1995; Elson, 1996; Galvez, 1998; Ocampo, 1998; and Rico, 1998), and set out from a first level of analysis regarding the non-neutrality of policies, particularly as regards the invisibility of reproductive work in economic terms, the resultant bias in the division of labour (both because of problems of accessibility and because of the wage gap or segmentation between men and women), or the way in which gender inequalities may be transmitted through the markets (markets for goods and services, assets or labour), but also through economic policy instruments (fiscal, monetary or exchange rate policies). Thus, gender inequalities have arisen both because of the absence of markets (the difficulties women have in gaining access to land, capital or labour resources) and because of biases in them (tax systems that treat men and women unequally, discriminatory labour markets or the impact of structural adjustment policies on employment inside and outside women’s homes).

<sup>9</sup> This is the consideration underlying the construction of the human development index (HDI) developed by UNDP.

<sup>10</sup> Barbados is the only country to report initiatives specifically aimed at producing a budget designed to deal with gender differences.

distributive justice are to be sought, and for this reason a major effort is now afoot to influence the course of economic policy in the region<sup>11</sup> in order to integrate it with social development.

Lastly, this line of reasoning has revealed the strategic value of having women present politically and socially in the seats of decision-making. Unlike the Caribbean, the countries of Latin America evince great diversity in this respect, both internally and between countries. A particular country may have large numbers of women in parliament, but none in the judiciary and trade union systems. This suggests that positive results are not indicative of a general policy to help women participate in decision-making, but rather that each sphere has its own dynamic and operates as a closed system.

To this extent the role of gender equity policies should be understood not just in terms of their limited function of creating institutions for the advancement of women or implementing programmes and projects in the different sectoral areas, but also in the light of their overall impact as vehicles for an egalitarian, human rights-based paradigm that recognizes the existence of structural heterogeneity (which has been further reinforced by the processes of globalization and State reform) and that has human beings as its primary focus.

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<sup>11</sup> See the recommendations submitted by the Caribbean at the Third Caribbean Ministerial Conference on Women (ECLAC/CDCC, 1999).



## **II. GENDER EQUITY: THE BASIS FOR A JUST AND EQUITABLE SOCIETY**

### **1. Institutionalization of gender policies in the State**

One of the main characteristics of globalization is manifesting itself in the changes undergone by the State. The scope and limits of State action are changing as a result of trade liberalization and technological developments, and the shared codes of conduct needed in the legal, political and cultural spheres to deal with the changes referred to are not in evidence. In the decade now ending, States, even though they have not had the confidence of elite groups and in general have sought to limit themselves to a prescriptive and regulatory role, have played an important part in the restructuring of production activities by working for the maintenance of wage levels, and have followed anti-inflationary policies with differing effects on men and women.

Through their organizations, women have continued to follow the alternating policies of the last decade, sometimes calling for the State to attend more to inequalities and be more active in correcting them, and at other times seeking not just for the State to protect the rights of women, but for it to protect them against its own excesses (Bobbio, 1991). They have also taken action in the international arena, where they have been effective in securing the adoption of standards to guide State reforms. It is in this context that different mechanisms for the advancement of women have come into being in each and every country of the region.<sup>12</sup>

Although the NWOs of today, which perform a normative function at the policy-making level, began to be set up in the 1960s (ECLAC, 1998d), the tendency for them to be incorporated into the governmental hierarchy has increased in recent years, and almost all of them have embarked upon modernization and institutionalization processes since the Fourth World Conference on Women (see table 1). In a number of countries, particularly in the Caribbean, a consensus has not yet been reached regarding the legitimacy of the policy-making role to be played by these mechanisms. Some governmental sectors want to confine them to the role of social-service providers, and in some countries it has become apparent that the gender perspective is seen as another opportunity for marginalizing women on the pretext of protecting them from discrimination or of ensuring that men, children or the elderly are not excluded, all of which simply re-introduces the vicious cycle associated with an approach whose main focus is on a given group's vulnerability. This could well be another manifestation of the long-standing opposition that exists to the mainstreaming of a genuine gender perspective in the State apparatus.

In recent years, offices that have linked their development to the State reforms and national policies under way in the countries have grown stronger. In other words, the more open countries have been to institutional changes, the greater the recognition these offices have obtained. To this extent, the

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<sup>12</sup> Although in this study the emphasis is on national mechanisms, mention should also be made of the many other organizations that are working to achieve gender equity, such as the municipal, regional and sectoral agencies that, together with non-governmental organizations, complete the existing institutional structure for the advancement of women.

status and capabilities of NWOs may be regarded as an indicator of the extent of State modernization. At the decentralized level, a recent but encouraging trend has emerged in the last five years towards the execution of programmes, projects and activities aimed at promoting equality in local and municipal agencies and sectoral ministries, especially those concerned with health and education.

Table 1  
**LATIN AMERICA AND THE CARIBBEAN (38 COUNTRIES):  
 INSTITUTIONALITY OF GENDER EQUITY POLICIES, 1999**

Country	INSTITUTIONAL STRUCTURE			PUBLIC POLICIES		
	Status of national agency	Year created / last reformed	Institution it comes under	Government policy	Programmes in sectoral ministries	Coordination mechanisms
Antigua and Barbuda	National State service	1980 / 1999	Ministry of Health and Social Improvement	Plan of Action for gender and development 1998-2000 (under review)	no information	Coordination council
Argentina	Office of Under-Secretary of State	1987 / 1992	Chief of Staff	Federal Plan for Women 1999-2001	For. Rels., Lab. and Soc. Sec., Health and Soc. Action, Culture and Ed., Justice, Econ. and Pub. Works and Services, Agriculture, Soc. Dev.	Parliamentary and follow-up commissions
Bahamas	Bureau	1981 / 1995	Ministry of Foreign Relations	National Plan of Action	no information	National advisory com.
Barbados	Bureau	1976 / 1999		National Plan of Action	no information	National advisory com.
Belize	Department	1979 / 1993	Ministry of Human Resources, Women's Affairs and Youth Development	National Plan of Action (in preparation)	no information	National advisory commission
Bolivia	National State service	1972 / 1997	Office of Under-Secretary of Gender Issues, Generational Affairs and Family	Supreme Decree for Equal Opportunities between Men and Women (1997)	Labour, Health and Social Security, Education, Economic Development, Rural Affairs	Intermin. committee / Parl. and popular particip. commission
Brazil	National council	1985 / 1995	Ministry of Justice	Strategies for Equality 1995-1999	Health, Education, Communications and Labour	no information
British Virgin Islands	Bureau (Desk)	1991	Office of the Prime Minister	National Plan of Action	no information	Advisory committee
Cayman Islands	National office	1995	Ministry of Community Affairs, Sports, Women, Youth	no information	no information	Advisory committee (now being formed)

Country	INSTITUTIONAL STRUCTURE			PUBLIC POLICIES		
	Status of national agency	Year created / last reformed	Institution it comes under	Government policy	Programmes in sectoral ministries	Coordination mechanisms
Chile	National service / ministerial status	1949 / 1991	and Culture Presidency of the Republic	Equal Opportunities Plan for Women 1994-1999	Education; Health; Labour; Social Security, Housing and Town Planning; National Goods; Agriculture; Justice; Planning; Economy	Interministerial commissions
Colombia	Presidential commission	1980 / 1999	Presidency of the Republic	Pol. of Participation and Equity for Women (1994)	Agriculture, Labour, Economic Development, Education and Foreign Relations	Interministerial sectoral network
Costa Rica	National institute / ministerial status	1974 / 1998	Cabinet	Pol. for Equality of Opp. between Women and Men 1997-2001	Agric. and Stockbreeding; Culture, Youth and Sport; Pub. Ed.; Justice; Health; Lab. and Soc. Sec.; Housing and Hum. Sett.; Env. and Energy	Interministerial coordination prog. and commission
Cuba	NGO recognized by the constitution	1960	a/	National Plan of Action to follow up the Fourth World Conference (1997)	Education; Health; Science, Technology and Environment; State Labour and Social Security Committee	Parliamentary commission
Dominica	Bureau	1979 / 1982	Ministry of Community Dev. and Women's Affairs	National Plan of Action	no information	no information
Dominican Republic	Secretariat of State	1979 / 1999	Presidency of the Republic (independent)	National Gender Equity Plan 2000-2005	Planning, Education and Culture, Agriculture, National Population and Family Council, Community Development Administration	Mixed State / civil society council
Ecuador	National council	1980 / 1997	Presidency of the Republic	Policies for Women 1996-2005	Health; Education; Lab. and Hum. Resources; Urban Dev. and Housing; Social Welfare	Parliamentary commission
El Salvador	National institute	1989 / 1996	Ministry of the Presidency	National Women's Policy 1997-1999	Ed., Health, Interior, Agr., Env. and Nat. Res., Lab., Just., Health, Pub. Safety and Pub. Works	Parliamentary commission
Grenada	Division	1979 / 1997	Min. of Housing, Soc. Sec. and Women's Affairs	National Plan of Action (in preparation)	Labour, Education, Health, Finance	Interministerial commission

Country	INSTITUTIONAL STRUCTURE			PUBLIC POLICIES		
	Status of national agency	Year created / last reformed	Institution it comes under	Government policy	Programmes in sectoral ministries	Coordination mechanisms
Guatemala	National office	1981	Ministry of Labour and Social Security	Nat. Policy for Dev. and Prom. of Women (1997)	General Secretariat of the National Economic Planning Council (SEGEPLAN); Health	Parliamentary commission
Guyana	Bureau	1981/ 1998	Ministry of Humanitarian Services and Social Security	National Plan of Action (1999-2000)	Education, Health, Interior	Advisory commis. and intermin. committee
Haiti	Ministry	1988 / 1994	Presidency of the Republic	National Plan of Action (1996)	Labour	no information
Honduras	National Women's Institute	1991 / 1999	Presidency of the Republic	Government plan	Integrated Agricultural Development, Mental Health	no information
Jamaica	Bureau	1976	Min. of Labour, Social Security and Sport	National Plan of Action for Women 1997-2000	no information	Interministerial committee
Mexico	National commission	1974 / 1998	Ministry of the Interior	National Women's Programme 1995-2000	Foreign Relations; Agriculture, Stockbreeding and Rural Dev.; Agrarian Reform; Health	no information
Montserrat	Focal point	1993	Ministry of Education, Health and Community Services	no information	no information	no information
Netherlands Antilles	National department	1975 / 1995	Ministry of Welfare, Family and Humanitarian Affairs	no information	Foreign Relations	no information
Nicaragua	National institute	1982 / 1998	Ministry for the Family	National Women's Plan 1994-1996	Health, Environment and Natural Resources, Agriculture and Forestry	Parliamentary commission
Panama	National State service	1980 / 1998	Min. for Youth, Women, Childhood and the Family	National Women and Development Plan 1994-2000	Education; Health; Labour and Social Welfare; Agricultural Development	Advisory council and parliamentary commission
Paraguay	Department of State (ministerial rank)	1992	Presidency of the Republic	National Equal Opportunities Plan for Women 1997-2001	Public Ministry; Agriculture and Stockbreeding; Education and Worship; Justice and Labour; Public Health and Social Welfare	Office of intersectoral relations

Country	INSTITUTIONAL STRUCTURE			PUBLIC POLICIES		
	Status of national agency	Year created / last reformed	Institution it comes under	Government policy	Programmes in sectoral ministries	Coordination mechanisms
Peru	Ministry	1974 / 1996	Presidency of the Republic	National Women and Development Plan 1998-2000	Foreign Relations Parliamentary Commission, Education, Health, Defence, Interior, Labour, Industry	Parliamentary and coordinating commissions
Puerto Rico	National commission	1973 / 1994	Governor's Office	no information	no information	no information
Saint Kitts and Nevis	National State service	1984 / 1995	Min. of Health and Women's Affairs	National Plan of Action for Women	no information	Intermin. committee and advisory council
Saint Lucia	National division	1986 / 1997	Min. of Health, Hum. Serv., Women and Family Affairs	National Plan of Action	no information	Interministerial committee and advisory commission
Saint Vincent and the Grenadines	Department	1985	Min. of Education, Women's Affairs and Culture	National Plan of Action	Health, Agriculture and Labour	Advisory commission
Suriname	National bureau	1998	Ministry of the Interior	National Plan of Action	no information	no information
Trinidad and Tobago	National division	1980 / 1993	Min. of Culture and Gender Affairs	National Plan of Action	Social and Community Development	Intermin. committee and advisory council
Uruguay	National institute	1975 / 1987	Min. of Education and Culture	Plan of Action of the Institute	Interior; Public Health; Stockbreeding, Agriculture and Fisheries; Labour and Soc. Sec.	Follow-up commission
Venezuela	National Women's Institute	1989 / 1999	Ministry of Health and Social Development	National Women's Plan 1998-2003	Family, Education, Public Health and Welfare	Parliamentary commission

Source: ECLAC, *Directory of national organizations dealing with programmes and policies on women in Latin America and the Caribbean*, Women and Development Unit [<http://www.eclac.cl/espanol/investigacion/series/mujer/directorio/directorioorg.htm>], October, 1999; Division for the Advancement of Women of the United Nations (DAW), *Follow-up to Beijing*, an electronic listing of national plans of action on the follow-up to the Fourth World Conference on Women [<http://www.un.org/womenwatch/follow-up/national>], November 1999; replies of countries to the questionnaire sent out by the Division for the Advancement of Women of the United Nations (DAW) for the report to the special session of the General Assembly entitled "Women: 2000: gender equality, development and peace for the twenty-first century", 5 to 6 June 2000 (Beijing + 5). a/ The Cuban State granted the Federation of Cuban Women, an NGO with consultative status at ECOSOC, the status of a national mechanism for the advancement of women, with a special category.

In most of the countries, these bodies continue to receive significant backing from civil society, but they nonetheless must work with quite small budgets, suffer from institutional fragility and receive scant recognition from sectoral bodies or ministries. Furthermore, they continue to be distanced from economic and political affairs and are increasingly associated with the sphere of social policy.

As the millennium draws to a close, NWOs have become part of the institutional structure of the State and are gaining in visibility. However, they are now faced with the dilemma of their own development. On the one hand they have secured recognition, legitimacy and a mandate that gives them responsibility for policy implementation and coordination. In most of the countries, however, this mandate and recognition have not translated into adequate budgets or sufficient political power. Consequently, virtually all the countries have reported difficulties when they attempt to institutionalize equality policies in specific sectors of social policy.

The fact is that the determination to influence economic policies that was expressed in Beijing has come up against these structural weaknesses in the relevant mechanisms and the tendency, referred to earlier, to subordinate social policy to economic growth.

*(a) Investment, budgets and mechanisms*

Measured in terms of social investment, budgets and the strength of the mechanisms adopted, change has been slow. The first difficulty derives from the scantiness of the resources allocated to offices and made available for implementation of Government plans. Although there is acknowledged to be a dearth of comparative official information from which to form an idea of how investment, budget and resource levels are changing in NWOs and for the women at whom policies are aimed, all the countries name the lack of resources as a key factor in hindering across-the-board application of the gender approach.<sup>13</sup> It should be pointed out that the amount of the official budget for NWOs is a relative indicator, as certain poorer countries depend heavily on international aid for the application of their social policies while others have made significant efforts to increase social investment, without any evidence having yet appeared concerning the effect this has had on women.

Almost all the countries have national plans for the implementation of the agreements adopted at international conferences, whether these relate to equal opportunities or to follow-up of the Beijing Platform for Action agreements (see table 1), which reflect a growing political will to meet these needs. These plans are also notable for the fact that they are the outcome of fairly well structured mechanisms for consulting civil society, which sets them apart from other social policy mechanisms.

There is also a new but growing trend for municipal and local development plans to be drawn up, especially in those countries where decentralization processes are under way. While the opportunities offered by these processes are recognized, emphasis has been laid on the new difficulties that are arising as a result of incompatibilities between the national and decentralized levels, something that is obliging NWOs and organizations in civil society to undertake numerous complementary efforts for which the resources are not always available. Other countries have succeeded in incorporating NWOs into national planning systems whence they can influence the design of national policies.<sup>14</sup>

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<sup>13</sup> Thus the report presented at the Third Caribbean Ministerial Conference on Women in October 1999 states that "the national reports all reveal that the national machineries for women continue to be hampered by inadequate resource allocation in staffing and in funding" (ECLAC/CDCC, 1999). See also ECLAC (1998d).

<sup>14</sup> This is the case with Bolivia, the Dominican Republic, Ecuador and Mexico, for example.

In the five-year period just ending, mechanisms for the advancement of women have had to cope, on the one hand, with the need to institutionalize the gender approach transversally<sup>15</sup> in three dimensions, with different degrees of success and difficulty: in national planning systems, in social sectors, particularly health and education, and in decentralized territorial areas.

To do this they have had to legitimize their activities as prescriptive bodies in the face of cultural traditions that understood their role as being primarily that of administrators of programmes and projects. This has meant that relatively large amounts of resources have had to be assigned to raising awareness, a situation made more difficult by the fact that in most of the countries there are no accountability mechanisms to monitor compliance with undertakings. On the other hand, they have had to adapt to the constant succession of major changes that has been seen in most of the countries, changes that have altered traditional institutional structures. Among the changes that have had the most effect on the work done by the mechanisms are: political changes through elections, institutional reforms as part of the State modernization process, efforts to decentralize and rationalize the machinery of public administration, ignorance of the technical properties of mechanisms and budgetary reallocations as a result of natural disasters. In a number of cases NWOs appear to be highly vulnerable when institutional changes are made, a reflection of the fact that, despite significant improvements in their status and performance, they have still not consolidated their institutional credentials.

*(b) Intersectorality*

Although only to a small extent, most States in the region have become more willing to adopt social agendas whose treatment is characterized by the low intensity (low budget, institutional fragility) that affects equity policies. NWOs have launched major coordination initiatives with special emphasis on education, health, microenterprises, credit and violence (see table 1).

Various approaches have been taken to intersectoral coordination. They have tended to involve numerous and not always complementary strategies deployed by gender specialists working with NWOs, NGOs, cooperation organizations or other agencies. These efforts have been undertaken in the fields of education, health and labour, but, as mentioned earlier, the available information is too scanty to serve as the basis for a comprehensive review of the actual cases involving intersectoral links in the countries of the region.<sup>16</sup>

The linkage with health and education appears in most cases to involve an ad hoc, circumscribed form of cooperation that has not been institutionalized and that has required a great deal of effort in terms of advocacy and sensitization. This is often the case with women's offices, and reveals both how fragile their institutional position is and to what a limited extent society has been mobilized to implement their agenda.

Particularly noteworthy efforts have been made with regard to the revision of school textbooks, changes in the educational curriculum to incorporate a gender perspective and teacher training. Few

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<sup>15</sup> According to the countries, the transversality of the gender approach in public policies is one of the most widely debated issues and one of the most difficult to grasp and put into practice.

<sup>16</sup> Examples include programmes dealing with population, reproductive health, social investment funds, indigenous peoples, education and health reform, vocational training and local development that originate in institutional spheres other than women's offices.

countries report that they have mainstreamed this perspective in the structural aspects of educational reforms efforts (management, decentralization, personnel and administrative policies, etc.), however.

In most of the countries, NWOs have forged collaborative relationships with non-governmental organizations. Virtually all the offices have their origins in the mobilization of women's, civil society and political organizations, and this has given rise to different forms of participation by associations and groups in the governing bodies of these institutions.<sup>17</sup> Meanwhile, it does not always prove easy to attend to the demands of civil society, whose expectations of participation in decision-making are not always met, whether because of the legal and institutional structures that exist in the countries or because of the limited powers the mechanisms have to put Government undertakings into effect.

NWOs have taken numerous measures to reduce or eradicate poverty, taking care that due attention is accorded to women and particularly women heads of household. In this area, particular mention should be made of efforts to broaden access to credit and encourage the creation of microenterprises, with support for the poorest women to enable them to gain greater access to these services. In general, the relationship of NWOs with sectoral bodies has been one of advocacy, and they have not yet succeeded on any large scale in converting equality plans into firm political undertakings, permanent mechanisms and administration methods designed to facilitate the adoption of non-discriminatory policies in all areas of public policy. A number of elements come into play here: the lack of technical and financial resources, the compartmentalized structure of social policies, the weakness of social controls and of equality- and results-oriented citizen cultures, weak social participation mechanisms, especially where women are concerned, and a political culture that is unfavourable to equality between men and women, and above all the continuing under-representation of women in the institutional spheres where decision-making takes place.

Thus we see that NWOs have been rushing around to cope with the need for a long-term strategy, the need for growing resources and stability if they are to influence policy formulation and a dynamic that is often characterized by political and institutional instability, institutional cultures that are ignorant of the technical nature of their functions, the low level of political legitimacy granted by cabinet members and the urgent demands of poverty and natural disasters.

The alliance with civil society, while not without tensions and conflicts, has given good results, in that in most of the countries women's associations have played a strategic role in the formulation, implementation and follow-up of policies. In some cases women's organizations have integrated themselves in different ways into NWO structures, while in others they have accepted their independence (see table 4), and although the intensity of debate and oversight ebbed briefly just after the Fourth Conference, it is now on the rise again in all the countries.

## 2. Education

Education has been a field in which women have made major progress in terms of access and performance; in fact, they are doing better than men in a number of countries. During the 1990s the progress made in the educational situation of women has been consolidated, with their educational levels improving generally and with female enrolment rising in relation to male enrolment. However, this has

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<sup>17</sup> A number of countries report that NGOs sit on their governing bodies, and the rest state that there are forums in which consultation can take place in various ways.

taken place against the background of a general deterioration in the educational system<sup>18</sup> and a widening gap between what the system teaches and the needs of the labour market.

Thus, at the primary level the educational attainment of girls has surpassed that of boys. In seven of the nine countries analysed in the 1998 edition of the *Social Panorama*, educational under-attainment fell more among girls than among boys; in 9 out of 10 countries the proportion completing the fourth grade of primary education remained steady or increased in the case of girls. The same thing happened in 8 out of 12 countries in respect of the percentage of boys and girls completing a minimum of seven years of primary education (ECLAC, 1999c, p. 162).

These achievements mean that girls are staying longer in the education system. This development is now feeding through to the secondary and higher levels and has proved to be a positive factor in the growing participation of women in the labour market. Thus, in the urban areas of 8 of the 9 countries for which comparative data are available on the female economically active population, the percentage of the population with 0 to 5 years of schooling has fallen by several percentage points, while the percentage of the population with 12 or more years of schooling has increased, in some cases substantially (see table 3). These tendencies are also transforming (albeit more slowly) the rural environment, where substantial lags continue to exist in terms of the general educational level of older women, *campesinas* and indigenous women (as is also true of poor women in urban areas).

In 1997, for example, in almost half the countries of the region between 15% and 25% of young women in urban areas and between 25% and 50% of young women living in rural areas were neither attending school nor were gainfully employed because they devoted all of their time to domestic tasks (ECLAC, 1999a, p. 193). The status of indigenous women in this respect is also a matter of particular concern, since as a group they have the lowest literacy rate in Latin America. In most of the countries, there are substantial differences between the education received by indigenous girls and non-indigenous girls and between the schooling of indigenous girls and boys belonging to the same ethnic group. In Guatemala, for example, data for 1997 showed indigenous girls completing an average of one year of schooling as against 1.8 for boys, 4.0 for non-indigenous girls and 4.5 for non-indigenous boys (WID, 1998). With the exception of Cuba,<sup>19</sup> literacy campaigns for women do not appear to have been made a priority in any country of the region; this state of affairs places middle-aged, indigenous and rural women in a vulnerable position.

The fact that the progress made in terms of access to formal education has not improved either the income curve of women once they leave the different levels of education or their participation in the different decision-making spheres of society points to the existence of major problems with the quality of education, and this has consequences for equity and for the shaping of values conducive to a less

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<sup>18</sup> Even though the educational level of the population of Latin America and the Caribbean has generally risen, scattered indicators suggest that the coverage of the education system has stagnated or declined in several countries in the second half of the decade, as has the number of years that young people remain in it (ECLAC, 1993). Furthermore, whereas in the first half of the decade 10 years or more of schooling were deemed necessary to gain access to certain options that are important to people's well-being, translating into a probability of over 80% that poverty will be avoided (ECLAC, 1994), at the end of the 1990s analysis of the income from work of those joining the labour market shows that to have access to this same level of well-being it is now essential for people in the region to complete the secondary stage and have a minimum of 12 years of education (ECLAC, 1998b).

<sup>19</sup> After eradicating illiteracy in the early years of the revolution, Cuba has been implementing plans for raising the population's educational level to the equivalent of the sixth or ninth grade of instruction. The Cuba Women's Federation also has specific plans for bringing housewives and non-working women into the classroom.

discriminatory society. The poor external efficiency of women's education by comparison with that of men — a state of affairs that has been identified and deplored in the last decade not just in Latin America and the Caribbean but in the whole western world”<sup>20</sup> — reveals the “construction of a chain that creates and reinforces the differences between the sexes, before transforming them into gender inequality. This chain begins with early socialization that enhances and develops different areas of skills between boys and girls, continues with formal and informal education which reinforces what has been learnt, and culminates in the labour market, which segments labour and remunerates these skills unequally” (Arriagada 1995, p. 42).

In both professional secondary education and higher education, the vast majority of women choose to study subjects that are a continuation of their traditional work and “fail to change the gender-based division of labour from the symbolic viewpoint or to influence the hierarchy established between the sexes effectively” (Rico, 1997b, p. 17). Although there have been changes and female enrolment has increasingly been redistributed around a wider range of occupational possibilities, women are concentrated in educational sciences, humanities, arts, social sciences and certain areas of health science such as nursing, obstetrics, nutrition and dentistry. The most encouraging sign is that women are reaching a situation of parity in administration, economics, architecture, town planning, law and chemistry, hitherto regarded as prestigious courses belonging to the male tradition. Both engineering and the natural and exact sciences continue to be dominated by men, however, even more so if the percentages of women on these courses are broken down by discipline,<sup>21</sup> among the consequences of this being that women are excluded from technological innovation and the production of knowledge. In the labour market, this is reflected in the index of segregation by gender in the branches of economic activity, which in Chile for example stood at 1.93 in 1996.<sup>22</sup>

The lack of systemic (and systematic) linkage between education and employment is not restricted only to the educational and training conditions of women, but has become a structural problem in our societies, owing to the fact that while knowledge has become the engine of technological development in globalized economies, education systems are still structured on the basis of the production model inherited from the industrial society of the nineteenth century. This discrepancy affects the production process and the demands of the labour market as well as conceptions of what a good school curriculum is and people's prospects of participating at an early stage in the processes of productive change (ECLAC/UNESCO, 1992; Ottone, 1998).

However, the problem does not have the same characteristics and is not as acute for men as for women, since the education of the latter is less flexible in the face of change because it reproduces not only a production model but also an ideological gender system that uses discourse-based practices to transmit explanations of the inequalities between men and women based on the differentiated nature of the sexes

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<sup>20</sup> See among others Psacharopoulos and Tzannatos (1992), Stromquist (1995), Rico (1996), Subirats (1997) and ECLAC (1999a).

<sup>21</sup> In the Caribbean, the data compiled by the University of the West Indies for the academic year 1994-1995 appear to demonstrate that a great deal of headway has been made in enrolment in the natural sciences, but they also show that the gap between men and women in engineering has remained the same.

<sup>22</sup> To produce the index of segregation by gender it is first necessary to construct indices of diversification by gender which “show how near to or far from the total average distribution the distribution of occupations by gender is, on the understanding that total distribution reflects the occupational structure required for national production. (...) The segregation index compares the indices of diversification by gender; when its value is 1 this means that segregation is tending to disappear, since working men and women are being distributed around the branches in a way that is similar to the average distribution, which is the distribution required for the country to carry out production in the different branches of activity” (ECLAC, 1999e, pp. 40-41).

(Amusquívar, 1999), which are used to justify the social asymmetries between the genders and delimit the occupational prospects that are on offer to the two sexes both in the labour market and in the education system. Thus, in academic culture we find that what is male is overvalued and what is female is silenced and undervalued. This is manifested in the stereotyped content of teaching, the neglect of female students in the classroom, the failure to interest them in science and technology subjects and the limited range of career options available to them. This situation in turn has a major impact on the training of the human resources needed if production structures are to be converted and countries are to develop, and if the perpetuation of various kinds of social exclusion, especially poverty, is to be prevented.

While efforts have been made in most of the countries of the region to correct these aspects of education policy as part of the reform of the sector, for example by means of new study plans, textbooks that exclude gender-based stereotypes and give greater recognition to the contribution made by women to society, and training programmes and teaching materials that enable educators to achieve a better understanding of their own role in the education process, a great deal still remains to be done in improving women's access to economic, social and cultural capital and to decision-making processes.

Since education is in turn a factor for change and the guardian of this capital, reforms need to encompass both the generation of knowledge and the mechanisms used to manage it. Of the future commitments that the countries have identified as important for achieving gender equity, particular prominence is given to striking a proper balance between administrative and curricular reforms at the national, departmental and municipal level (Bolivia), achieving a steady increase in the presence of women in technical and professional sectors (Cuba), promoting comprehensive life projects, of which sex education and the prevention of teenage pregnancy is a part (Chile), expanding coeducational school systems so that boys and girls can learn to live in harmony and share their knowledge and experience right from the earliest years (Peru) and disseminating information on study programmes in a way that stimulates the interest of girls in non-traditional vocations (Suriname).<sup>23</sup>

Of these "future commitments", it is particularly hoped that progress will be made with those relating to 1) development of a culture of human rights that encourages women to participate fully in all areas of society and promotes respect for the human rights enshrined in international and national laws and 2) introduction into the curriculum of sex education material suited to the different levels of primary and secondary schooling so that girls and boys can incorporate their sexuality into their life project as a flexible and manageable component and not as a factor that determines their future roles in society. The two subjects are intrinsically linked and will provide girls with an educational background that is indispensable if efforts to enable them to participate more equitably in the labour market and in decision-making are to bear fruit.

### **3. The economy and employment**

When the current decade began it was predicted that the total labour supply would fall in relative terms, owing mainly to: a decline in the rate at which the active population was growing, the increasing time being spent in education and the favourable growth prospects that would reduce the incentives for a massive influx of more family members into the labour market. In the event, however, a different tendency has emerged. Thus, we can see that very significant numbers of women have entered the labour

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<sup>23</sup> Country reports submitted to the United Nations Division for the Advancement of Women in anticipation of the special session of the General Assembly entitled "Women: 2000: gender equality, development and peace for the twenty-first century", to be held in June 2000.

market, mainly owing to the failure of economic growth to recover, and to rising poverty. In the case of urban populations, women's participation has increased to between 37% and just over 50%, depending on the country (see table 2).<sup>24</sup>

Economic growth has not been homogeneous between the different nations making up the region, nor can it be said that the growth that has taken place has been able to generate high-quality employment, the increase being rather in insecure jobs in the informal sector.

Trade liberalization has been used to try to open up markets that were protected in the past, with import tariffs being reduced, among other measures, to facilitate the inflow of capital. In some regions, export processing zones (EPZs) have been regarded as engines of globalization and as one of the main industrialization and export investment strategies. Latin America and the Caribbean have 133 of the 845 EPZs identified in the whole world (ILO, 1998). By means of these EPZs, Governments are seeking to achieve three important objectives: job creation, generation of currency for their countries and improvement of their technological capabilities. Women still make up the great majority of the workforce in the inbond assembly plants of Central America, most of which are in the textiles sector and, to a lesser extent, the electronics sector (Daeren, 1997).

Nonetheless, there seems to be a tendency for more men to work in the assembly industry as this diversifies into other sectors (e.g., footwear, agriculture, the automotive industry in Mexico), in which the jobs that are created have a higher technological value added and offer better working conditions (Daeren, 1997). In the employment sphere, the globalization process has not led to a greater for female labour, and when this does happen job security and quality decline.

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<sup>24</sup> See also the 1998 edition of the *Social Panorama*: "Thus, during the period 1990-1997, the female labour force participation rate rose steadily and much more sharply than the male activity rate did. This was especially true in countries such as Argentina, Chile and Venezuela" (ECLAC, 1999c). Although it is true that the participation rate is growing, it is still lower than the rate for men.

Table 2

**LATIN AMERICA AND THE CARIBBEAN: ECONOMIC PARTICIPATION RATES<sup>a</sup>**

	Total labour force participation rate			Male labour force participation rate			Female labour force participation rate		
	1991	1997	1998 <sup>b</sup>	1991	1997	1998 <sup>b</sup>	1991	1997	1998 <sup>b</sup>
Simple average	54.6	55.9	56.8	73.6	73.0	73.4	36.9	40.1	41.4
Argentina <sup>c</sup>	40.9	45.1	45.5	54.9	-56.5	56.4	28.1	34.4	35.4
Brazil <sup>d</sup>	61.1	58.5	58.2	80.0	74.7	73.7	44.3	44.3	44.5
Chile <sup>e</sup>	52.7	54.2	54.4	75.7	74.7	74.7	30.8	34.6	35.0
Colombia <sup>f</sup>	59.3	61.5	62.7	75.0	74.0	74.1	46.3	51.0	52.9
Costa Rica <sup>g</sup>	52.2	53.8	55.3	74.9	74.5	75.6	30.6	33.5	35.6
Ecuador <sup>h</sup>	56.8	56.6	58.4	71.3	70.9	71.8	43.2	43.1	46.1
El Salvador <sup>e</sup>	...	50.9	53.4	...	68.5	69.3	...	35.3	39.4
Honduras <sup>i</sup>	48.6	53.1	51.9	71.9	72.6	72.5	26.6	35.0	32.8
Mexico <sup>j</sup>	53.6	56.6	56.5	77.8	78.3	75.5	31.5	36.8	39.4
Panama <sup>k</sup>	57.5	61.6	62.2	77.3	80.7	80.6	38.1	43.1	44.1
Dominican Rep. <sup>f</sup>	55.0	54.2	54.4	72.9	72.5	...	37.5	36.2	...
Uruguay <sup>j</sup>	57.4	57.7	60.4	73.3	71.4	73.4	43.8	45.8	49.2
Venezuela <sup>l</sup>	60.2	63.9	65.2	81.5	82.6	83.1	38.9	45.1	47.2

**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), *Economic Survey of Latin America and the Caribbean, 1998-1999; Summary* (LC/G.2063-P), Santiago, Chile, 1999. United Nations publication, Sales No: E.99.II.G.17. The 1991 and 1997 figures for Mexico were provided by the Secretariat for Foreign Affairs of Mexico on 19 November 1999.

<sup>a</sup> The labour force participation rate is calculated as a percentage of the working-age population except in the case of Argentina, where it is computed as a percentage of the total population. The data are not comparable in all cases, since the definition of the working-age population and the geographic coverage of the data may vary.

<sup>b</sup> Preliminary figures.

<sup>c</sup> Greater Buenos Aires, April-May and October average.

<sup>d</sup> Six metropolitan areas, yearly averages.

<sup>e</sup> Nationwide total, yearly average.

<sup>f</sup> Seven metropolitan areas, December.

<sup>g</sup> Nationwide total, July.

<sup>h</sup> Nationwide urban rate, November.

<sup>i</sup> Nationwide total, September.

<sup>j</sup> Nationwide total; 1998 average: nationwide urban rate.

<sup>k</sup> Nationwide urban rate, August.

<sup>l</sup> Nationwide total, second semester.

Preliminary assessments carried out by some Governments in the region<sup>25</sup> all suggest that trade liberalization has had varying effects on different countries and regions, and on men and women within these. Some countries in the region have seen job opportunities for women improve owing to the expansion of trade, especially in agricultural export industries and garment manufacturing. Again, women with higher levels of education have been the most successful in finding new employment opportunities in financial services, tourism and other services needed by export industries. Although the preponderance of women in the services sector has traditionally been regarded as a sign of discrimination, with technological progress it has been seen that employment in this sector does not necessarily imply an unfavourable work situation (professionally or in terms of wage levels). In fact, as economies become increasingly services-oriented this sector can be expected to account for *more new jobs* (and jobs with high value added) than the others. The work of Rangel de Paiva Abreu (1999) shows not only that female participation in the financial sector has grown strongly, but that women are accounting for a larger proportion of positions requiring higher qualifications, especially in managerial and banking agency functions, in the case of Brazil. The introduction of new technologies and the tendency for banks to focus on selling banking products, for which women are believed to have a comparative advantage in terms of the social skills and interpersonal relationships needed to win clients, are factors that have been conducive to higher female participation. Consequently, not all new female jobs can be classed as substandard. Women with higher levels of education are gaining access to employment that is stable and well paid, even if it does not necessarily live up to their earnings expectations. This development means that there is a need, which has not yet been addressed, to analyse the intra-gender gaps being generated by social differentiation processes in the region.

Nonetheless, the female labour situation is still characterized by undervaluation of women's work and pronounced occupational segmentation. This segmentation is horizontal, with different types of employment being assigned to men and women, and vertical, with lower wages, prestige, promotion prospects and power being granted to women and, consequently, to the jobs in which they are employed. Most of the jobs being created are informal—or substandard, if they are in the formal sector—and are characterized by a lack of stability and poor labour conditions and social security coverage. It is acknowledged, consequently, that current macroeconomic policies, although they may attract capital and increase women's prospects of finding paid employment, do not automatically promote or secure the objectives of equality and equity. In fact, the growth in jobs is also a result of increasing own-account and informal sector working, while employment in the public sector, which has traditionally absorbed a large part of the female labour supply, is falling relentlessly (León, 1999).

Microenterprises and self-employment are a major source of employment and income for women, especially poor ones (between 30% and 60% of microenterprises in the region are operated by women). In this period we have seen how supporting and encouraging microenterprises through credit and professional training has been one of the main strategies in the region for overcoming poverty (among women), without in any way diminishing the importance of other initiatives to improve the quantity and quality of employment.

Although they are obtaining more paid work, poorer women still have less of a presence in the labour market than high-income women, and their participation entails a high opportunity cost given how low the incomes they can aspire to are and the obstacles they have to overcome to combine paid work with their reproductive activities (lack of accessible services that fit in with their working hours, caring for children, the elderly and others). This situation is particularly acute in the case of households where

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<sup>25</sup> See the report of the third Caribbean Ministerial Conference on Women (ECLAC/CDCC, 1999).

the woman is the only or main provider of income from work. Among the areas of social policy that have been cut back, in fact, are childcare and services that redistribute reproductive tasks. It is recognized that women's family responsibilities have increased in what has been termed the care economy, by which is meant all unpaid services provided by women of all ages.

Although women have taken virtually half of all new jobs, the massive influx of women into the labour market has far exceeded the capacity of economies to absorb them, the result being large increases in unemployment (Marinakis, 1999). Statistics show that female unemployment is higher than male unemployment, which is now regarded as a structural problem, and that women who become unemployed are out of work for a longer time, meaning that female unemployment is less responsive to economic recovery. Open unemployment grew substantially in all the countries of the Southern Cone after the Asian crisis and the Brazilian devaluation, rates of female unemployment being higher in all the countries (of the Southern Cone) (Marinakis, 1999). In Central America —El Salvador, Honduras, Mexico and Nicaragua— female unemployment rates are lower than male unemployment rates (ECLAC, 1999c:78). Thus, periods of recession appear to have a twofold negative effect on women: on the one hand, they make it harder for them to enter the labour market or more likely that they will lose their jobs while, on the other, adjustments that reduce the public budget for social expenditure lead to an increase in unpaid work (such as caring for children and the elderly to make good deficiencies in social services).

As regards the influence of education, the positive effects of this on employment are clear, given that the participation rate increases in line with the number of years spent in formal education (see table 3). Nonetheless, women who are in the workforce have a higher level of education than working men, this being put at an average of nine years of schooling in the case of urban women and eight in the case of men (Valdés and Gomariz, 1995). Despite the increase in educational levels, women are still concentrated in services and trade, and their ability to gain access to more senior positions is still generally low.

As regards technical training, women are concentrated in traditionally female, low value added and/or obsolete occupations. This in turn feeds back into a system of occupational segregation in which they are undervalued. Besides training, attention has been drawn to shortcomings in the "social skills" needed to seek or identify opportunities, limiting women's access to the labour market.

Table 3

**LATIN AMERICA (14 COUNTRIES): FEMALE ECONOMICALLY ACTIVE  
POPULATION AGED 15 AND OVER,  
BY NUMBER OF YEARS OF EDUCATION  
(Percentages)**

Country	Year	Urban areas				Rural areas			
		Years of education				Years of education			
		0 - 5	6 - 8	9 - 11	12 and +	0 - 5	6 - 8	9 - 11	12 and +
Argentina a/ (Greater Buenos Aires)	1997	8	28	12	52	-	-	-	-
Bolivia	1989	39	13	13	35	-	-	-	-
	1994				...				-
	1997	40	14	14	33	82	10	4	4
Brazil	1979	56	17	18	10	92	4	2	2
	1990	42	21	25	13	80	11	7	1
	1993				...				-
	1996	40	21	26	14	81	10	7	2
Colombia b/	1980	48	18	24	11	-	-	-	-
	1990	27	19	35	20	-	-	-	-
	1994				...				-
	1997	26	16	37	21	61	14	20	6
Costa Rica	1981	18	32	31	20	31	47	16	6
	1990	11	31	30	28	24	47	18	12
	1994				...				-
	1997	9	29	30	32	19	47	19	15
Chile	1987	13	20	15	51	30	35	12	23
	1990	12	19	16	53	25	31	13	32
	1994				...				-
	1996	8	17	15	59	28	34	13	26
Dominican Rep.	1997	24	21	18	38	49	24	12	16
Ecuador	1990	15	29	12	44	-	-	-	-
	1994				...				-
	1997	11	27	11	51	-	-	-	-

El Salvador	1997	34	17	15	35	73	14	7	6
Honduras	1990	37	29	10	25	70	22	2	7
	1994				...				-
	1997	29	32	10	30	59	29	4	9
Mexico a/	1996	13	21	12	54	29	26	12	33
Nicaragua	1997	26	31	29	14	-	-	-	-
Panama	1979	11	33	17	40	32	37	9	22
	1989	8	24	19	50	21	33	13	34
	1994				...				-
	1997	5	20	16	58	19	32	12	37
Paraguay c/	1986	20	33	13	34	-	-	-	-
	1990	15	34	12	39	-	-	-	-
	1994				...				-
	1996	18	32	14	37	-	-	-	-
Uruguay	1981	19	37	23	22	-	-	-	-
	1990	12	34	27	28	-	-	-	-
	1994				...				-
	1997	8	33	25	34	-	-	-	-
Venezuela d/	1981	21	39	28	13	57	29	11	3
	1990	14	34	33	20	47	31	18	5
	1994				...				-
	1997	13	29	35	24	-	-	-	-

**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), *Social Panorama of Latin America, 1998* (LC/G.2050-P), Santiago, Chile. United Nations publication, Sales No. E.99.II.G.4., based on special tabulations from the relevant national household surveys.

a/ The way the survey questionnaire is designed makes it impossible to estimate the "years of education" variable prior to 1997.

b/ In 1993 the geographical coverage of the survey was extended to virtually the entire urban population of the country. Up to 1992 the survey included around half of this population.

c/ Includes only Asuncion and the Central Department.

d/ Since 1997 the sample design of the survey has meant that the figures cannot be broken down between urban and rural areas. Consequently, the figures are for the national total.

Women generally earn less than men for equivalent work. Existing studies show that women's incomes are still a scant 75% of what men receive and may even be as low as 20%<sup>26</sup> of what men get for doing similar jobs. The most common explanation is that women are less productive than men, an argument that is undermined by studies showing that a large portion of the income difference is accounted for by discrimination. Discrimination is more acute in the poorest homes, where women earn 17.5% of what men in the same households receive. Considering that the poorest women have greater difficulty in finding work, but that when they do they contribute significantly to family income, there is clearly a need for policies to increase the quantity and quality of jobs available to women.

It has been noted that in most of the countries analysed women's employment has had a major impact on income. This effect has been even more pronounced in the case of poor households. Since the evidence suggests that the female participation rate is lower in poor households than in higher-income ones, and that these households have a larger number of dependants, there is a legitimate place for policies to train women from poor households and make them more employable and for schemes to increase their incomes, which will have a significant effect in reducing poverty in the Andean countries.

Women are now taking more jobs, and are doing so after having raised their educational level to a substantial degree. However, there is a very marked tendency in the region for the income gap between men and women to rise in line with the level of education. These policies need to deal with the problem of discrimination if equity is to be the result.

In conclusion, while situations vary, the income of women in the labour market is characterized by persistent legal and wage discrimination, and is still highly vulnerable. Close consideration needs to be given to the type of factors that enable women to participate in competitive and high-technology sectors. At the same time, policies aiming to provide more and better employment should take account of the need to enhance a number of working options, including microenterprises, by strengthening policies aimed at broadening access to financial and non-financial services, vocational training in particular.

Although the labour market access problems that women face are various, the most important ones have to do with the support they need to reconcile family and work responsibilities and enforcement of their rights as workers and economic providers.

The difficulties that women workers face in seeking to reconcile their paid work with their family responsibilities take on even greater importance when we consider that participation rates are higher among women who are heads of household than among those who are not. Again, in the last decade there has been a considerable increase in the participation of married women in the labour market. As regards age, in all the countries except Costa Rica and El Salvador the participation rates of young women rose far more between 1990 and 1997 than those of young men, which in some cases declined (ECLAC, 1999c:74).<sup>27</sup> Women are entering the labour market at an early age, are not leaving when they have children and are remaining active during their reproductive years, giving the lie to a common myth about female labour force participation (Arriagada, 1998).

At a time when the quality of working conditions is generally declining, with paid work often involving longer and more flexible hours, female participation has had a direct influence on the conditions

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<sup>26</sup> See ECLAC (1999c), which indicates that the corresponding percentages are 20% in Venezuela and 47% in Bolivia.

<sup>27</sup> See table 7 showing female monthly labour income capacity equivalent as a percentage of that of men for the population aged 25 to 59 working more than 20 hours a week, by years of education.

under which unpaid domestic and social reproduction work —still regarded as the individual responsibility of women— is carried out. A study running up to 1997 showed that legislation to deal with this problem was aimed primarily at women, with the participation of men being envisaged in only a few cases. Again, when policies to provide more flexible working have been considered, there has been a tendency to approve measures that remove the right to the protection of maternity —considered as a female privilege and not as a right for girls and boys— rather than protecting it.

The right to pre- and post-natal leave has often been regarded as a right for women, and it is for this reason that efforts have been made to abolish it in order to save on the additional labour costs that it is supposed to entail. What has been ignored, however, is that this is a right of children and that responsibility for motherhood is a social one whose costs ought to be redistributed among all members of society and the family.

Reconciling productive and reproductive work, and securing recognition for the value of the latter, is a particular need in the case of female domestic workers, women in non-agricultural occupations in rural areas and indigenous women, who in many countries are still seeking to have the law changed to secure equal conditions. Not only this, but in many countries employment discrimination has meant that the working options of the vast majority of indigenous women are restricted to domestic employment or very substandard low-productivity activities.

Table 4  
**LATIN AMERICA (17 COUNTRIES): FEMALE MONTHLY LABOUR INCOME CAPACITY EQUIVALENT<sup>a</sup>  
 AS PERCENTAGE OF MALE, FOR THE POPULATION AGED 25 TO 59 WORKING MORE THAN 20 HOURS  
 A WEEK, BY NUMBER OF YEARS OF EDUCATION**

(Percentages)

Country	Year	Urban areas					Rural areas				
		TOTAL	0 to 5	6 to 9	10 and +	Difference (10 and + - 0 to 5)	TOTAL	0 to 5	6 to 9	10 and +	Difference (10 and + - 0 to 5)
Argentina <sup>b</sup> (Greater Buenos Aires)	1980	78	80	70	71	-9	-	-	-	-	-
	1990	90	93	80	87	-6	-	-	-	-	
	1997	87	95	84	78	-18	-	-	-	-	
Bolivia <sup>c</sup>	1989 <sup>c</sup>	65	66	74	71	5	-	-	-	-	
	1997	75	74	74	86	12	70	84	49	66	-19
Brazil	1979	53	46	49	45	-1	56	52	45	46	-6
	1990	67	51	56	62	11	65	56	54	57	1
	1996	74	65	63	63	-1	74	62	53	59	-3
Colombia <sup>d</sup>	1980	62	62	77	59	-3	-	-	-	-	-
	1990	76	72	78	70	-2	-	-	-	-	-
	1997	95	74	123	85	11	83	58	77	80	22
Costa Rica	1988	84	79	64	81	2	79	57	61	94	37
	1990	84	64	73	81	17	92	62	72	101	39
	1997	96	68	73	95	27	90	60	69	92	32
Chile	1990	77	65	69	75	10	108	93	83	86	-7
	1996	73	79	74	68	-11	89	80	78	74	-6
Ecuador	1990	70	77	59	75	-2	-	-	-	-	-
	1997	88	80	70	88	8	-	-	-	-	-
El Salvador	1997	89	79	76	84	5	96	88	82	326	237
Guatemala	1986	75	71	85	73	2	77	74	46	61	-13
	1989	85	71	90	80	9	86	81	63	85	4
Honduras	1988	70	65	64	64	-1	104	68	107	85	17
	1990	71	56	53	72	16	88	60	69	119	59
	1997	78	69	72	64	-6	71	58	68	64	6
Mexico	1989	75	78	79	72	-6	97	100	93	86	-14
	1992	68	66	82	65	-1	80	74	73	73	-1
	1996	72	75	79	67	-8	77	62	71	85	23
Nicaragua	1997	67	67	71	63	-4	-	-	-	-	-
Panama	1979	78	63	64	75	12	118	85	83	85	0
	1989	84	61	65	79	18	111	76	75	107	31
	1997	83	59	68	76	18	110	94	79	100	6
Paraguay <sup>e</sup>	1986	58	65	59	60	-5	-	-	-	-	-
	1990	63	70	56	65	-5	-	-	-	-	-
	1996	83	90	74	77	-14	-	-	-	-	-
Dominican Rep.	1997	88	68	71	84	17	78	71	71	80	9
Uruguay	1981	63	53	60	63	10	-	-	-	-	-
	1990	74	63	67	72	9	-	-	-	-	-
	1997	83	68	76	74	6	-	-	-	-	-
Venezuela <sup>f</sup>	1981	82	60	72	92	32	85	64	72	123	59
	1990	73	65	70	69	4	85	78	72	89	11
	1997	79	77	71	71	-5	-	-	-	-	-

Source: Economic Commission for Latin America and the Caribbean (ECLAC), *Social Panorama of Latin America, 1998* (LC/G.2050-P), Santiago, Chile. United Nations publication, Sales No. E.99.II.G.4., based on special tabulations from the relevant national household surveys.

a/ The monthly labour income capacity equivalent is the equivalent monthly income based on the value of an hour of work, expressed in lines of poverty. This indicator does not include unpaid family members.

b/ Prior to 1997 the educational categories used are: uncompleted primary; completed primary and uncompleted secondary; and completed secondary and more, instead of 0 to 5, 6 to 9 and 10 and more years of education, respectively.

c/ Includes La Paz, El Alto and departmental capitals.

d/ In 1993 the geographical coverage of the survey was extended to virtually the entire urban population of the country. Up to 1992 the survey included around half of this population.

e/ Includes only Asuncion and the Central Department.

f/ Since 1997 the sample design of the survey has meant that the figures cannot be broken down between urban and rural areas. Consequently, the figures are for the national total.

This situation being what it is, most of the countries' NWOs have launched initiatives to improve female participation in the workforce. In most of the countries, action is concentrated in the first instance on programmes to support microenterprises and vocational training and forms part of a strategy to combat poverty. Nonetheless, in some countries a start has been made on analysing labour policies in inter-institutional forums with representatives from the Ministry of Labour and the union and employers' sector. In some countries it is the Ministry of Labour itself that has been the driving force behind this collaboration; in others it has been promoted by the women's organization. There are now Tripartite Commissions for Equality of Opportunities between Women and Men in every country of the Southern Cone. Major changes in labour legislation aimed at doing away with discriminatory provisions have also been introduced and implemented. Some countries have begun to carry out public information campaigns and training initiatives to increase awareness of women's rights. In general, though, the main tendency has been to bring in short-term programmes of a more welfare-oriented kind in order to provide a short-term remedy for the worst excesses of poverty, exclusion and discrimination experienced by women by giving them greater access to paid work, without sufficient attention being paid to the more structural factors underlying inequality between women and men. Furthermore, in many cases these do not get enough support from those responsible for labour and economic policy. Some countries have reported preliminary agreements between NWOs and the ministries responsible for employment, although no impact analyses or reports on the results of these are available in any of these cases.

It is interesting to note that where the gender perspective has become more highly institutionalized in labour policies and programmes, this is generally the result of technical cooperation programmes in this area, the participants being multilateral cooperation agencies such as ILO or IDB and bilateral aid agencies run by Governments or unions (support from international leaderships) or other types of social organizations (NGOs).

It is also striking that in Latin America at present there is still no "critical" awareness of the importance of devising and evaluating macroeconomic policies and programmes (international trade, financial market, etc.) on the basis of gender theory, with analysis of the differences in the impact these policies make on the lives of women and men. The respective ministries regard the issue of gender equity as being "outside their sphere of competence". More significantly, National Mechanisms for the Advancement of Women likewise do not seem to support—or even consider—the idea of incorporating this approach into the "macroeconomic" decisions that the countries are taking and implementing.

#### 4. Social security

Social security, in its health-care, social work and welfare aspects, has been a subject of concern in recent years. The Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001, which was adopted by the Governments, proposes to improve women's working conditions by doing away with wage discrimination, enforcing respect for labour rights and ensuring *access to welfare*

*and social security systems*<sup>28</sup> to improve the working conditions of women who carry out unpaid work and those who work in the informal sector, and to collect information about their work to ensure that they receive the benefits they are entitled to from social security and pension systems.

The Beijing Platform itself warns against reducing the services provided<sup>29</sup> and speaks of the need to review the “principle of continuous paid employment”, which does not take account of the specific ways in which women participate in the labour market. In it, States undertook to review social security with a view to placing women on an equal footing with men at every stage of their lives (paragraph 58).

In Latin America and the Caribbean, pension systems are generally characterized by a lack of social equity. However, there are only a few studies that have documented the effects of social security reform, and pension system reform in particular, on women. A study carried out for the Central American region (ECLAC, 1997b) concludes that the higher proportions of women in the occupational categories of own-account worker, domestic employee and unpaid family workers exacerbates the inequities that characterize social security systems. It also points out that these mostly<sup>30</sup> give priority to the reproductive function of women and are generally based on a traditional conception of their role in the home as economic dependants.

The changeover from pay-as-you-go social security systems to individual capitalization or funded systems has put the debate on the benefits of reforms back on to the regional agenda, particularly in relation to the issue of equity. Funded systems take into account the participants’ life expectancies and the contributions that have been paid into the system in calculating pension benefits. Women’s life expectancy is greater than men’s, and they therefore have a longer pension time horizon. A number of other factors are also at work here: women pay into the system for a shorter period time and their contributions are smaller for a variety of reasons (including the fact that in some countries the payment time requirement for women is shorter and, as a result, the time that they contribute to the system is five years shorter, on average, than in the case of men); in most cases, contribution levels are directly related to wage levels and, given the wage gap existing between men and women, the latter’s contributions are lower; due to the greater instability of women’s jobs and other factors (such as maternity leave), the periods during which women have paid into the system tend to be shorter than those of men, and the lower sum total of contributions affects the future position of women covered by the system.

The fact that reproduction costs are associated exclusively with women, the lack of continuity in their working lives and the wage discrimination that exists all suggest that the new systems that have been taking shape have adversely affected women. Furthermore, regionwide studies on social security systems<sup>31</sup> have shown that these reforms tend to exacerbate inequality in the way the costs of raising children are distributed between men and women and the way benefits are shared between those who work in the formal sector of the economy and low-productivity or low-wage workers in the informal sector.

For pension systems to be properly analysed, it is necessary to relate their benefits with the way women participate in the labour market and see to what extent this affects them specifically from the point of view of social and gender equity, and what implications the massive influx of women into the

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<sup>28</sup> Strategic action II.3.e.

<sup>29</sup> See strategic area A, “Women and poverty”.

<sup>30</sup> Except in Costa Rica.

<sup>31</sup> See Folbre (1990).

labour market has and what its consequences are and will be for social security systems. Background knowledge is also needed about the characteristics of the pension system in each country.

From the point of view of financing, it is known that low rates of formal employment in the labour market place limits on the funding available to social security systems, which could exacerbate the tendency for women's rights to be neglected when their pension and other needs have to be met. As has been pointed out by Sandra Almeida (Almeida, 1997), high job turnover has adverse effects on equity. If it is also taken into account that the way women participate in the labour market is conditioned by their reproductive responsibilities and greater longevity, it is possible to imagine that the proportion of women who have retired because of age may be greater than that of men, with more men retiring because of length of service.

## 5. Poverty

The trend of poverty in the region is considered to have been positive in the 1990s, in that it is now back to the level it stood at before the crisis of the 1980s. Nonetheless, more people are now poor (ECLAC, 1999b) and the tendency towards income concentration is still widening the gap between rich and poor. Consequently, ECLAC has warned that the favourable signs in the poverty trend need to be evaluated cautiously as the slowdown in economic growth in 1998 and 1999 could lead to poverty levels stagnating or even worsening in a number of countries.

Having traditionally been concentrated in rural areas, poverty has now spread to urban ones, where it has increased substantially. The fact that most of the poor now live in urban areas does not mean that rural poverty has diminished. While in 1980 54% of rural households were poor, by 1990 this figure had risen to 58%, after which it fell again to stand at 54% in 1997.

Studies carried out in the region show that there is not necessarily a positive relationship between economic growth and poverty reduction. It is only when growth is oriented towards the creation of productive employment, especially high-productivity employment, that inroads into poverty can be made.<sup>32</sup> Not only this, but unless special measures to promote equal opportunity are taken in these circumstances, growth and even the reduction in poverty will largely bypass women and their households, especially when these households are headed by women with low levels of education and demanding family responsibilities. This happens, for example, in the case of rural women who have become more actively involved in organizational mechanisms. Owing to the lack of recognition of these women's merits as agricultural producers, however, women in the region still have very few opportunities to occupy decision-making positions in rural producers' organizations.

With incomes falling, and with labour force participation by family members rising, including child working, the effects of poverty may be lessened, but this has often happened at the price of greater female participation. Numerous studies in the region have shown the consequences in the form of public responsibilities being transferred to the family sphere, or the high cost of services, or the loss of families' purchasing power. This explains why high and growing demand for anti-poverty programmes is coming from women, according to NWO reports, and why Governments believe it is essential to address poverty as a structural problem of high priority.<sup>33</sup>

<sup>32</sup> See the 1997 edition of the *Social Panorama* (ECLAC, 1998b).

<sup>33</sup> Thus, at the twenty-eighth meeting of the Presiding Officers of the Regional Conference on Women in Latin America and the Caribbean (San Salvador, December 1998) it was agreed that the area where the need for

Considerable progress has been made in the region in channelling public resources into social investment, which has risen to the equivalent of three and a half points of the region's GDP during the course of the decade just ending. One of the most common strategies has been to set up funds to relieve poverty, starting with poverty caused by the adjustment then moving on to structural poverty. Many of these have sought to use development and infrastructure as a mechanism for creating temporary employment, and various types of training, income generation and other activities have been supplanted.

While recognizing the important contribution made by these institutions to the struggle against poverty, assessments show that these job creation projects are aimed primarily at men and ignore the high proportion of the poor population accounted for by women and children (ECLAC, 1997a). The latter are rather the targets of social welfare projects. Particular mention may be made of food for work, food assistance and other similar programmes that are associated in a number of countries with the unpaid voluntary work done in the community by women who carry out channelling, irrigation, park cleaning, transport, health-care and other work that is rewarded with food and is not included in the accounts of any country.

Funds whose policies focus on particularly vulnerable groups generally do not differentiate among beneficiaries, and only in the cases of El Salvador and Guyana are they aimed specifically at women. The absence of women as beneficiaries, executors and heads of projects is explained as being due to a lack of demand for services and benefits. Mention is made of the relative inability of women to exercise pressure as citizens in order to gain access to the benefits of the population. As Amartya Sen has shown, women who have lived all their lives in situations of deprivation often adjust their aspirations accordingly. Consequently, there is a need to develop positive action policies to stimulate female demand where it does not arise for cultural reasons and because of the prevalence of customs and practices that relegate women to a subordinate position. The lack of access to resources and services and of control over them, high levels of unemployment and underemployment, and the existing inequalities in terms of entry into the labour force and decision-making positions are just some of the factors that have been identified as causes of poverty and of the subordination of given segments of the rural population, especially women.

Agricultural development policies and strategies have traditionally included measures to benefit women that have been designed as supplementary activities. Incorporating the gender perspective in public institutions and non-governmental organizations working in the area of agricultural development is one of the steps that will play a decisive role in mainstreaming this perspective in the design of development plans and strategies and in promoting the advancement of women. As part of this effort, studies need to be conducted on the relationship between the feminization of agriculture and migration, which is a phenomenon that has been observed in other regions of the planet in recent years.

**(a) *Indigenous women***

As has been pointed out, despite the growing tendency for urban poverty to increase, rural areas are still suffering from poverty that is often aggravated by discrimination against indigenous populations. In Latin America the indigenous population is put at some 50 million, and women make up half of this major population group. One example of how women in rural areas have to cope with poverty is provided

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action was most pressing was that of equity, understood in all its ramifications, including the economic ones, and not limited only to social equity, with gender equity being a fundamental constituent.

by policies concerned with access to land, which is the main productive resources. Furthermore, indigenous women are over-represented in poverty indicators.

In several countries the indigenous populations make up a majority of inhabitants, and while there are difficulties with statistical records, besides those common to women in general, it is clear that they face specific difficulties as a result of their ethnic and cultural situation.<sup>34</sup> In a context that is unfavourable to the survival of families (in so far as this is based exclusively on agricultural production), all youths have ties to the *earth*, a symbol of *identity*, and they continue to work the plots of their parents and grandparents. These are the ones chosen to maintain the “space for life”, that strip of land which provides a sense of ethnic belonging and to which migrants who have been unwillingly uprooted from it regularly return for solace.

In most cases these “chosen” ones are men. As a result, the situation of indigenous women takes on specific characteristics which are concomitantly determined by the violence of the prescriptive system that they internalize during their socialization process. These prescriptions and values are the product of an enclave culture where an autochthonous vision of the cosmos coexists with a modernizing social view of life. Most indigenous women do not manage to overcome the limitations of their gender conditioning, combined as it is with the effects of constant ethnic and cultural discrimination. Both in the countryside and in the city they continue to discharge the traditional roles that entail the production of customary values, stripped of any real and effective community participation.

This subservient and secondary status gives rise with great frequency to conflicts of identity, discouragement, depression and plummeting self-esteem, compounded by an endemic and widespread predicament: female illiteracy and monolingualism in indigenous areas. Again, all these factors in combination give rise to a complex interplay of community frictions and domestic violence. In short, gender inequities, ethnic and cultural discrimination and socio-economic subordination are the main features of an alarming situation of educational marginalization and significant health damage (particularly where reproductive health is concerned) among indigenous women. The female members of indigenous populations have the highest levels of mother and child morbidity and mortality in the continent. Educationally, whatever the specific skills provided by formal education, discrimination in the benefits received would appear to be rooted in the ability of mothers to understand Spanish, as is demonstrated by the fact that just one year of education is associated with a substantial decline in mortality (Robles, 1994). Lastly, it is in the world of work that indigenous women face the greatest discrimination, their working situation being a reflection of growing intra-gender gaps.

### **(b) Landholding**

The distribution of capital and access to natural resources (including land) are some of the telling indicators of the degree of equity achieved by a society (ECLAC, 1990 and 1992). One of the clearest indicators of the particular disadvantages women face in dealing with poverty is access to land ownership. Until 1995 most of the countries had landholding systems that identified ownership with male producers or, as shown in the studies of Deere and León (1997), women were not recognized as landowners.<sup>35</sup>

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<sup>34</sup> In Chile, of the 928 thousand indigenous people aged 14 and over (1992 census) some 79% lived in urban areas.

<sup>35</sup> Except in Nicaragua, Cuba and Mexico.

The vast majority of the counter-reforms of the last decade have given the principles of efficiency priority over equity. The counter-reform model of the last decade is supported by the case of Chile, where the dismantling of farming cooperatives did not have a major effect on women because there were so few of them. However, the effects on landholding or on the contribution to household income were greater or lesser when the male "head of household" was a member of a cooperative as opposed to a solitary farmer.

In countries such as Nicaragua and El Salvador, where women participated more in cooperatives, the impact of the counter-reforms varies depending on how easily women can acquire their plot of land as a member of the cooperative and on the size and quality of the piece of land obtained by them in comparison with their male counterparts. In the case of Nicaragua there is evidence (Brunt, 1995) that women are in a position of disadvantage in that they encounter greater difficulties both in access to plots and in the quality of the land they do receive. In those countries that have passed through both reform processes, the access that women have to land depends on the market, and ownership of land is a precondition for this to be strengthened. Some countries have launched policies aimed at giving priority to female land ownership (Chile, Colombia, Nicaragua, Costa Rica). Thanks to this it is estimated that land ownership programmes could benefit more women than were benefited during the entire period of State land redistribution (Deere and León, 1997).

There is a paradox with market liberalization, then, in that on the one hand women have direct access to land ownership, while on the other they cannot always purchase it owing to lack of earnings and the increasing difficulties associated with development in rural and agricultural areas. Since their ability to own land is not assured, rural women have little motivation for investing in new technologies, planting trees or starting new crops, since they cannot be sure they will be able to recover their investments or for adopting other sorts of long-term measures that are essential for a sustainable form of development (Rico, 1998b).

Although access to land ownership for women is a matter of primary importance, the problems of women living in rural areas do not end once this has been achieved. They also have to cope with environmental damage, mass migrations of young people, a dearth of productive and social investment, the deterioration of services and the weakness of their organizations. The situation that all this gives rise to is a dramatic one, particularly if it is borne in mind that most of the countries do not report production conversion policies involving women in these areas.

In some countries the picture is made more complicated by the emergence of cultural and identity recognition problems which, in combination with demands for territory from indigenous populations, have placed an issue that has hitherto received insufficient attention from Governments on the social agenda.

## 6. Health

Reforms of health care policies have moved ahead more rapidly in the region in recent years. There is, however, a large void in terms of our knowledge about gender gaps and how they relate to regulatory systems and to the organization, supply and financing of services and about the establishment of priorities and criteria that will be effective in terms of the costs involved. This situation is reflected in the lack of policies for rectifying the existing inequities between men and women, whether they be the result of these sectoral reform processes or are simply perpetuated by them, and, above all, in the lack of mechanisms for ensuring access to quality health care, not only for women of childbearing age but also for all those

women whose lives have been influenced by the two most important factors affecting women today: the increase in life expectancy (older women) and participation in the labour market (women workers).

*(a) Maternal mortality*

The right to life is one of the areas in which the link between equity and human rights is most evident, which is why it is both recognized as one of the basic human rights and used as a basic indicator in all studies on equity. While some national constitutions do not recognize the right to safe motherhood, most countries have laws and are party to international conventions that require them to have the services women need for safe pregnancy and childbirth. Consequently, real protection for women's right to life involves ensuring that all pregnant women have access to basic and emergency medical care during pregnancy, childbirth and puerperium, regardless of their socio-economic level, age or marital or any other status.

As noted by the Pan American Health Organization (PAHO), the maternal mortality rate is a highly sensitive indicator of conditions affecting women's health and of social development, living conditions and access to quality medical services. For a group of 29 countries in the Americas for which PAHO compiles information, the percentage share of the total number of potential years of life that are lost between birth and 75 years of age that is attributable to maternal mortality declined by 31% between 1980 and 1994. This reduction had a margin of variation of 4%-42% between different subregions and countries. In Latin America, according to the data available as of 1995, this translates into the existence of very low rates, as in Costa Rica, where the number of maternity-related deaths is 20 per 100,000 live births, and very high ones, as in Paraguay, where the rate is 131 deaths for every 100,000 live births (PAHO, 1998).

It has only been in the last decade that attention has begun to focus on the high levels of maternal mortality and morbidity existing in the region, however, and PAHO has pointed out the difficulties involved in interpreting such rates due to the under-recording of deaths and the deficiencies that exist in terms of the medical certification of cause of death. In the Tenth Revision of the International Statistical Classification of Diseases and Related Health Problems (ICD-10) it is recommended that death certificates include a question that will show whether the deceased was pregnant or had been pregnant within one year of the time of death.

Another factor that makes the analysis more complicated, according to PAHO, is that in the countries that have devoted the most attention to this problem, the figures reflect an increase in maternity-related deaths; clearly, this cannot necessarily be attributed to an actual increase since it may well be the reflection of improved record-keeping (PAHO, 1998). For example, Brazil began to create committees to address the issue of maternity-related mortality at the state level as part of the Women's Integral Health Care Programme. The technical unit responsible for women's health care then began to provide advisory services to these committees to help them draw up their programmes of work and devise strategies for obtaining the necessary funding. At the present time, in addition to the committees at the state level, 151 committees have been created at the regional level, 249 at the municipal level and 38 within individual hospitals, and in 1999 the National Commission on Maternal Mortality was reactivated.

It is clear that indigenous women are one of the groups that receive the least health care. In Guatemala, among the indigenous population, only 12% of childbirths were attended by a doctor or nurse, whereas the figure for the rest of the population was 52%; what is more, only 36% of the indigenous population in Guatemala knows about the existence of AIDS. In Paraguay, 47% of births are attended by

midwives and a majority of the women do not give birth in a medical facility; in contrast, the institutional coverage of childbirth for women living in homes where Spanish spoken is 86% (ECLAC, 1998e).

Table 5

**LATIN AMERICA AND THE CARIBBEAN: SELECTED COUNTRIES  
MATERNAL DEATHS PER 100,000 LIVE BIRTHS,  
BY COUNTRY, 1990-1995**

Country	1990	1991	1992	1993	1994	1995
Argentina	52	48	48	45*	39	44
Brazil	67	65	63	...	...	...
Chile	40	35	31	34	25	...
Colombia	...	...	37	33	35	...
Costa Rica	15	35	22	19*	39*	20
Cuba	42	46	45	37	57	48
Ecuador	153	121	170	175	...	94*
El Salvador	37	51	...	...	...	...
Guatemala	101*	...	...	...	...	...
Guyana	172	...	...	...	...	...
Jamaica	70	42*	...	...	...	...
Mexico	54	51	50	45	49	...
Nicaragua	61*	...	97*	85*	71*	...
Paraguay	150	166	100	123	139	131
Puerto Rico	20	20	22	...	8*	...
Trinidad and Tobago	54	49	61	66*	76	...
Uruguay	16	38	...	...	...	...
Venezuela	60	...	53	63	70	...

Source: Pan-American Health Organization (PAHO), *Health in the Americas. 1998 Edition*, vol. I, Scientific Publication No. 569, Regional Office of the World Health Organization, Washington, D.C., 1998, p. 211.

\* Provisional figure. The numerator, denominator or both are subject to change.

... Data not available

**(b) Abortion**

In almost all the countries of Latin America, the figures on abortion-related mortality is less reliable than the data on maternity-related mortality. Both because abortion is illegal in most of the countries and because of problems having to do with medical certification, these deaths are usually attributed to other causes, such as haemorrhaging or sepsis unrelated to pregnancy, childbirth or the puerperium. It is striking that, according to PAHO, abortion is the main cause of maternal mortality in Argentina (30% of maternity-related deaths) and in Chile (26%) (see table 6). PAHO went on to note that there is no reason to think that abortion is a more serious problem in these two countries than in the rest of Latin America, where it would appear there is a higher rate of medical certification of maternity-related deaths (PAHO, 1998, p. 213).

Table 6  
**LATIN AMERICA AND THE CARIBBEAN: SELECTED COUNTRIES**  
**DEATHS FROM ABORTION AROUND 1994,**  
**BY AGE AND COUNTRY**

Country (year)	Total maternity-related deaths 15-44 years	15-44 years	15-24 years	25-34 years	35-44 years
Argentina (1993)	287	87	33	34	20
Brazil (1992)	1 476	177	70	75	32
Chile (1994)	73	19	5	9	5
Colombia (1994)	435	68	23	32	13
Costa Rica (1994)	30	3	1	1	1
Cuba (1995)	69	8	0	6	2
Ecuador (1995)	168	12	2	7	3
El Salvador (1991)	72	7	1	6	0
Guyana (1994)	28	6	2	3	1
Mexico (1994)	1 379	94	33	41	20
Nicaragua (1994)	80	7	3	2	2
Panama (1989)	36	6	1	3	2
Paraguay (1994)	108	24	10	10	4
Peru (1989)	360	44	14	22	8
Puerto Rico (1992)	14	2	0	2	0
Trinidad and Tobago (1994)	15	5	1	3	1
Venezuela (1994)	378	64	19	29	16

Source: Pan-American Health Organization (PAHO), *Health in the Americas. 1998 Edition*, vol. I, Scientific Publication No. 569, Regional Office of the World Health Organization, Washington, D.C., 1998, p. 212.

Abortions carried out under unsafe conditions threaten the lives of a large number of women and constitute a serious public health problem, especially since poor women and young women are at the greatest risk (United Nations, 1995, paragraph 97). Clandestine abortions, especially in the case of the lower socio-economic strata, are unlikely to be conducted under conditions that do not endanger the lives of the women concerned. When there are complications and women have recourse to emergency medical services, they not only face the possibility of being reported to the police for having committed an illegal act, but in some countries are also exposed to verbal abuse by health care staff (PAHO, 1998, p. 214). According to data compiled by the Alan Guttmacher Institute (1999), in 1992 a total of 345,000 women were hospitalized in Brazil because of abortion-related complications.<sup>36</sup> The following year, 245 women in Chile were brought to trial for having undergone abortions.

Some countries of the region permit therapeutic abortions, i.e., those carried out because the life of the mother is in danger (Argentina, Brazil, Bolivia, Ecuador, Mexico, Panama and Uruguay). In Chile and a number of others, however, this type of abortion is prohibited based on the contention that, given the advanced state of medicine today, there is no valid reason to conduct a therapeutic abortion under any circumstances (Schiappacasse and Vidal, 1999, p. 17).<sup>37</sup> These laws generally affect poor women in

<sup>36</sup> By 1997 this figure had declined by 30%, which may be an indication of a decrease in the abortion rate in Brazil (Alan Guttmacher Institute, 1999, p. 30).

<sup>37</sup> Therapeutic abortions were permitted in Chile between 1931 and 1989 provided that they were first approved by two physicians. In 1989, under the military government, this exception was eliminated.

particular, since, unlike their wealthier counterparts, they lack the economic means to pay for a safe abortion.

**(c) HIV/AIDS**

In response to this growing epidemic, many Governments in the region have launched initiatives to prevent and treat cases of HIV/AIDS, and in some cases this is incorporated into their reproductive health services. A number of countries in the region have passed laws or regulation that deal in part with the rights of people living with the HIV/AIDS virus (Bolivia, Costa Rica, Dominican Republic, Guatemala, Mexico, Nicaragua and Peru). Some countries have passed legislation dealing with the provision of health services to those infected with the HIV/AIDS virus (Argentina, Brazil and Colombia). The Governments of Haiti, Honduras and Jamaica have recently begun to take steps to enact laws dealing with the HIV/AIDS virus. Several countries have developed programmes, policies, projects and campaigns whose objective is to prevent the spread of HIV/AIDS and at the same time to provide health-care services to those infected with the virus (Argentina, Barbados, Bolivia, Colombia, Cuba, Ecuador, Guatemala, Mexico and Trinidad and Tobago). Many of these projects give priority to changing attitudes and social stigmas by means of appropriate education. However, these measures have not prevented a dramatic increase in the percentage of women infected with HIV/AIDS, which the figure rising from around 10% when the epidemic began to more than a third of the infected population in some Caribbean countries in recent years. One of the most widely accepted explanations for this is that women are suffering the consequences of the sexual behaviour of their partners, of a lack of information and services, and of discrimination against people with this disease.

The increase in the number of women infected with the virus has been accompanied by a substantial rise in its transmission between heterosexuals and in the number of children who are born with AIDS.

**(d) Occupational health**

The lack of data on risk factors, accidents and occupational diseases makes it difficult to determine the scope of these problems within the female population, although the nature of women's working conditions make it possible to draw certain conclusions regarding occupational morbidity. Housework, for example, is associated with an excessive workload, routine, isolation and economic dependence, and may lead to such problems as psychological stress, depression and psychosomatic conditions. The large number of women who are engaged in office work are subject to diminished vision, ergonomic problems, conditions of the spinal column and fatigue, in addition to the psychological consequences of the discrimination they suffer in terms of promotion to higher-ranking or executive positions. Rural women workers and indigenous women have the longest working days for a variety of reasons, including the lack of access to services (running water, electricity, transportation), which clearly constitutes a health risk.

## 7. The family: the difficulty of harmonizing the public and private spheres

The changes that have occurred in the labour market, education, the exercise of reproductive rights, the punishment of violence against women, the increase in women's contributions to family income in a context of globalization and the extension of human rights have had a permanent effect on the different forms of family organization that exist in the region, leading to a decline in the patriarchal model of the family whereby authority is exercised by the father over his wife and children (Arriagada, 1999) (see table 7).

Table 7

### LATIN AMERICA (12 COUNTRIES): PERCENTAGE OF WOMEN HEADS OF HOUSEHOLD, BY TYPE OF HOUSEHOLD AND FAMILY (urban areas) 1995-1997

	TYPES OF HOUSEHOLDS AND FAMILIES									
	One person		Nuclear two parents		Nuclear single parent		Nuclear no children		Extended and composite	
	1995	1997	1995	1997	1995	1997	1995	1997	1995	1997
Argentina	66.2 <sup>a</sup>	65.8	1.1 <sup>a</sup>	2.4	84.3 <sup>a</sup>	79.4	3.0 <sup>a</sup>	4.0	32.1 <sup>a</sup>	37.5
Bolivia	44.9	46.6	0.3	0.6	80.0	80.6	1.3	1.2	31.0	31.3
Brazil	55.8	57.1 <sup>b</sup>	0.8	2.1 <sup>b</sup>	89.8	89.8 <sup>b</sup>	1.4	3.8 <sup>b</sup>	35.8	37.1 <sup>b</sup>
Chile	59.9 <sup>b</sup>	59.9 <sup>b</sup>	3.5 <sup>b</sup>	3.5 <sup>b</sup>	88.3 <sup>b</sup>	88.3 <sup>b</sup>	6.4 <sup>b</sup>	6.4 <sup>b</sup>	34.3 <sup>b</sup>	34.3 <sup>b</sup>
Colombia	50.5	49.1	1.4	2.4	90.0	88.7	3.0	3.5	36.1	39.0
Costa Rica	52.5	47.3	1.5	3.3	92.1	90.4	1.6	4.3	38.2	40.1
Ecuador	43.0	41.9	0.7	0.9	82.1	83.8	1.7	2.0	28.0	28.0
Honduras	43.3 <sup>a</sup>	48.9	1.6 <sup>a</sup>	3.0	88.0 <sup>a</sup>	89.1	1.7 <sup>a</sup>	7.5	36.6 <sup>a</sup>	39.3
Mexico	50.5 <sup>a</sup>	44.5 <sup>b</sup>	0.1 <sup>a</sup>	0.4 <sup>b</sup>	90.2 <sup>a</sup>	88.0 <sup>b</sup>	0.7 <sup>a</sup>	0.6 <sup>b</sup>	27.9 <sup>a</sup>	28.8 <sup>b</sup>
Panama	31.4	36.8	3.6	4.6	86.4	88.4	5.4	6.2	34.5	35.8
Paraguay	32.1	44.9 <sup>b</sup>	3.9	5.9 <sup>b</sup>	91.9	91.0 <sup>b</sup>	5.3	12.7 <sup>b</sup>	31.1	34.6 <sup>b</sup>
Uruguay	67.7	66.7	1.5	2.9	86.3	86.6	2.8	4.2	37.2	36.8
Venezuela	40.7	36.9	3.3	3.3	88.5	88.2	4.8	4.9	37.0	37.3

Source: Economic Commission for Latin America and the Caribbean (ECLAC), *Statistical Yearbook for Latin America and the Caribbean, 1997 Edition (LC/G.1987-P)*, Santiago, Chile, 1998. United Nations publication, Sales No. E.98.II.G.1; Economic Commission for Latin America and the Caribbean (ECLAC), *Statistical Yearbook for Latin America and the Caribbean, 1998 Edition (LC/G.2043-P)*, Santiago, Chile, 1999. United Nations publication, Sales No. E.99.II.G.1.

<sup>a</sup> 1994 figures.

<sup>b</sup> 1996 figures.

In public policy the prevalent approach is still to associate family responsibility with women, and this tendency has been exacerbated in a number of countries by the rising cost of public services and a dearth of facilities for caring for children and the elderly, compounded by the way both the State and society as a whole rely on being able to exploit the resources, time and energy of women to the maximum to provide for the welfare of everyone else. This is what has been called the care economy, a term which refers to all the unpaid work that women do in family and community life.

Both in the sphere of family organization and in the way social policies are designed, the methods used to care for dependants are designed around the sexual division of labour. It is assumed that the

“woman-mother” can make up for declining or non-existent public services by increasing her domestic activity, and that she is always prepared to take responsibility for caring not just for her husband and children, but increasingly for her parents and parents-in-law as well (Jelin, 1994). Similarly, the criteria of social policies intended to support families have not been adapted in any significant way to take account of changes that have influenced family arrangements —whether in terms of their structure or their functions— and the ideal model of the traditional nuclear family still prevails.

A study of public health policies in Chile notes that not only the structure of health services but also the way their work is organized and the hours at which they are open to the public are designed so that it is women working at household activities who take responsibility for looking after their families’ health when a member falls ill or has a health problem (Faúndez, 1996). Innovative experiments in other countries, such as the use of mothers as living incubators in “Project Kangaroo” run by a mother and infant hospital in Brazil, which aims to reduce the high cost of caring for premature babies in costly incubators (IDB, 1996),<sup>38</sup> are all strategies to encourage families —in other words women— to take charge of the sick and of convalescents and provide them with the care they need.

In one of its contributions to the debate on social policy in Latin America, ECLAC (1995b:8) says that “an area of difficulty opens up when we try to determine the spheres of competence of the State, the market and families from two points of view: that of the design, management and implementation of policies and programmes, and that of the financing of social policies. This tension relates to the collaboration needed between the public and private spheres, but there is a need to determine to what extent a social programme can be privately managed and to what degree it needs to be regulated by the State. (...) The problem of balancing these two aspects has not yet been properly resolved, and in most cases it is families —and particularly women— that have had to address and resolve it at the cost of great personal expense and overwork” (ECLAC, 1995b, p. 8).

Child-care policies and employment policies are another two sectors of social policy that are directly linked to family life and the excessive workload of women. Most of the countries of the region have revised their labour legislation to include measures of protection for women during maternity, such as longer maternity leave, facilities for breast-feeding and for caring for children aged under 12 months and access to crèches. All these measures, while they do make it easier for working women to combine motherhood with their working lives, do not question the traditional sexual division of labour. Only in a few countries —Argentina, Brazil, Chile, Colombia and Paraguay<sup>39</sup>— is there provision for a short period of paternal leave to enable the father to look after new-born children and/or younger children when they are ill, a measure which marks the first timid step in a real effort to make it easier for family responsibilities to be shared out more equitably between men and women.

To sum up, if the entry of women into the world of work and the new cultural standards of equal opportunity that have been expressed both by society and in public policy during the 1990s amount to what might be regarded as greater flexibility in the way gender roles are segregated, this process is still only just beginning. The rigid sexual division of labour and its corollary, the almost exclusively responsibility of women for household work, taken together with the almost complete absence of support services for domestic tasks, including care for children and the sick, still count as one of the greatest obstacles to the full and equitable exercise of women’s citizenship.

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<sup>38</sup> In “Project Kangaroo”, premature babies are enclosed in a shawl wrapped around their mother’s breasts, “where they receive heat, care and food whenever they want it” (IDB, 1996).

<sup>39</sup> See Alméras (1997) and the first and second reports of Paraguay to CEDAW (1995).

When it comes to promoting change, the most tangible considerations are economic ones. International organizations and social sciences researchers have been working for years to resolve the theoretical and methodological difficulties involved in trying to include unpaid work in calculations of national output.<sup>40</sup> These efforts have been complemented by case studies in different countries of the region, which show that women with jobs have to cope with a double working day, something that does not generally happen with men. Furthermore, major studies have now shown that the exclusion of unpaid work from the System of National Accounts (SNA) has a negative effect on perceptions of women's productivity, when in almost all the countries women actually work more hours than men (UNDP, 1995). Considering this, quantifying the economic contribution represented by the unpaid work that women do in the home would represent a step forward in efforts to address the lack of linkage between the public (productive) sphere and the private (reproductive) sphere in social organization. Some initiatives in this area have been undertaken, as in the case of the constitutional recognition of the economic value of housework and social security for housewives in Ecuador and Venezuela, but it is important for all the countries to take into account both the amount of time required to look after the family and home from a social perspective and the need to foster, broaden and deepen the participation of women on an equal footing with men in all spheres of social activity.

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<sup>40</sup> See among others Page (1994), Floro (1995), Goldschmidt-Clermont (1995), Rodríguez Chaurnet (1996) and Zambrano Alvarez (1997).

### III. HUMAN RIGHTS AND PEACE FOR LATIN AMERICA AND THE CARIBBEAN

The women of Latin America and the Caribbean have been the leading actors in the only non-violent revolution of this century to have enshrined the ideal of equality between men and women, one that will undoubtedly stand as one of humanity's main legacies. In the region, this process has unquestionably been spearheaded by the women's movement, which has worked at the governmental and non-governmental levels to demonstrate the indivisibility and wholeness of all human rights.<sup>41</sup> To do this, they have had to struggle to enlarge the role taken by the State, while at the same time seeking to limit its excesses.

The last quarter century has witnessed a process of social and political linkage among women who, acting in the public and private spheres, have influenced the public agenda by promoting changes in the political and legal systems, the world of work, education, health care and society as a whole internationally, regionally, nationally and locally, and have worked for an approach to policy-making that focuses on human rights. The women's movement has been decisive in establishing the link between human rights and public policy.

In recent years, significant progress has been made in the long struggle for gender equity. It is safe to say that the main changes that have been achieved for women are in the recognition and exercise of rights. One of the most significant changes has been in the field of legislation. This has been the result of legislative initiatives and broadly based social mobilization that has contributed to changes in perceptions, the emergence of new leaders and, of course, democratic debate in almost all the countries.

Thus, over the five-year period that we are analysing, the countries have completed the process that began with the adoption of the Convention on the Elimination of All Forms of Discrimination against Women,<sup>42</sup> which took the region forward in terms of recognizing the real equality of women. The Convention is considered to be the international charter for women's rights and gives legal expression to the quest for full equality by reformulating the concept of discrimination in an innovative way. In effect, the Convention defines discrimination as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women...of [their] human rights..."<sup>43</sup> This concept of the **effect** of a law is complemented by the notion of **genuine** equality as distinguished from the formal equality which has traditionally been used as a basis for the argument that special measures to combat gender discrimination are unnecessary.

The adoption of the Convention meant the introduction in all countries of a non-discriminatory approach that recognized diversity, combining the idea of equality with that of justice. The constitutional

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<sup>41</sup> World Conference on Human Rights, Vienna, 1993 (United Nations, 1993).

<sup>42</sup> All the countries of the region had ratified the Convention by 1993 (ECLAC/FLACSO, 1999).

<sup>43</sup> Article I.

and legal reforms carried out in the region<sup>44</sup> have made use of the framework provided by the Convention, which does not seek the same treatment for women as for men, but helps us to understand that real justice lies in ensuring differential treatment for all. The five-year period that has just elapsed has seen the repeal of large quantities of discriminatory legislation, and although there is still work to be done<sup>45</sup> it is safe to say that among the most visible results of the change that has taken place are legal reforms and the recognition now given to women's rights.

The Convention's adoption by the States of the region implies an awareness of the fact that the traditional mechanisms and procedures for guaranteeing human rights fall short of guaranteeing women's genuine equality with men. What is more, there is evidence that the concepts enshrined in the Convention have inspired efforts to combat discrimination against other groups, such as indigenous populations, and have strengthened the position of those advocating the recognition of the rights of groups subject to discrimination because of their sexual choices. In this sense the implications of the Convention transcend the specific issue of gender equality, and it thus marks a milestone in the reformulation of the concept of discrimination in a way that will benefit many different groups.

This has provided a framework for changes in many countries' constitutions and laws, the introduction of new legislation and the use of these arguments to defend women against direct and indirect forms of discrimination in the workplace, in politics and in the family. The application of this standard has entailed major difficulties, however. Unlike other international legal instruments, the Convention was formulated without any specific enforcement mechanism, and although originally the need for an appeal or complaint mechanism was discussed, some countries argued that it was not necessary in the case of discrimination against women because at the time this was not considered to be as serious a violation of human rights as, for example, racial discrimination.

This was the beginning of the creation of a new milestone, which has culminated in the Optional Protocol, which a majority of the countries have decided to adopt. As early as 1993, the Vienna Declaration and Programme of Action called upon States to examine the possibility of accepting all the available optional communication procedures (paragraph 90). It also recommended that consideration be given to systems of indicators for measuring progress in upholding the rights set forth in the International Consensus on Economic, Social and Cultural Rights and encouraged the Committee on Economic, Social and Cultural Rights to continue its examination of the optional protocol to the Consensus (paragraph 75).

The protocol to the Convention<sup>46</sup> will enable women throughout the world to submit complaints, either individually or collectively, for non-compliance with the Convention and authorizes the Committee to investigate allegations of serious and systematic abuses of the human rights of women in countries party to the protocol.

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<sup>44</sup> Ecuador is the latest country to have carried out constitutional reform (1999) in which reforms were argued on the basis of the Convention on the Elimination of All Forms of Discrimination against Women.

<sup>45</sup> See ECLAC/CDCC (1999) and Chiarotti (1999).

<sup>46</sup> The draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women was adopted by the Commission on the Status of Women at its forty-third session held in March 1999, which sent it on for final acceptance to the United Nations General Assembly at its fifty-fourth session. The draft optional protocol establishes a procedure whereby the right of appeal can be exercised in respect of the Convention and a procedure for investigating serious or systematic breaches of the human rights set forth in it.

This process, which forms part of a range of positive developments in the field of human rights as the millennium draws to a close, opens up the future possibility of sanctioning violations of women's human rights and of limiting the number of cases where violations go unpunished due to a lack of legal resources and mechanisms available to women.

These advances are complemented by the decision taken by the Commission on Human Rights at its fiftieth session to designate a special rapporteur on violence against women, the creation of the post of United Nations High Commissioner for Human Rights, who currently works in coordination with the United Nations Centre for Human Rights, and the proposal that an international penal court be created.

The Convention provides sufficient means for ensuring that the structural integration of the concepts of discrimination and genuine equality into the labour, penal and civil reforms now under way in the region as a contribution to the achievement of equity and justice as a new millennium begins. What needs to be done now is to work towards the proper implementation of this instrument, which will demand action in the area of legal reform. We are faced with one of the greatest challenges for the region, which consists in harmonizing the framework of human rights that has been so amply developed over the past decade with institutional reforms. The legal reforms under way in many countries open up the opportunity to devise structural solutions for some of the problems that have arisen in connection with the Convention's application, such as lawyers' and judges' —as well as the general public's— lack of familiarity with its provisions, the lack of records of representative cases in which the Convention has served the cause of justice, etc. This will require changes in professional training, in the instruction provided in law schools and in public information programmes in order to take into account the Convention on the Elimination of All Forms of Discrimination against Women and its protocol as forming part of the body of international treaties in force whose application will change not only legal standards and institutions but also the entire culture and day-to-day practices as well.

### **1. Civil and political rights: participation in decision-making**

As States in the region democratize and modernize, women are gaining access to new opportunities and new areas of participation. Decentralization, political, electoral and party reforms, reform of the legal system, the creation of regulatory bodies and other developments are extending the spheres of power in which decisions are taken, quite apart from the growing importance that will be acquired by regional and subregional integration forums.

As recent studies show, the advancement of women in the region has been uneven and unstable, with progress and setbacks being seen in each country, in most of which women are far from being represented right across the power structure. This situation is more critical still when we analyse the weakness of social and citizen organizations in which women participate actively. In many countries, customs and practices impede enjoyment of civil and political rights, while in others poverty and indigence go side by side with a lack of citizen activism.

It is striking that, while progress has very clearly been made in access to education at all levels, the manner in which this has translated into access to decision-making has been very unequal, giving the lie to the idea that under-representation was due to a lack of education for women. To correct this discriminatory practice, the Platform for Action recognizes that the capabilities and resources of women differ depending on the economic, social and cultural conditions in which they live. These differences can be seen when comparison is made with men and among women themselves. For the State, this means that there is a need to develop specific public policies aimed at groups of women who are in a situation of

social exclusion or marginalization for reasons of age, race, disability, ethnicity and/or poverty, and policies to benefit women as a whole, in the quest for balance between women and men (ECLAC, 1999h). Political parties are another social sector that appears to be responsible for this situation, since men maintain a predominant presence in their power structures despite the participation of a very substantial number of women at the grassroots level.

Although the information available is insufficient,<sup>47</sup> it is important to be aware of the progress that has been made with regard to women's participation at technical levels of the public-sector apparatus and in some areas of the judiciary, particularly in the Caribbean. However, the participation of women in the executive branch and in political decision-making continues to be very limited. Developments in this regard in recent years have been very uneven, as may be illustrated by an examination of the staffing tables of government ministries and departments of State. In a majority of the countries for which full information was available, around 1999 women held between 7% and 20% of the ministerial posts and positions of secretary of State. Aruba and Ecuador stand out for having female representation in these posts of nearly 30%, which is far above the average and close to the target of 50%. In Guyana women hold 5.6% of these positions, while in Brazil they hold less than 5% of the ministerial portfolios at the federal government level. The number of female ministers of State has fluctuated over time, however. No general tendency can be discerned in the countries, largely because of the fact that the people occupying these positions are designated by the President and consequently are accountable to the political parties supporting the Chief Executive, although in some countries the people holding such posts must first be nominated by the legislature.

An examination of the types of ministerial portfolios held by women today shows that, apart from specific mechanisms for the advancement of women, women are gradually moving into what have traditionally been male preserves. In fact, over half of the women ministers currently in office in the region hold portfolios concerned with social affairs (21 out of 41), but in six countries the ministries of economic affairs are also headed by women (Aruba, Colombia, Ecuador, Honduras, Jamaica and Peru), and in another three the ministers responsible for natural resources and land use are women (Barbados, Ecuador and Honduras). Although a few countries have named women to the post of Minister of Foreign Affairs (Bahamas, Colombia), to date only one woman<sup>48</sup> has been appointed to head a ministry in such traditional areas as defence or the interior (ECLAC, 1999h).

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<sup>47</sup> ECLAC (1999b).

<sup>48</sup> Lucía Armijos of Ecuador was appointed in 1999.

Table 8

**LATIN AMERICA AND THE CARIBBEAN (33 COUNTRIES): WOMEN MINISTERS,  
SECRETARIES OF STATE OR THE EQUIVALENT<sup>a</sup>**  
(by percentage representation, latest year available)

Percentage of women ministers, secretaries of state or the equivalent	Countries
Between 20% and 30%	Aruba, Ecuador, Bahamas, Dominica (1997)
Between 10% and 19.9%	Honduras, Barbados, Colombia, Haiti, Jamaica, Chile (1998), Costa Rica, Grenada, Trinidad and Tobago (1997), Peru, Saint Lucia (1997), Dominican Republic, Argentina, Paraguay
Between 1% and 9.9%	Mexico, Guatemala, Uruguay, Panama, Bolivia (1997), Cuba, Venezuela, Guyana, Brazil
No representation	Antigua and Barbuda, El Salvador, Nicaragua, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname (1996)

Source: ECLAC, Participation and Leadership in Latin America and the Caribbean: Gender Indicators (LC/L.1302), Santiago, Chile, 1999.

<sup>a</sup> Unless otherwise indicated, figures are for 1999.

In Latin America and the Caribbean there are large variations in the size of municipalities—in terms of territory and population—and thus also in the importance of official posts. There is now a very wide range of situations in the countries of the region. The proportions of women mayors (or equivalent under other names) are higher than those seen at the executive level nationally, but in most cases are still well short of the 50% target. Bahamas, Guyana, Dominica, Nicaragua and Trinidad and Tobago, countries in the English-speaking Caribbean and Central America, have the highest percentages, between 20% and 37%, while in eleven countries, most of which are Latin American, less than 5% of mayors are women. In Ecuador, Saint Lucia and Uruguay there are no women mayors at all. In Honduras, Jamaica and Panama the figure is somewhat over 10%.

The decentralization process has led, among other things, to these positions attracting greater public attention and political interest. As a result they have become attractive to political parties—and to men—and these are increasingly seeking such positions, raising the level of political competition and displacing women. Although many women are engaged in local work, the number of women mayors is insufficient. In only two countries do they hold over 25% of these positions, which is half of the goal.

In view of this situation, in recent years a number of countries (Bolivia, Brazil and Peru and Venezuela) have passed affirmative action laws—quota laws—to assist women at the municipal level, and these are beginning to produce promising results. In the case of Brazil, legally mandated quotas have promoted the participation of women in federal and state institutions.

Table 9  
**LATIN AMERICA AND THE CARIBBEAN (26 COUNTRIES): WOMEN IN LOCAL GOVERNMENT (WOMEN MAYORS)<sup>a</sup>**

*(By percentage representation, latest year available)*

Percentage of women mayors	Countries
Between 20% and 30 %	Guyana, Dominica, Bahamas (1997), Nicaragua (1996), Trinidad and Tobago (1995)
Between 10 % and 19.9 %	Panama (1999), Honduras (1994), Jamaica
Between 1% and 9.9 %	Chile (1997), El Salvador, Venezuela, Cuba, Costa Rica, Colombia, Bolivia (1997), Haiti (1995), Argentina (1992), Peru, Brazil (1997), Mexico, Paraguay, Dominican Republic, Guatemala (1994)
Not represented	Ecuador (1997), Uruguay, Saint Lucia (1997)

**Source:** ECLAC, Participation and Leadership in Latin America and the Caribbean: Gender Indicators (LC/L.1302), Santiago, Chile, 1999.

<sup>a</sup> Unless otherwise indicated, figures are for 1998.

Particular importance has been placed on the executive branch, but the progress that is beginning to be made in the legislative and judicial branches –however variable-- should not be overlooked. Although women's participation in the legislature has been very influential in terms of the analysis and passage of laws that take their needs into consideration, the most recent data reveal both forward movement and setbacks, and no definitive trend can therefore be observed in terms of women's representation in this branch of government. In Latin America, only Argentina is close to the 30% target level, and in the Caribbean three countries are nearing this level of representation (British Virgin Islands, Cuba and Netherlands Antilles). According to the information gathered, the countries with the highest female representation in the Senate are in the Caribbean: Belize, Barbados, Jamaica and Trinidad and Tobago. The lowest representation is found in Argentina, Bolivia and Chile. In Haiti there are no women senators.

In the judiciary, women's participation in courts of the first and second instances has increased significantly in recent decades, but this has not been the case in the courts at higher levels. The percentage of women magistrates on the countries' supreme courts is 10% or less in most of the South American countries. In Central America, however, the figure ranges from 10% to 22% (Panama), and in some Caribbean countries women's degree of participation is similar to that of men (Cuba, Guyana, Saint Lucia). These sharp differences are the outcome of the countries' differing legal traditions, other characteristics associated with their histories and cultural roots, and the judicial reform programmes that have been carried out (ECLAC, 1999h).

In the social sphere (trade union, industry or employers' organizations from which information could be obtained), although there is greater female participation on the governing bodies of union organizations in some countries, women are still under-represented across the board in relation to proportion of the membership they account for.

## 2. Economic, social and cultural rights

In the last five years continuity has been given to the efforts to universalize and multiply human rights that were initiated at the end of the 1980s, with women from different walks of life playing a very important role. The main feature of this process has been the stress laid on the wholeness, universality and indivisibility of human rights, which has brought an end to an old argument that placed certain human rights above others. The idea that the fundamental rights and freedoms of women and girls are universal human rights, and not a matter of historical or cultural tradition, has been reaffirmed.<sup>49</sup> Another instance of progress is the switch from the generic "person" or "human" to the use of terms that specify who the rights apply to, such as women, children, indigenous peoples, religious minorities, etc.

Reaffirming the Cairo Programme of Action agreed in 1994, the Platform for Action adopted at the Fourth World Conference on Women in Beijing<sup>50</sup> establishes that "the human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence." It also reiterates that "equal relationships between women and men in matters of sexual relations and reproduction (including full respect for the integrity of the person) require (mutual respect, consent and) shared responsibility for sexual behaviour and its consequences".<sup>51</sup>

Nonetheless, there are still issues whose implications for women and gender equality were not dealt with in any depth either in the field of theory or in that of practice, such as the concept of equality, North-South differences, the debate on universality versus cultural relativism and the enforceability of economic, social and cultural rights, among others.

Analysis of current legislation shows that many laws with openly discriminatory content have been amended, but it also shows that in most cases the conceptual framework of laws originating in philosophies that discriminate against women has remained unaltered, making it difficult for them to be applied and complied with. The judicial and legislative reforms that are under way in the countries have opened up new prospects for changing this. Thus, amendments to penal codes, labour laws and indigenous rights offer new opportunities in the region, as do reforms to health care and other areas.

### (a) *The right to a life free of violence*

Without any doubt, the most important achievement has been the passing of laws dealing with violence against women. There are laws of this type in all the countries of Latin America and in most of the Caribbean ones (see table 10). Not only this, but most of the countries report that the institutions whose task it is to prevent and punish violence, train State officials and alert public opinion have been expanded. There is recognition, however, of the need for greater efforts to deal with the causes of violence by designing educational, family, citizen security and legal reform policies to build on this progress.

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<sup>49</sup> See the Platform for Action adopted at the Fourth World Conference on Women in Beijing (United Nations, 1995).

<sup>50</sup> The reproductive rights of women were also recognized by the women's offices of the region in 1994 when the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001 was adopted.

<sup>51</sup> United Nations, 1995, paragraph 96.

A number of countries have made major changes in curricular reform, in health care and in work to combat the stereotypes that underlie violence. In Latin America and the Caribbean, women now benefit from laws that serve their needs, although these can always be improved, by institutions that provide refuge, counselling and training, by specialist centres and by increased recognition of the legitimacy of their rights. The extent to which this policy has become institutionalized is clearly the outcome of one of the greatest institutional and social partnerships ever seen, the participants in the first instance being the women's movement, Governments through different ministerial bodies, representatives of the judicial authorities, the police and legislators, journalists and human rights activists. Inter-American and United Nations organizations have also acted in an exemplary way to ensure that this policy becomes established irreversibly in all the countries.

Among the problems detected in this area, there is the shortage or lack of training of suitable staff able to process reports of violence, deal with victims and follow up cases, and the existence of legal limitations that hinder women from exercising their rights. This happens when domestic violence is viewed as a private or restricted offence that belongs to the private sphere (Ecuador) or regarded as purely a health problem (Guatemala). The greatest challenge is still to implement the changes agreed, although as regards services to deal with violence all the countries have created special reporting facilities, attention centres, refuges and training and awareness programmes.

Table 10

**LATIN AMERICA AND THE CARIBBEAN (40 COUNTRIES AND TERRITORIES):  
LEGISLATION ON DOMESTIC VIOLENCE AND VIOLENCE AGAINST WOMEN**

<b>LATIN AMERICA</b>	
<b>Argentina</b>	Law 24,417 on protection against family violence, 7 December 1994
<b>Bolivia</b>	Law 1,674 on family and domestic violence, 15 December 1995
<b>Brazil</b>	Legislative Decree 107, giving legal force to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Belém do Pará, 1995 Article 226 of the Federal Constitution and various articles of the Penal Code
<b>Chile</b>	Law 19,325 on family violence, 27 August 1995
<b>Colombia</b>	Law 294, to prevent, remedy and punish family violence, 1996
<b>Costa Rica</b>	Domestic violence law, March 1996
<b>Dominican Republic</b>	Law 24-97, defining the offences of domestic violence, sexual harassment and incest
<b>Ecuador</b>	Law on violence against women and the family, November 1995
<b>El Salvador</b>	Decree Law 902, on family violence, March 1997
<b>Guatemala</b>	Decree Law 97-96, to prevent, punish and eliminate family violence
<b>Honduras</b>	Law to prevent, punish and eliminate violence against women, September 1997
<b>Mexico</b>	Law on addressing and preventing family violence, 26 April 1996 Programme on violence in the family 1999-2000 Laws on family violence passed in eight states; others in the legislative pipeline
<b>Nicaragua</b>	Law creating the Women's and Children's Police Service, included in the legislation establishing the National Police Service, 23 August 1996 Law 230, recognizing psychological abuse as an offence, October 1996 National plan against violence currently being drawn up, 1999
<b>Panama</b>	Law 27 of 16 June 1995
<b>Paraguay</b>	Preliminary draft of a law on domestic violence against women submitted to the National Congress, 1999
<b>Peru</b>	Law 26,260, establishing the policy of the State and society on family violence, December 1993 Law 26,763, establishing mechanisms to provide greater protection for victims, March 1997 Law 26,770, reforming the Penal Code, establishing that marriage does not vitiate grounds for prosecution of crimes against sexual freedom, April 1997
<b>Uruguay</b>	Law 16,707 on citizen security, adding a new article to the Penal Code: art. 321 bis, defining domestic violence and establishing penalties
<b>Venezuela</b>	Law on violence against women and the family, 19 August 1998
<b>THE CARIBBEAN</b>	
<b>Anguilla</b>	Domestic violence law reform, 1996
<b>Antigua and Barbuda</b>	Domestic violence legislation, 1999
<b>Aruba</b>	No information
<b>Bahamas</b>	Law on sexual offences and domestic violence, 1991
<b>Barbados</b>	Law on protective injunctions for domestic violence, 1992
<b>Belize</b>	Law on domestic violence, 1992
<b>British Virgin Islands</b>	Law on domestic violence, 1995
<b>Cayman Islands</b>	No information
<b>Cuba</b>	National plan to combat family violence
<b>Dominica</b>	No legislation on domestic violence as yet
<b>Grenada</b>	No legislation on domestic violence as yet
<b>Guyana</b>	Law on domestic violence, 1996
<b>Haiti</b>	No information
<b>Jamaica</b>	Law on domestic violence, 1996
<b>Montserrat</b>	No information
<b>Netherlands Antilles</b>	Criminalization of marital rape, 1999
<b>Puerto Rico</b>	Law 54, to prevent and intervene in domestic violence, 1989
<b>Saint Kitts and Nevis</b>	No legislation on domestic violence as yet

<b>Saint Lucia</b>	No information
<b>Saint Vincent and the Grenadines</b>	Law on summary proceedings in cases of domestic violence
<b>Suriname</b>	Specific legislation on domestic violence non-existent and needed, 1999
<b>Trinidad and Tobago</b>	Law 10 on domestic violence, 1999

**Source:** Nieves Rico, Female human resources development: growth and equity as priorities, *Mujer y desarrollo* series, No. 15 (LC/L.947), Santiago, Chile, ECLAC, 1997; Irma Arriagada, Políticas sociales, familia y trabajo en la América Latina de fin de siglo, Políticas sociales series, No. 21 (LC/L.1058), Santiago, Chile, ECLAC, October 1997; Hannah Binstock, Violence within couples: legal treatment; review of progress and results, *Mujer y desarrollo* series, No. 23 (LC/L.1123), Santiago, Chile, ECLAC, September 1998; ECLAC, *Directory of national organizations dealing with programmes and policies on women in Latin America and the Caribbean*, Women and Development Unit [<http://www.eclac.cl/espanol/investigacion/series/mujer/directorio/directorioorg.htm>], October 1999; ECLAC subregional headquarters for the Caribbean, "The Caribbean Subregional Review and Appraisal Report on the Implementation of the Beijing Platform for Action," draft document presented at the Third Caribbean Ministerial Conference on Women, Port of Spain, 5 to 7 October 1999; replies of countries to the questionnaire sent out by the Division for the Advancement of Women of the United Nations (DAW) in 1999 and periodic reports submitted by countries under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

With regard to crimes in which women are usually the victims, such as rape and abduction, the following problems can be identified:<sup>52</sup>

A widespread problem that exists in relation to these crimes is that what is protected in a number of these laws is still "honour", which means that only "decent women" can be deemed to have been raped, for example. Likewise, in most of the region rape within marriage is not deemed a crime, while legislation on sexual harassment at work is minimal, since according to the information provided there is legislation only in Argentina, covering the civil service, in Costa Rica, where there is a national law, in Mexico, where there is a labour law and one for the civil service, in Peru, where the subject is included in labour legislation, and in Venezuela, where it forms part of the Violence against Women and the Family Act (Chiarotti, 1999).

**(b) Sexual and reproductive rights<sup>53</sup>**

Since 1994 considerable progress has been made in formulating laws, policies and programmes relating to sexual and reproductive health. In most of the countries the focus of population and health policies has shifted so that it is now based on a conception of human rights, quality of life and equity. The countries of Latin America and the Caribbean have taken different approaches to protecting sexual and reproductive rights. Bolivia, Colombia, Costa Rica, Cuba, El Salvador, Mexico, Panama and Peru report that programmes and policies designed explicitly to attend to sexual and reproductive health have been put in place. Paraguay and Panama have created councils to implement policies, while the Dominican Republic has changed the mission of its National Council on Population and the Family. In Peru a tripartite commission to follow up on the International Conference on Population and Development has been operating since 1997 with governmental, non-governmental and United Nations agency participation.

As regards legal provisions, there are a number of countries that recognize the right to decide on the number of children desired. In Mexico<sup>54</sup> and Venezuela, this right is protected by the Constitution.

<sup>52</sup> On the basis of reports submitted to the OAS Inter-American Commission of Women (IACW) (Chiarotti, 1999).

<sup>53</sup> This section is based on data provided by UNFPA (1999).

The recently amended (1998) constitution of Ecuador recognizes reproductive rights and gender equity. Peru also passed a Health Act in 1997 guaranteeing the right to decide freely on the number of children desired. Bolivia, Brazil and Peru recognize reproductive health as a fundamental right. In the case of Brazil, the unified health system is responsible for providing comprehensive reproductive health and family planning services. In Cuba, these services are included in the public health care system and are provided free of charge in clinics and hospitals.

*(i) Adolescence*

Administrative rules and laws dealing specifically with sexual and reproductive health during adolescence continue to suffer from various shortcomings in the region, although substantial progress has been made. Most laws deal with sex education and teenage pregnancy. In the area of sex education, a number of countries in the region have formulated laws (Bolivia, Costa Rica, Ecuador, Panama, Venezuela) or policies (Brazil, Cuba, El Salvador, Peru) making sex education compulsory to some extent. The 1994 Educational Reform Act in Bolivia reaffirms the right to ethnic and gender equality, and sustainable development and sex education were deemed to be essential subjects in primary and secondary education and in teacher training. The Educational Law on Sexuality and Love in Ecuador (1998) obliges schools to provide sex education that focuses on sociocultural and gender sensitivity issues. In Venezuela, the National Commission for the Prevention of Early Pregnancy has been reactivated.

*(ii) The right of pregnant girls to education*

Some Governments have adopted measures to put an end to discrimination against pregnant teenagers, in the form of laws and resolutions entitling young women to continue their education both during and after pregnancy (Bolivia, Venezuela and Panama). In Peru, a 1998 law revising the Children and Adolescents Code guarantees the right to moral, psychological and physical integrity, while obliging educational institutions to provide both young mothers and pregnant adolescents with a continuing education. In Panama, there is a presidential decree dating from January 1996 which explicitly prohibits discrimination against or penalization of students due to pregnancy, and also guarantees the right of pregnant students to continue and complete their education. In Colombia, the Constitutional Court has recognized the educational rights of minors who have been suspended from school because they were pregnant.

Some constitutions, such as those of Brazil and Colombia, give recognition, in general terms, to the right of children and adolescents to health and personal development. The Statute on Children and Adolescents of Brazil<sup>54</sup> also guarantees pregnant adolescents pre- and post-natal care. In Costa Rica, the General Law for the Protection of Adolescent Mothers adopted in 1997 established the Teenage Mothers Assistance Council, laying down standards that guarantee them comprehensive care, which also governs all policies and programmes relating to the subject. The Childhood and Adolescence Code approved in 1998 went even further, requiring the Ministry of Health to guarantee development of a national education policy including subjects relating to sex education, reproduction, teenage pregnancy, drugs, gender violence, sexually transmitted diseases and AIDS, the establishment of comprehensive programmes for pregnant teenagers, free care for pregnant teenagers in social security clinics and the

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<sup>54</sup> Since 1974.

<sup>55</sup> Act No. 8.069/90, article 8.

provision of membership cards for those not covered by this insurance system. In Venezuela, a bill for a constitutional law on the protection of children and adolescents, which was debated in 1998 in the new, popularly-elected Congress, was drawn up and disseminated by a coalition of NGOs and other organizations in civil society. In the English- and Dutch-speaking countries of the Caribbean, proposals have been developed for amending legislation relating to the reproductive health of adolescents. Nonetheless, legislative measures cannot do away with all discriminatory attitudes, since in some cases the relevant actors are unaware of their content and implications and in other there are economic factors at work that prevent the affected persons from taking the necessary legal steps to combat such practices.

*(iii) Male responsibility*

In Peru, the National Sex Education Programme includes educational activities designed to encourage men to take responsibility for sexuality and reproduction, and the Ministry of Health is considering a strategy that would encourage male participation in family planning, including a service for men. The Peruvian Ministry for the Advancement of Women and Human Development, which was set up in 1996, is designing an information and education strategy whereby adolescent boys will be provided with information on sexual and reproductive health. In Paraguay, Ecuador, Nicaragua and Bolivia there are projects to introduce reproductive and sexual health issues into the armed forces. There are also support services for the families of military personnel and for civilians using military health services.

In Cuba, the Maternal and Paternal Responsibility Programme seeks to involve women, their partners and their families in preparations for the birth and the first year of life of the child. The programme encourages the whole family to take more responsibility, especially the couple. In Panama, the Ministry of Health is drawing up a training plan for its employees, the object of which is to involve men more in the area of reproductive and sexual health. In Mexico, some public health services have changed their hours to make it easier for working men to use them. Furthermore, the National Population Council has mounted educational campaigns to encourage men and women to act responsibly in looking after their reproductive health and caring for their children.

Some countries have amended laws or passed new ones to give legal recognition to children born out of wedlock, and thus oblige fathers to take responsibility for their children. The Health Act (Law 149) in Nicaragua, for example, has been amended so that men are now obliged to acknowledge their paternity, when this is established by clinical tests and witnesses. The new law also establishes that it is the father's responsibility to provide food for his children. In Chile, a law doing away with discrimination against children born out of wedlock was enacted in October 1998, and laws repealing statutes on illegitimate children have been passed in most of the English-speaking Caribbean countries (Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Trinidad and Tobago). In Costa Rica, there is an additional Family Code which requires fathers to give legal recognition to children born out of wedlock, provided that the mother takes the necessary measures. In Venezuela, a partial reform of the civil code included recognition for children born within consensual unions.

A woman's reproductive life and health can be *the* determining factor in her political, economic and social development. The ability of women to decide when to have children and how many, and to take care of their own sexual and reproductive health, is a key factor in their empowerment. It affects their health, their well-being and productivity in general, their ability to enter the labour market or to complete and continue their studies and their participation in public life; it also affects the strength of their position when it comes to demanding equality and respect within their families and couples.

As regards serious offences in which the victims are most often women (such as rape, incestuous sexual abuse of minors, forcible abduction for the purpose of sexual exploitation), the following problems arise:<sup>56</sup>

One very frequent difficulty in this area is the fact that what continues to be protected by law in several countries is "honour", which means that only "virtuous women" can be victims of such offences. In the region, marital rape is generally not considered a criminal offence, and legislation on sexual harassment at work is minimal. According to available information, laws on this issue have only been adopted in the following countries: Argentina, in the civil service; Costa Rica, in national legislation; Mexico, in a labour law and in civil service rules; Peru, in the context of labour legislation; and Venezuela, in the law on violence against women and the family (Chiarotti, 1999).

Although the sexual and reproductive rights of women are fundamental human rights that affect every stage and facet of their lives, the ability to exercise them is well beyond the reach of the vast majority of Latin American and Caribbean women. In many places it is men who generally have control and make the decisions about these issues; yet women are left with almost exclusive responsibility for the care and upbringing of children and for the health and well-being of the family. In the Caribbean, male authority over matters of reproductive health is so firmly entrenched that health care institutions require the husband's consent before they will perform such gynaecological procedures such as ligatures of the fallopian tubes or hysterectomies. Furthermore, it is mainly girls and women who are subjected to sexual harassment, sexual abuse and rape and who have to cope with unwanted pregnancies.

The teenage pregnancy rate has diminished considerably in the Caribbean subregion,<sup>57</sup> in Latin America a third of all women aged under 20 in the region have given birth; but it will be them, and not their partners, that may have to leave their studies, cope with prejudice from their families and people around them and look for work to support their child, all of which will reduce the prospects of their escaping from poverty. Almost half the region's population is aged under 20; unless the information and services that people need to take informed and responsible decisions are provided, teenage pregnancy will continue to be one of the greatest obstacles to the attainment of gender equity and the empowerment of women. Maternal mortality and unsafe abortion, which are problems that affect poor women and adolescents, show what a need there is to recognize that sexual and reproductive rights and health are an essential feature of socio-economic, cultural and gender equity.

This situation notwithstanding, since the Conference on Population and Development in Cairo and the Fourth World Conference on Women in Beijing, considerable progress has clearly been made in the region in terms of acceptance and promotion of the sexual and reproductive rights of women, as was demonstrated in the five-yearly review of the Programme of Action on Population and Development (culminating in July 1999). Almost all the countries of the region have adopted policies, programmes and laws relating to sexual and reproductive education and health. This underlines how important it is to promote a comprehensive approach to gender equity that takes account of the close inter-relationship between women's productive and reproductive lives and roles.

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<sup>56</sup> Based on reports submitted to the Inter-American Commission on Women (ICW) of the Organization of American States (Chiarotti, 1999).

<sup>57</sup> See ECLAC/CDCC (1999, p. 34). According to the available figures for 17 countries, around 1994 the teenage pregnancy rate in the Caribbean was below 15% in six countries, between 15% and 20% in seven, and between 20% and 25% in four others.

In conclusion, it can be said that progress in terms of respect and protection for rights and the ability to exercise them has been variable and in many cases partial. The effects of the growing poverty and inequality caused by income concentration, trade liberalization and globalization, and the limited commitment to legal, social and institutional reform, have restricted the effectiveness of the changes seen in the region. More than anything, though, it is the continuing dearth of female representation in the spheres where decision-making takes place that is the most negative sign of the last few years. It remains to be seen whether the women who have gained entry to these power structures will be able to use their influence to make the prevailing leadership styles and decision-making processes more participatory and equitable.

#### IV. LOOKING TO THE FUTURE

The courses of action outlined below should be regarded as a proposal for action designed to guide the incorporation into public policy of the principles enshrined in the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001, and the Platform for Action adopted at the Fourth World Conference on Women in Beijing. They should by no means be regarded as an alternative agenda that would in any way limit the commitments assumed in this area by the Governments.

The countries of the region are developing in very different ways. This means that it is not always possible or desirable to make comparisons or establish hierarchies when these obscure the historical circumstances under which the struggle for equality between women and men has taken place. Despite the heterogeneity that exists in relation to the stage of development reached by the countries in terms of their production base and political systems, as well as the cultural diversity found within and across countries, the similarity of these national processes is striking. It is also of interest to note that the progress that has been made does not seem to bear a direct relationship to the degree of economic development attained and that the advances which have been made have occurred within a similar environment in terms of opportunities and opposition, especially of a political and cultural nature, in all the countries.

Gender policies should be regarded as a contribution to the harmonization of the principles of universality (rights of all women) and solidarity (the special attention needed by certain groups, such as girl children, women heads of household, young pregnant women, victims of violence, poor *campesinas* and indigenous women) which transcend the debate on targeting that has been going on with respect to many social policies in the last few decades.

Women's social movements at both the national and international levels have succeeded in using public action to win recognition for human rights and in introducing a number of strategic issues into the arena of public debate in most of the countries. These issues have included the role of the State in rectifying inequalities, the participation of civil society in policy-making, the extension of citizenship to include the private sphere of family life through the establishment of punishments for those who commit domestic violence and the affirmation of sexual and reproductive rights.<sup>58</sup> The achievements to date with regard to gender equality have indeed helped to lessen the transmission of inequalities in the region.

In a majority of the countries, women's participation in the labour market has increased significantly, as have their contribution to household income and their educational level. The effects of this have not been confined to the economic sphere, but have instead also led to the modification of cultural patterns and family structures and to a noteworthy increase in autonomy. Nevertheless, women continue to perform the most poorly paid and most unstable jobs and are the main –and sometimes the only— persons responsible for meeting the needs members of the household and of the community even though they have not, for the most part, attained an equitable position with regard to decision-making. The educational achievements of women, which have surpassed those of men in various countries of the region, have not been reflected in more equitable access to the labour market or in a comparable narrowing of the income and wage gaps.

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<sup>58</sup> As indicated in the Platform for Action adopted at the Fourth World Conference on Women in Beijing (see note 7 *supra*).

Globalization and trade liberalization in the region have not had the same impact on all women; in fact, intra-gender disparities affecting poor, uneducated, rural and indigenous women, in particular, have persisted.

Numerous significant advances have been made in the legislative, institutional and cultural spheres, and this progress attests to the quality of the reforms that have been carried out in the region. Given the fact that the countries have generally assigned priority to economic reform, the efforts to focus attention on social issues and questions relating to gender equality that have been made by agencies working for the advancement of women in conjunction with organizations of civil society are all the more noteworthy. The inroads that have been made have clearly had a positive impact on social and family life, but they have not necessarily improved the status of women in politics or in terms of their representation. Progress in legislative matters has run up against institutional structures and cultural resistance, and it is therefore necessary to coordinate all these efforts in order to help develop a greater respect for human rights through the reform programmes now under way in most countries of the region. Judicial and legislative changes, the reform of law enforcement agencies, and the need for public information and participation are all elements that can help strengthen existing mechanisms.

The foregoing demonstrates the fact that discrimination is a constituent factor in many policies that, although purportedly neutral, actually exclude the majority of women; this is why it is essential to encourage the adoption of public policies that will ensure not only equality of opportunity but also an even playing field and equality in terms of the results, in accordance with the commitments assumed by all the countries of the region. States must therefore make every effort to fulfil the agreements reached at the Fourth World Conference on Women and the commitments made in the Regional Programme of Action.

Discrimination is often an integral policy component and is the cause of inequalities that place women at a disadvantage and lead to their exclusion. Given the existence of discrimination as an explanatory factor in the exclusion of women, it is imperative that policies be adopted to ensure that in the next millennium women will not continue to be the main and sometimes the only ones responsible for reproduction and to be excluded from decision-making processes despite their contribution to the general welfare of the population.

## **1. Bringing equity to the forefront**

### **(a) *Towards a new paradigm***

Under the current economic model, the predominant discourse continues to be marked by an apparent social and gender neutrality. The concepts of macroeconomic policy and the effort to achieve competitiveness, efficiency and growth, among other things, are generally formulated without taking the existence of asymmetrical gender-based power relationships into consideration and consequently tend to mask the actual repercussions they have on women.

Hence, public policies need to be reoriented so that social equity will once again become the prime consideration, and the importance of the principles of universality and solidarity needs to be reasserted within a policy framework that maintains a balance between economic and social requirements. This is the only means of paving the way for true equality between women and men. A change therefore

has to be made in the orientation of economic policies that increase poverty, heighten the concentration of wealth, add to unemployment and weaken public participation.

The social policies underlying short-term targeted programmes and the policy definition of women as a vulnerable sector need to give way, once and for all, to development policies that combat the structural roots of poverty and lead to the adoption of effective measures for fighting discrimination as manifested in both opportunities and outcomes, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women.

Gender equity needs to become an integral and integrative component of policies designed to promote social equity and must not be associated with short-term aid programmes of limited effectiveness in combating poverty and inequality.

There is a growing need for the State to act to improve and regulate the market if gender equity is to be achieved. This would make it possible to promote stable, productive investment balanced by social investment designed to remove obstacles to market access through the formulation of policies to improve social security and redistribute family responsibilities. In this scenario, priority would be given to long-term productive investment and to investment in human resources, particularly vocational training and education, in order to promote their modernization.

If women are to enter fully into the rights of citizenship, it will be necessary to discard once and for all the State's patronizing attitude towards them and its treatment of them as passive service recipients. The role of the State as a promoter of equity needs to be strengthened within a democratic framework. This emphasizes the importance of promoting a comprehensive view of gender equity that takes account of the close interrelationship between the productive and reproductive roles of women.

The State, then, must be seen both in its economic dimension and as a political and cultural institution. The need to correct discriminatory aspects of the way in which the market functions, strengthen society and public action, and increase the transparency of State action stands out clearly when the types of obstacles hindering the application of policies to promote gender equity in the region are analysed. In these areas, steps need to be taken to increase and broaden the channels for public participation by women at all decision-making levels.

**(b) *Mainstreaming the gender perspective: more and better mechanisms for contributing to equity***

With regard to mechanisms for the advancement of women, the principles that guide the modernization of the State (based primarily on concepts of efficiency and the downsizing of the State apparatus) have to be harmonized with the principles of equity, affirmative action and genuine equality, since the latter will make it possible to rectify the inequalities generated by the market and increase the participation of women in society and politics and thus contribute to the achievement of a democratic form of governance.

Efforts to mainstream the gender perspective in public policy are being hindered by a variety of factors, including a shortage of resources, the lack of political power and bargaining power, ambiguous mandates, political instability and technical weaknesses. The Governments must honour their commitment to strengthen the political, institutional and financial positions of these mechanisms by preventing their circumscription to a particular sector and taking all necessary steps to ensure the

inclusion of policies to promote gender equity in national development plans and their consideration in the relevant political cabinets and at the corresponding technical levels.

Six years after the adoption of the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001, considerably greater efforts also need to be made to allocate increased funding and establish more and better mechanisms for achieving the objectives set forth at the Fourth World Conference on Women. This needs to be done on a cross-disciplinary basis, and the responsibilities of each of the bodies involved in this process, whether their jurisdictions are of a sectoral or geographical nature, need to be clearly defined. In short, it is basically a question of having more and better resources and mechanisms for the adoption of measures to promote equity as a matter of State policy.

**(c) *Reforming reforms***

The end of the decade constitutes a suitable point in time for evaluating the various effects of the major reform efforts carried out in the region. Since knowledge is an essential ingredient in the countries' competitiveness and their ability to overcome inequities, it is imperative that education policies not only meet the need for men and women to have equitable access to the educational system but that they also are properly aligned with policies on employment and public participation, since, as has been seen during this past decade, equality of access is not enough to overcome discrimination in the labour market and the workplace, in earnings and in terms of participation. This provides the basis for the identification of discrimination as an obstacle to the achievement of genuine equality as defined by the Regional Programme of Action, the Platform for Action adopted at the Fourth World Conference on Women and the Convention on the Elimination of All Forms of Discrimination against Women.

In view of the intra-gender inequalities that heighten the exclusion of indigenous women, women living in rural areas and other groups subject to discrimination, energetic efforts need to be made to foster the adoption of affirmative action policies to promote equality of opportunity, the creation of an even playing field, and equality of outcomes within the educational system in order to ensure a better and more equitable channel for entry into the labour market.

Given the lack or weakness of employment policies, at the present time the region lacks the gender-based studies or assessments of macroeconomic policies and programmes (international trade and the financial market, among others) needed to permit an analysis of the various implications that these initiatives have for men's and women's lives and careers. This is a challenge that calls for an immediate response.

It is imperative that we meet the needs that stem from unequal market access, especially in the case of the labour market. Since to some extent markets function as political and cultural institutions, the quest for equity should be reflected in all public policies, rather than being confined to the promotion of self-employment, microenterprises and small-scale lending. Clearly, some microenterprise programmes do have positive effects, but a need also exists for measures aimed at overcoming the structural causes of poverty and orienting the competitive positions achieved by women towards the globalized market and preventing them from being relegated to programmes of a less sustainable and less stable nature.

Other major needs in this area have to do with the harmonization of productive and reproductive functions and the adoption of policies to promote the formation of new types of relationships and responsibilities within the family. Work also needs to continue in the area of labour reforms aimed at

ensuring that the increasing flexibility of employment arrangements does not end up by depriving children and women of all forms of protection, since rather than being considered as one of women's rights, this should rightfully be regarded as a responsibility of society as a whole.

Social security, the liberalization of the land market, health care reforms, decentralization and new efficiency-based forms of governance all require an in-depth evaluation guided by the principles of social and gender equity. In order for this to be possible, transparent and up-to-date information systems are essential, as are systematic indicators of the effects and mechanisms of regulation, supervision and public oversight that will ensure that these reforms are of a democratic and participatory nature and that gender disparities can actually be diminished.

## **2. Towards the full exercise of human rights**

The affirmation of the recognition of women's human rights should be achieved through a democratic process embracing the judicial, political and electoral systems and the mechanisms for public participation. Although the decade that has just ended has brought major advances in terms of State recognition of such rights, there are a number of spheres in which much remains to be done. These areas of activity are examined below.

### **(a) *Universal rights***

The defence of human rights needs to be aligned with judicial reform efforts, since human rights should be seen as a concept, a practice and an ethic of democratic coexistence. Hence, efforts must continue to be made to harmonize the legal system with the protection of human rights, and specifically with regard to discrimination against women. The changes that have been made on the basis of the principle of universality should therefore be carried forward while at the same time retaining an awareness of the diversity of situations faced by human beings. This is of crucial importance for specific groups of women who will only be able to attain genuine equality once their special characteristics are taken into account. There also needs to be a recognition of the need to reconcile approaches and mechanisms arising out of the adoption of international conventions with, in particular, the civil code and laws pertaining to the family, labour and social security.

### **(b) *Respect for cultural diversity***

The principle of universality should not be interpreted as running counter to respect for cultural diversity, although it should also be noted that cultural differences should not be used as a pretext for discrimination against women. Steps should be taken to re-examine practices and customs that have come to be seen as legitimate with the passage of time in order to ensure that the human rights of all women are actually being upheld.

At the same time, a special effort must be made to win recognition for the rights of indigenous women, who are victims of a form of exclusion that reflects various forms of political, social, economic and cultural discrimination.

**(c) *Efficiency and effectiveness***

The struggle to uphold women's rights must be undertaken through effective action. In order for the principles of universality and the respect for diversity to be made a reality, policy-making units concerned with gender issues need to be empowered and the reforms being undertaken should give serious consideration to the contributions forthcoming from civil society. States should therefore prioritize and strengthen mechanisms for the advancement of women. The reinforcement of these mechanisms should be seen as a means of saving State resources, since the more powerful their position is, the less funding the State and society will have to devote to raising the awareness of the relevant authorities. In other words, the greater the legitimacy of these institutions and the more powerful they are, the lower the cost of implementing public policy and enforcing the law will be.

The Governments of the region should deepen their commitment by increasing the technical and financial resources they allocate for upholding the rights of women, especially in terms of the funding provided to police forces and the justice system.

**(d) *Harmonizing reform legislation with the human rights of women***

As part of these social reforms —and especially those being carried out in the sectors of health, labour, education and social security— legislative and administrative provisions need to be adopted for the express purpose of doing away with the gender gaps existing in the corresponding areas. Reforms aimed at decentralizing the State and establishing new forms of land use need to be harmonized with an institutional structure conducive to the formulation of gender policies.

The legal framework established pursuant to these reforms should include provisions guaranteeing equitable access, control and enjoyment of the relevant benefits and services for women.

**(e) *Strengthening justice and law enforcement institutions***

As part of the effort to combat violence, intersectoral strategies need to be strengthened so that measures aimed at prevention, care and eradication in both the private and the public sectors can be coordinated and aligned.

In addition, steps need to be taken to eliminate all the obstacles that impede the imposition of sanctions, in accordance with respect for human rights, in respect of sexual crimes and the various forms of violence that exist within the public sphere. National public safety plans should also include measures for eradicating all forms of violence against women.

**(f) *Equity in representation***

The consolidation of democratic governance requires the adoption of structural measures relating to electoral legislation and to the laws governing political parties and participation by the electorate in order to achieve egalitarian representation of women and men in all areas of the public institutional apparatus. The main obstacle in this regard is unquestionably women's unacceptable position as a minority group at decision-making levels. This situation must be corrected in order to implement the provisions set forth in the Platform for Action and the Regional Programme of Action.

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