# Equality and women's autonomy in the sustainable development agenda

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The need to eliminate gender inequality and ensure fulfilment of women's rights and autonomy has been placed front and centre in the successive consensuses issued by the countries of the region —with the support and participation of civil society— over four decades of the Regional Conference on Women in Latin America and the Caribbean, whose sessions are organized by the Economic Commission for Latin America and the Caribbean (ECLAC).

From the first Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, held in Havana in 1977, to the present day, and amid significant global achievements —such as the adoption of the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action—, public policy concerns and proposals have changed and matured in light of progress towards greater equality between women and men. Efforts to integrate women into development, which started out as the central focus, now represent fresh challenges, among which sustainable development with gender equality is of special significance.

The Regional Conference on Women in Latin America and the Caribbean has played a crucial role in shaping the regional agenda on gender affairs and now, on the occasion of its thirteenth session, ECLAC brings another contribution to the regional discussion with the present document, *Equality and women's autonomy in the sustainable development agenda*. This work describes the milestones in the construction of the gender agenda, analyses its linkages with the global commitments enshrined in the 2030 Agenda for Sustainable Development and provides input for the design of pro-equality policies in the countries of the region.

The current conditions in Latin America and the Caribbean, marked by uncertainty on the economic, political, social and environmental fronts and thus less favourable than in recent years, should be viewed, paradoxically, as an opportunity to transform the region's development path by eliminating inequalities and closing the gap between advances in legislation and women's day-to-day realities.

In this framework, the present document examines the potential of public policies to achieve substantive equality, as well as the importance of including the analytical and forward-looking approaches that are now an integral part of the regional gender agenda in the design, execution and evaluation of policies, projects and programmes.

Along with offering a thorough analysis of the conditions that women in the region face, the progress made and the unavoidable challenges hindering critical aspects of their autonomy, this document proposes a path for moving firmly in the direction of the full exercise and fulfilment of women's rights as a prerequisite for sustainable development.

A persistent challenge with respect to economic autonomy is distributive equality, which includes overcoming women's poverty, in terms of both money and time, achieving equal pay, ending discrimination in the labour market and redressing biased or inadequate social protection. Unpaid domestic and care work is also addressed as the root of inequality based on the sexual division of labour. And access to and control over natural resources and production assets by women, particularly those living in rural areas or belonging to indigenous groups and lower-income households, are highlighted as debts that governments must pay not only in the interests of justice, but also as a key requirement for the progressive structural change proposed by ECLAC.

In addition to developing a broader, more heterodox view of the economy that encompasses the sustainability of life and a new balance between the roles of the State, the market, civil society and families, ECLAC proposes using labour market instruments, such as the minimum wage and a shorter working day, to improve conditions not only for women, but for society as a whole. It also examines the effects that a universal basic income would have on gender equality.

Development is not possible if women lack physical autonomy, which will remain out of their reach as long as they cannot fully exercise their right to health, are unable to decide freely on their reproductive and sexual lives,

and suffer from high rates of maternal mortality (in the main, avoidable deaths). Women cannot achieve physical autonomy while child and adolescent motherhood increases, compromising the present and future well-being of many girls and young women, and while obstacles remain to treating women with disabilities as bearers of rights.

Women have the right to a life free of violence, without threat of femicide which is, moreover, worsened by inadequate access to justice.

This work analyses the economic investment governments would have to make in order to implement policies in this direction, considering also the cost to the countries of failing to act on violence against women.

Another key element is autonomy in the exercise of power and in decision-making processes, where women notably lack visibility and representation despite their demographic weight and their contribution and role in society. This is evident in women's limited participation not only in the political arena, but also in other decision-making spheres, such as the economy (either in businesses or trade unions), academia and knowledge management, and the media.

The challenges in this area are addressed with a focus on both strengthening affirmative action and progressing towards parity democracy as a governing principle in the building of more equal societies. On the basis of the conviction that a democratic State requires greater representation and transparency, it is also important to highlight the role of policy financing mechanisms in ensuring women's participation in the public sphere.

The analysis also touches on an emerging field of research: the interdependence of autonomies reflected, for example, in the role played by tax evasion and avoidance mechanisms and their impact on defunding public policies on equality, or in the extent to which crimes such as the trafficking of women and girls feed illicit financial flows.

With sights set on the future, this document presents a proposal for strengthening public policies on gender equality and on ensuring the fulfilment of women's rights and autonomy, while weaving interdependent linkages between the goals, targets and measures for implementation of the 2030 Agenda for Sustainable Development and the regional gender agenda.

The new challenges facing Latin America and the Caribbean call for innovative and effective public policies that support and are supported by a gender equality architecture based on solid and interconnected institutions, as well as on clear gender mainstreaming and participation processes.

In order for the region to move forward and avoid possible setbacks in the near and medium terms, planning, management and budget design must be geared towards sustainable development and incorporate gender equality into development plans at the national and territorial levels.

The ambitious goal of gender equality calls for the consolidation of policies, compacts and partnerships that lay the foundations for the civilizational change required for sustainable and inclusive development with equality at the centre. In this view of development, not only is no one left behind, but women in all their diversity are on a level with men and lead the transition from a culture of privilege and discrimination to one of rights and equality.

The reflections and way forward proposed here require a strategic and ambitious approach to overcome the challenge of transforming the current unsustainable development model. This document is both an invitation and a tool to contemplate the future, consolidate the progress made, embrace long-postponed commitments and obligations regarding women's rights, and pave the way for the region to attain sustainable development with full gender equality.

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# From the integration of women into development to sustainable development with gender equality

# Introduction

The uninterrupted progress made by Latin America and the Caribbean since the first session of the Regional Conference on Women in Latin America and the Caribbean (Havana, 1977) shows how a public policy approach and agenda was built, with participation from the feminist movement, governments and international organizations. That approach goes beyond the initial observation of the vulnerability of the female population, challenges the conviction that their disadvantaged position is improved by changing women rather than society, and scrutinizes the focus on equal opportunities, to reach an analytical and innovative perspective focused on rights-holders and autonomy as a basis for equality and sustainable development (González Vélez, 2015). Thus, the spotlight is on rights-holders and on the obligations and responsibilities of the institutions that guarantee the exercise of those rights and the processes that lead to gender equality pacts and to enforcement as mechanisms to reverse inequalities, eliminate discrimination and violence, and redistribute time, resources and roles.

Latin America and the Caribbean has held 12 sessions of the Regional Conference. It is the only region in the world that has a permanent body with these characteristics; and it has produced a large volume of agreements[1] and a language of great political and technical wealth, which demonstrates the commitment of governments expressed in measures that they have been turning into a road map, which, albeit with ups and downs, has clearly influenced the path along which Latin American and Caribbean societies are progressing towards greater equality between men and women. These agreements, and the systematic negotiation they demand, form a unique experience in defining a public policy agenda and standards under which the policies must be framed in terms of content, focuses, thematic emphases, special target groups and objectives.

The last two decades of this nearly 40-year trajectory have been deeply marked by the principle of gender mainstreaming, a strategy adopted at the Fourth World Conference on Women, held in Beijing in 1995, to overcome gender discrimination and achieve equality. Mainstreaming the gender perspective is defined by the United Nations as "the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality" (United Nations, 1999, p. 24).

Alongside the consolidation of democracy, the objective of mainstreaming and institutionalizing the gender perspective in each country's public policies has gradually gained a presence in intergovernmental dialogue, albeit much more slowly and to a more limited extent than desired. Moreover, it remains both a challenge and a tool for achieving gender equality and ensuring women's autonomy, breaking through "glass walls" (ECLAC, 2011a) to generate effective and sustainable mechanisms of intersectoral and inter-agency coordination. Efforts to mainstream a women's rights approach have faced and continue to face different tactics of resistance from the government officials, both men and women, charged with implementing gender policies. These range from the trivialization of policies aimed at improving women's status, processes through which transformative policies are diluted into a set of weak routine

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[1] All of the agreements to have emanated from the 12 sessions of the Regional Conference on Women in Latin America mentioned in this document can be found in ECLAC (2016c), and also in the bibliographic guide that allows for detailed searches of the articles and agreements to be made. See [online] http://biblioguias.cepal.org/AgendaRegionalGenero.

actions, or the "distortion" of transformative policies that are reinterpreted and implemented as welfare assistance, to resistance to the cultural change promoted by gender policies (Kabeer and Subrahmanian, 1996). Nonetheless, the mainstreaming of gender in the daily life of the State has become a growing requirement, particularly in the context of the deepening of reform of the State undertaken by many of the region's countries. This has been accompanied by a growing recognition of the importance of designing and using gender indicators to formulate policies and evaluate programmes, and the development of statistics disaggregated by sex and other factors that enable progress in diagnostics and evidence-based decision-making processes, thus contributing to the incipient and challenging mainstreaming process.

Since the Fourth World Conference on Women, held in Beijing, the region has been an active player in a prolific period for generating regional agreements on the changes and public policies needed to attain women's autonomy and gender equality. This is demonstrated by the consensuses reached at the various sessions of the Regional Conference on Women in Latin America and the Caribbean, which were held in Santiago (1997), Lima (2000), Mexico City (2004), Quito (2007), Brasilia (2010) and Santo Domingo (2013). It is further supported by the synergies that exist between the agreements and resolutions of the different regional conferences (Regional Conference on Women in Latin America and the Caribbean, Regional Conference on Social Development in Latin America and the Caribbean, Regional Conference on Population and Development in Latin America and the Caribbean, Statistical Conference of the Americas and Ministerial Conference on the Information Society in Latin America and the Caribbean), most particularly, the Montevideo Consensus on Population and Development, adopted at the first session of the Regional Conference on Population and Development in Latin America and the Caribbean, held in Montevideo in 2013, and the Operational guide for the implementation and follow-up of the Montevideo Consensus on Population and Development.

The large number of agreements forged during these years reflects a particularly important period in which debate on the contents and specifics of the agreements has been gradually redefined and permanently enriched, in accordance with the region's changing socioeconomic, political and cultural contexts. These agreements also coincided with the advent of the new century, when the international agenda was marked by the implementation of the Beijing Platform for Action and the Millennium Development Goals established at the Millennium Summit (2000) and which is currently structured around the 2030 Agenda for Sustainable Development, adopted by States Members at the seventieth session of the United Nations General Assembly in September 2015 (United Nations, 2015c).

This progression has influenced how the roles of men and women are conceived in society, and has also affected government programmes and projects, generating changes despite resistance. In this context, the agreements reached at the Regional Conference on Women in Latin America and the Caribbean have a major effect on the gender agenda because: (i) they define a public policy agenda and regulatory frameworks for the region, setting very high standards on a variety of issues; (ii) each new agreement recognizes the political and programmatic value of the previous one; (iii) they have succeeded in incorporating high standards on rights, even at times when the negotiations and global agreements on gender equality have become more complex; (iv) as a whole, they contain a body of policy measures encompassing the 12 areas of the Beijing Platform for Action, and form a lasting agenda that spans different government administrations and generations, constituting a cumulative regional agenda that gives new meaning to the areas of concern, augmenting them and interconnecting them; and (v) the gender equality agenda has permeated other domains (other regional conferences) and different sectors; and its leading actors in many of the countries now contribute via those platforms and on various issues.

In a transformative sense, all of the agreements are permeated by the belief that the persistence of unequal relations between men and women is incompatible with sustainable development, so it is a priority to promote equality, overcome discrimination and transform the sex/gender system and the traditional sexual division of labour. The efforts deployed by the region can be understood through the commitments made to achieve cultural change and transform a system that stereotypes what it means to be a man or a woman, determining the aspirations and distribution of resources and time of both, limiting their capacities, and conditioning the benefits they receive from economic growth and development in the different countries. The development model promoted by the regional gender agenda involves a wide variety of governmental and non-governmental actors and all sectors of society. Nonetheless, the deficits remain very large, and gender inequality continues to hinder sustainable development, in the countries of the world's most unequal region.

# A.    Milestones in constructing the regional gender agenda

In Latin America and the Caribbean, the construction of the women's rights agenda in international organizations reached its first milestone in 1928 in Havana, when women from all nations gathered there to demand their participation in the sixth International Conference of American States, and ratification of the Treaty for Equal Rights. There were no women among the delegations of the 21 member countries, who argued that only they were entitled to speak in the hall, and that there was no room on the agenda to discuss the treaty. Following a month of protests, the women made their voices heard at the conference, speaking officially for the first time; and although the treaty was not ratified, the Inter-American Commission of Women (IACW) was created. This commission, which still exists today, was the world's first intergovernmental body created specifically to ensure the recognition of women's civil and political rights.[2]

In the United Nations sphere, in 1973 the governments of Latin America tasked the Economic Commission for Latin America and the Caribbean (ECLAC), at its fifteenth session, with preparing a study on women's participation in development and measures to eliminate all discrimination. This study was one of the region's contributions to the World Conference of the International Women's Year, held in Mexico in 1975, which gained recognition for this part of the world as a pioneer in holding intergovernmental debates on improving the status and condition of women and gender equality in development.

Since then, the "regional gender agenda", as it has come to be known, has gradually been consolidated, encompassing the commitments made by the region's governments on women's rights and autonomy, and constituting an open agenda for the future, which dynamically incorporates the new commitments and obligations assumed by individual nations. This body of agreements is linked to and permeates the region's feminist and women's movements, which have played an important role in terms of influence, feedback and the monitoring of those commitments.

The first session of the Regional Conference on Women in Latin America and the Caribbean was held in Havana in 1977, and served as the forum for discussing the first Regional Plan of Action for the Integration of Women into the Economic and Social Development of Latin America and the Caribbean (ECLAC, 2016c). This plan constituted a milestone because of its coordinated consideration of the structural inequality of Latin American societies and discrimination against women. It recognizes that eliminating the underdevelopment that affects the region's countries is essential for women's full participation, linking capitalism with patriarchal traditions as two mutually reinforcing systems that place women in a particular position of subordination, oppression and exploitation in the private and public domains.

This Plan highlights the role of the media in distorting the image and reality of women; and it emphasizes the central role played by the dominant cultural patterns in sustaining and reproducing discrimination, and the need to dismantle them, particularly in view of their role in constructing women's subjectivity. It also recognizes the changes needed in laws and administrative mechanisms, particularly considering measures for incorporating the woman (in the singular) into the countries' economic, political and social life. Already in 1977, it points to the unpaid domestic work done by women and the consequent excessive burden on women as an obstacle to their entry into the labour market and for generating income. It also considers the changes that are needed at the family level, including the right of "both spouses" to decide the number of children they want to have. The Plan calls for interdisciplinary and multisectoral research, which reflects how important the generation of information and knowledge has been for the gender agenda from the outset.

Two years later, in 1979, the Convention on the Elimination of all Forms of Discrimination against Women was adopted (United Nations, 1979). This Convention was hugely important at the global level as the first legally binding instrument on women's human rights, in other words its enforcement is compulsory for the signatory governments.[3] The concept of discrimination used in this Convention has had a significant direct impact; and not only does it remain valid today, but it has never been improved upon (Bareiro, 2016). Article 1 of the Convention states that the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex, which

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[2]    See [online] http://www.oas.org/en/cim/default.asp.
[3]    Two Latin American specialists participated actively in the drafting of the Convention: Esther Veliz, of Cuba, and Aída González, of Mexico.

has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (United Nations, 1979).

This definition, in conjunction with the other articles of the Convention and the comments and recommendations made by the Committee for the Elimination of Discrimination against Women, and new thinking on women's human rights, have driven important legal changes. Their implementation in the region has served to adjust the regulatory framework and help strengthen the rule of law, in the transition towards democracy and peace after the ending of the civil-military dictatorships.[4] The focus on the legislative agenda responds to the conviction that laws are the best guarantee of the application, continuity, and revision of measures to end discrimination and move towards equality. For that reason, a large proportion of the efforts to promote equality in the region are targeted on formalizing women's rights, both in the form of laws and other regulations, and in institutions (Bareiro, 2016).

During the preparatory process for the Fourth World Conference on Women, and in the light of the sixth Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, the governments prepared a new plan that updates the previous one to take account of the new wave of democratization, the strengthening of the feminist movement, new laws and theoretical approaches on women's subordination and gender inequalities, and the reality faced by women and their demands. In Mar del Plata, Argentina, in 1994 the Regional Programme of Action for the Women of Latin America and the Caribbean, 1995-2001 (ECLAC, 2006c) was adopted; and this would become a contribution, from a regional perspective, to the debates around the Beijing Platform for Action (United Nations, 1995).[5]

This programme highlights the agreements on holding wide-ranging and permanent media campaigns, the need to establish mechanisms for training on the gender perspective, and providing comprehensive health care throughout the life cycle, including the understanding that abortion is a public health problem. It reiterates the need to recognize cultural models that exclude or distort women's identity and knowledge in all areas of social life, which are expressed in the family, in education and in art. A centerpiece of the programme is its insistence on the need to revise national laws, which have a strong patriarchal imprint, in order to adapt them to international frameworks and human rights. As noted above, this will have wide-ranging repercussions on the laws of the countries and will speed up the implementation of significant changes and new regulations to address problems and phenomena such as violence against women and changes in the family structure, which had not previously been tackled as public policy issues.

In line with the events that were occurring in some countries at the time and the sudden emergence of the economic globalization process, the programme refers to the importance of women's presence in negotiations on trade and regional integration, and of taking women into consideration in resolving disputes and building peace. This programme, in conjunction with the Beijing Platform for Action, also fostered preparation of the first equal opportunity plans, which were led, albeit often timidly, by the machineries for the advancement of women and aimed to involve other government sectors and other powers of State. Nonetheless, resistance from conservative forces, scarcity of resources, lack of legitimacy and inadequate knowledge of the problem, compounded by very incipient experience in preparing cross-cutting policies, meant that these plans seldom succeeded in becoming mainstream and guiding the work of other ministries for any length of time. Following the enactment of National Law 24.012, on quotas for women in Argentina (the first country in the world to legislate a measure of this type), affirmative actions started to be included in the debates and gain importance as a temporary tool for speeding up women's integration into politics and other fields.[6]

In 1994, another milestone was attained in the region, when member countries of the Organization of American States (OAS) adopted the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (the Convention of Belém do Pará). In addition to being a binding instrument on women's human rights that had

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[4] Bareiro (2016) mentions an interview with Aída González, in which he draws attention to the fact that on the date of adoption of the Convention on the Elimination of All Forms of Discrimination against Women in 1979, no country in the world was willing to accept an article on violence against women because this was considered to be a private rather than a public matter.

[5] The implementation of this programme was extended beyond 2001 at the eighth session of the Regional Conference on Women, held in Lima, which issued a call to "strengthen the implementation of the Regional Programme of Action, even beyond 2001, and promote the effective implementation of the Beijing Platform for Action…" (ECLAC, 2000).

[6] Law 24.012, passed in Argentina in 1991, requires political party candidate lists for national elective posts to comprise at least 30% women. See [online] http://www.cnm.gov.ar/legNac/Ley24012_decreto1246.pdf.

been high on the list of demands of the feminist and women's movement, the Convention went on to become one of the priority lines of government action, and led to negotiation and the promulgation of the first national laws on violence against women, mainly in the private domain and in the family environment. In many cases, these national laws have now been improved and regulated, and have made it possible to channel additional funding to assure real protection to victims of violence. Such legislation was also extended to other domains, and currently there are 16 countries in the region that have laws on femicide (ECLAC, 2016e). These laws made it possible to extend the boundaries of gender policy beyond the machineries for the advancement of women, by involving parliaments, courts, the police, prosecution departments, and the health, education and employment sectors both nationally and subnationally.

Between 1997 and 2013, the Regional Conference on Women adopted and promoted a series of agreements in the Consensuses of Santiago, Lima, Mexico City, Quito, Brasilia and Santo Domingo. Each of these Consensuses, which have taken on an almost trademark quality, can be considered a milestone in the construction of the regional gender agenda. The documents in question were accompanied by statements from civil society, arising from forums held at the same time as the sessions of the Regional Conference and attended by feminist and women's organizations in all their diversity. Those statements were presented to the governments during the sessions and had a great impact. In this process, and with the approach of the fortieth anniversary of the construction of the regional gender agenda, the inclusion of feminist organizations in transnational and extraregional initiatives, and in following up on regional agreements relating to citizen control over the degree of fulfilment of the commitments assumed, contributed to the sustainability of those efforts; and it expanded the field of reflection and action of many actors, in terms of political will, the processes deployed and the results obtained.

**Diagram I.1**
**Global milestones and those of the regional gender agenda**
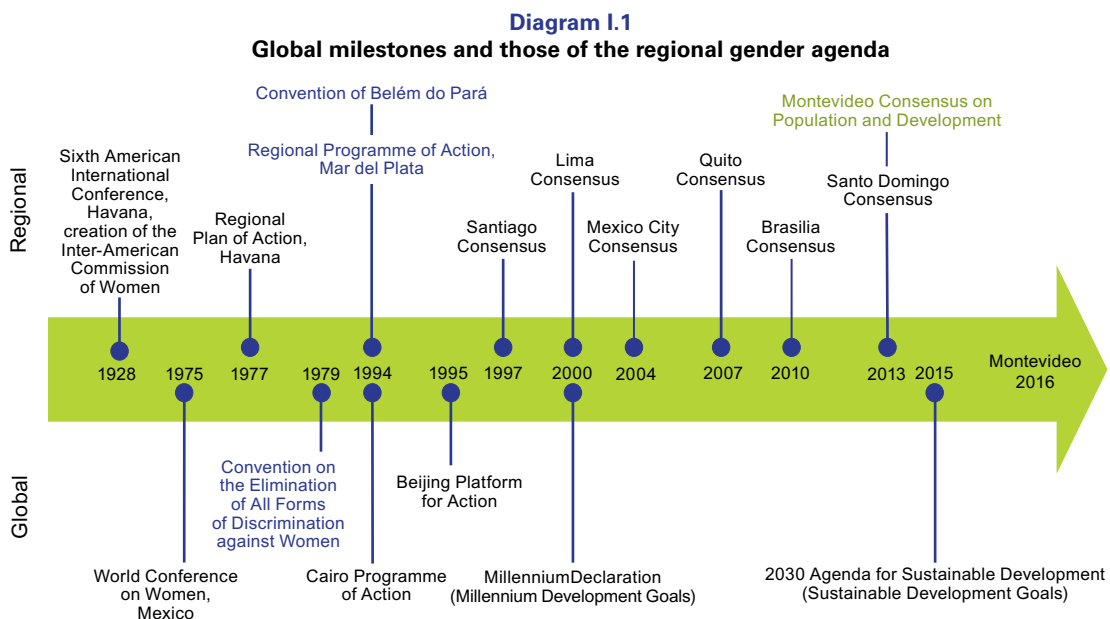


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC).

# B.    Components of the regional gender agenda[7]

The overall analysis and reading of the agreements emanating from the sessions of the Regional Conference on Women show that each plan, programme or consensus recognizes the political and programmatic value of the previous ones, adding language, approaches and emerging problems that had not previously been considered. They are also framed in the platforms and programmes of action of the United Nations conferences on women, population and development, human rights, social development and the environment, held in the 1990s, a policy-setting period par excellence, which has left a distinctive footprint across the world and in the region.

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[7]    The analysis of the regional agreements is based on González Vélez (2015) and Bidegain Ponte (2015).

Although, over the course of time, a wide range of studies have been undertaken, which involve commitments of different types, there is a degree of conceptual unity reflected in the government agreements that form the regional gender agenda. The agreements can be grouped together in three categories: (i) public policy approaches that mark the way the different problems faced by women in attaining their autonomy and exercising their rights are viewed, together with the corresponding policy proposals; (ii) implementation pillars that reflect measures related to public policies that can help speed up changes towards gender equality; and (iii) the issues on which the agreements focus and that reflect the problems to be addressed, with their challenges in terms of diagnostic assessments and the barriers to be overcome. The three categories of agreement clearly imply commitments for the machineries for the advancement of women and, increasingly, commitments that engage other actors, such as parliaments, sectoral ministries and public institutions of different types, as well as other regional and global mechanisms and entities.

An analysis of the discourse of the regional gender agenda reveals five action-oriented areas of focus, which can be summarized as: (i) gender equality; (ii) women's human rights; (iii) intersectionality and interculturality; (iv) parity-based, representative and participatory democracy, and secularism; and (v) sustainable and inclusive development. These approaches coincide with the proposal made by Nancy Fraser on gender justice, which distinguishes different dimensions that are relatively autonomous: the economic dimension of redistribution; the cultural dimension of recognition; and the political dimension of representation (Fraser, 2008).

The multiplicity of issues, phenomena and problems that are addressed in some cases repeatedly, highlighting the lack of progress in the interim and the need to insist in a political setting on the call to change the conditions faced by women (for example in terms of gender violence, sexual and reproductive rights, and participation in decision-making processes), are joined by emerging topics such as information and communications technologies (ICTs), science and macroeconomics. For analytical purposes, these areas of concern can be grouped into critical dimensions recognized as rights, and they constitute an interdependent and indivisible fabric. The measures associated with the actions needed to guarantee women's rights are defined in 10 implementation pillars.

**Diagram I.2**
**Three types of agreement identifiable in the regional gender agenda**



| Approaches that guide public policies | Implementation pillars | Critical dimensions recognized as rights |
|---|---|---|
| • Gender equality<br>• Human rights of women<br>• Intersectionality and interculturality<br>• Parity, representative and participatory democracy, and secularism<br>• Inclusive sustainable development | • Normative framework<br>• Institutional framework<br>• Participation<br>• Capacity-building<br>• Financing<br>• Communication<br>• Technologies<br>• Cooperation<br>• Information systems<br>• Monitoring, evaluation and accountability | • Right to a life free from violence and discrimination<br>• Sexual and reproductive rights<br>• Economic, social and cultural rights<br>• Civil and political rights<br>• Collective and environmental rights |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC).

The classification of the measures in diagram I.2 shows that the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly in 2015, is aligned with the measures of the regional gender agenda, because its preamble assumes a rights-based, non-discriminatory approach, promotes targets for the rights of women and children and their empowerment, and agrees on measures for the means of implementation. This generates an unprecedented opportunity to create regional-global synergies and pool efforts in pursuit of a paradigm that puts people at the centre.

## 1. Approaches that guide public policies

In view of their interrelated nature, public policy approaches —also understood as the conceptual and ideological frameworks underpinning the regional gender agenda— should not be considered separately or on a fragmented basis, but synergistically. Time and again, the language agreed upon explicitly shows how these approaches feed into and invoke one other. Moreover, they have a clear teleological nature, since they share a single purpose: eradicate discrimination against women, achieve women's autonomy and full exercise of their rights, and achieve equality in the context of each country's development and the region's political economy. The pursuit of this comprehensive scope is a constant effort, present in all documents of the agreements arising from the Regional Conference on Women. Thus, for example, the Santo Domingo Consensus agrees to: "Ensure gender mainstreaming and a focus on rights in all plans, programmes, projects and public policies, as well as the necessary coordination between State powers and social stakeholders to achieve gender equality, thus enshrining this concept as a pillar of sustainable development".

### (a) Gender equality

The approach to gender equality that can be discerned in the regional agreements clearly reflects the notion that inequality is not inevitable (Stiglitz, 2015). Apart from constituting an objective, gender equality must be the central thread running through all action taken by the State, so it must be adopted in all plans, programmes and public policies, and it is considered a key factor for consolidating democracy and moving towards a more participatory and inclusive development model (Santo Domingo Consensus) (ECLAC, 2013d). This equality approach is reinforced with proposals —in the two latest Consensuses, of Brasilia and Santo Domingo— on parity democracy, which means not only similar representation of men and women in the decision-making processes, but also a new logic in the organization of the State and new criteria for representation and participation that ensure women's needs and demands are present in public policies.

Conceptually, this approach was formed gradually in a process linked to the sociopolitical context of each country, including its political economy; and it has been influenced by theoretical debates on social sciences, the international agenda and Latin American feminism. As argued by Forbes (1995), the content and role of ideas on equality and development are inevitably being constantly revised. As a result, not without dilemmas and conflicts, the discourse has moved from talking about equality between men and women (the First Regional Conference on the Integration of Women into the Economic and Social Development of Latin America, Havana, 1977) to speaking of gender equity (sixth session of the Conference in Mar del Plata, 1994, seventh session in Santiago, 1997) and equality of opportunities between men and women (Consensuses of Lima, Mexico City, Quito and Santo Domingo). More recently, an even more complex concept of gender equality has taken shape (ECLAC, 2010e, 2012a and 2014a), based on the effective ownership of rights as a shared ethic and irreducible ultimate principle, and linked with development and human rights (Santo Domingo Consensus).[8] In addition, formal and substantive equality requires identical treatment for men and women, together with differentiated treatment when a distinction is warranted for biological or social reasons linked to the dominant gender order (for example, sexuality and reproduction, or participation in public decision-making posts), which may be accompanied by affirmative action, with a view to ensuring the universal exercise of rights and to building a coherent body of transformative public policies.

Thus, the Santiago Consensus argues for the need to "apply to development an integrated approach linking social and economic policies in order to achieve equity, [.....] to ensure that plans and programmes fully incorporate an appropriate gender perspective in their policies and decisions ("mainstreaming") and provide for the equitable distribution of resources in society" (ECLAC, 1997). It also notes that countries should create or strengthen "institutional mechanisms for the advancement of women and the promotion of equal opportunity and endow them with sufficient amounts of all relevant types of resources, a legal identity and budgetary autonomy, along with political support at the highest level so that they may, inter alia, promote and monitor gender policies on a transversal basis" (ECLAC, 2000).

It places the emphasis on "the centrality of gender equality in the development debate, which entails taking account of both productive and reproductive work and changing the division of labour, since inequities in the sphere

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[8] The Committee for the Elimination of Discrimination against Women has repeatedly asked States parties not to confuse the terms "equality" and "equity". The mechanism clarifies that the obligations arising from the Convention are non-discrimination and the generation of formal and substantive equality, seeking equality of outcomes. In addition, the constitutions of the countries of Latin America and the Caribbean adopt the equality principle, and that is the principle that should be pursued (Bareiro, 2016).

of reproduction have created a disproportionate burden on women and structural gender inequalities that perpetuate the cycle of poverty, marginalization and inequality" (ECLAC, 2013d).

The gender mainstreaming and human rights approaches seek to balance power relations between rights-holders, or between rights-holders and the guarantors of such rights. In this framework, evaluations of policies and programmes must analyse the degree to which power relations have changed as a result of an intervention, always with a full understanding of the context (UNEG, 2014). Thus, both require the systematic adoption of new public policy approaches with a results-based focus. In this regard, the stance of the regional gender agenda is aligned with the concept of substantive equality established in General Recommendation No. 25 of the Committee for the Elimination of Discrimination against Women, on special temporary measures to accelerate de facto equality, which states that "a purely formal legal or programmatic approach is not sufficient to achieve women's de facto equality with men, which the Committee interprets as substantive equality. [...] Pursuit of the goal of substantive equality also calls for an effective strategy aimed at overcoming underrepresentation of women and a redistribution of resources and power between men and women. Equality of results is the logical corollary of de facto or substantive equality…" (United Nations, 2004, paras. 8-9).

All of the Consensuses stress the need for the machineries for the advancement of women to have sufficient resources and capacities to exert a cross-cutting effect on policies and on the structure of the State. In particular, the Santo Domingo Consensus (2013) clearly introduces the notion of mainstreaming, understood as the adoption of a gender perspective and rights-based approach in the programmes, plans, projects and public policies, and linkages between the powers of State and social actors. This means questioning the sector-specific nature of government activity. It is also understood that the inclusion of these approaches must be a pillar for sustainable development. The answer to the question "equality in what?" is "equality in rights".

### (b) Women's human rights

Since the signing and ratification of the Convention on the Elimination of All Forms of Discrimination against Women, and its Optional Protocol, the Convention of Belém do Pará, and Conventions Nos. 100, 111, 156, 183 and 189 of the International Labour Organization (ILO), the regional gender agenda has been based consistently and coherently on binding international human rights instruments that require governments to adopt measures and allocate resources to ensure the exercise of women's rights.[9] The universal, indivisible, interdependent, and unalienable nature of women's human rights is therefore recognized and the agenda puts forward integrated measures to apply those rights. One example is the introduction of the notion of a culture of respect for women's human rights, which is reflected in programmes such as education in human rights with a gender perspective at all levels of education (ECLAC, 2004, Mexico City Consensus). The agenda takes account of individual and collective rights, and reaffirms the right to development as a human right. It thus underlines the importance of moving towards an international order conducive to the real exercise of women's rights, which entails eliminating any discriminatory legislation (ECLAC, 2007c, Quito Consensus). In this context, there is a permanent call to harmonize national laws with international human rights frameworks, and in particular to consider women as right-holders and the State as the guarantor of those rights, with an obligation to protect and uphold them (González Perret and Deus Viana, 2015).

This is reinforced by the adoption of the human-rights approach as a mandatory methodology in the design, execution and evaluation of public policies. On this point, the governments agreed "to ensure gender mainstreaming and a focus on rights in all plans, programmes, projects and public policies […]" (Santo Domingo Consensus, para. 112) (ECLAC, 2013d). This means applying the principles and standards of human rights and taking account of patterns of inequality and discrimination that are present in each country, the widespread impossibility of filing complaints, recognizing the importance of access to justice (Brasilia Consensus) (ECLAC, 2010d) and imbalances in power relations (UNEG, 2014). This methodology means ensuring substantive equality, which is understood as: closing the gap between de jure equality and de facto equality; progressive and non-regressive fulfilment of rights; the mobilization of the maximum resources available to guarantee the exercise of rights; the inclusion of due diligence to prevent discrimination and the violation of rights by private actors; and the pro-person principle as a hermeneutic

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[9] The four key ILO Conventions on gender equality are: the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Maternity Protection Convention, 2000 (No. 183). In addition, the Domestic Workers Convention, 2011 (No. 189) benefits mainly women in practice because they are the majority in this group.

criterion under which the broadest rule or the widest interpretation must be used when recognizing protected rights, and conversely, the most restrictive rule or the narrowest interpretation when establishing permanent restrictions on the exercise of rights or their exceptional suspension (Pinto, 1997).

Lastly, the regional gender agenda is moving forward and paving the way for the recognition of new rights —such as care and, in recent decades, sexual and reproductive rights— as human rights, and recognition of their violation. Human rights are historical, and have arisen as new freedoms have been claimed against old powers (Bobbio, 1991). As the discussions have evolved over the sessions of the Conference, the right to care has emerged as a public policy domain in itself and, as such, it requires the implementation of specific and practical measures linked to: the social and economic contribution of unpaid work and the need for the women who do this work to have social security (Lima Consensus); recognition of work in care services, reconciliation between the family and working life of men and women (Mexico City Consensus); the role of care and domestic work in economic reproduction, the importance of redefining the sexual division of labour and care as a public issue that pertains to States, firms and families (Quito Consensus); the adoption of policies to recognize the economic value of care services in the national accounts, and to promote universal care policies and social protection for domestic workers and caregivers (Brasilia Consensus); and consideration of care as a public good and as a right that involves the redistribution of care tasks between the government, market, society and men and women (Santiago Consensus).

### (c) Intersectionality and interculturality

As it spans nearly all social spaces and covers a broad time frame, the gender social system has the capacity to both influence other social systems and be influenced by them (Guzmán and others, 2012). A key element in the regional gender agenda is the recognition of the diversity present in the female population of the countries and their specific needs. It takes account of the ways in which the different categories, positions or situations (cultural, identity-related, social, age-group, ethnic, racial and others) produce specific forms of discrimination or combine to aggravate or deepen existing inequalities. It is interesting how a confluence of lines of thought is produced and proposed with equal force in that diversity. The aim is to target State policies to correct inequalities and guarantee women's human rights, paying special attention to girls, adolescents, youth, older adults, indigenous peoples, Afro-descendants, rural women, lesbian, gay, bisexual, transgender, intergender and intersex persons (LGBTII), women with disabilities, homeless persons, migrants and refugees. Action is targeted on eliminating the gap that exists between de facto and de jure equality, and account is taken of the pluricultural, multi-ethnic and multilingual nature of the region's countries (Lima and Santo Domingo Consensuses). Participatory democracy is proposed in response to the plurality and multicultural nature of women and their contributions, and there is a need to strengthen leaderships and implement public policies of affirmative action for Afro-descendent and indigenous women, to enable them to integrate fully into development (Quito Consensus).

The acknowledgement of diversity allows for progress to be made towards an intersectional approach that recognizes the existence of a complex system of structures of oppression —multiple and simultaneous— that create a new dimension of disempowerment and also need to be considered in public policies.[10] Based on this paradigm, discrimination on the grounds of sex, race or ethnicity, sexual orientation, gender identity, poverty and other factors such as migration status, interact to form a complex web that cannot be interpreted, still less addressed, with a view to overcoming it, through isolated variables, but requires an integrated and holistic approach (González Perret and Deus Viana, 2015). Consequently, the agenda establishes the need to "define and develop public policies to combat discrimination and foster affirmative action on the basis of an intersectional approach that includes tackling sexism, racism, ethnocentrism, homophobia and lesbophobia" (Santo Domingo Consensus, para. 93). This reaffirms the fact that the human rights framework is closely related to the intersectionality approach. The principle of non-discrimination and equality means recognizing the multiple and interconnected forms of discrimination against women, and the need to implement fair policies to speed up the achievement of substantive equality for all women, even when formal equality already exists.

The intersectionality dimension is bound up with the development of information systems based on gender-sensitive statistics and indicators that take account of the diversity of the situations faced by women (Mexico City Consensus).

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[10] The term "disempowerment" was coined by the Afro-American academic Kimberlé Williams Crenshaw in 1995.

### (d) Parity democracy and secularism

The regional gender agenda challenges the mechanisms of public debate and political power with varying emphases and through different measures, but with a clear integrated approach. The Consensuses recognize that gender equality must be the central thread running through all action taken by the State to strengthen democracy and achieve inclusive development; and attention is drawn to the "linkage among human rights, the consolidation of representative and participatory democracy, and economic and social development" (Quito Consensus) (ECLAC, 2007c).

The demand for the equitable presence of women in political life, expressed in a general sense in the Lima Consensus, developed into a requirement under the Santo Domingo Consensus, which argues for the need to "ensure that women have equal access to decision-making positions in all branches of government and in local governments, through legislative and electoral initiatives and measures that ensure parity of representation in all political spheres, and a commitment to strategic agendas to achieve parity in political participation and gender parity as a State policy". The member States of ECLAC also agreed to adopt and apply "laws that guarantee parity in decision-making forums, promoting affirmative action to include women in political parties and other democratic institutions, in the public and the private spheres […]" (para. 102). The subversive and even radical (Mouffe, 1999) nature of the parity democracy proposal has been increasingly present in the regional agreements and has even extended beyond political boundaries to reach other domains of public decision-making with a view to answering the questions that guided the eleventh session of the Regional Conference on Women held in Brasilia: What kind of State? What kind of equality? (ECLAC, 2010a).

Since the tenth session of the Regional Conference on Women, held in Quito, the different agreements have included a reference to the central role of the secular State in guaranteeing women's rights and autonomy (Quito Consensus, para. 8; Brasilia Consensus). The need to ensure freedom of worship and religion is recognized, providing that women's human rights are respected (Brasilia Consensus). Moreover, the most recent agreements have linked a secular State and the implementation of participatory forms of government as guarantees for the effective exercise of human rights and the consolidation of democracy, transparency and governance (Santo Domingo Consensus, para. 10). The agreements adopted thus provide a major push towards the secularization of society and public policies.

### (e) Sustainable and inclusive development

ECLAC argues that the current development model has run out of steam owing to the economic system's loss of momentum and instability associated with slowing growth in production and trade; the decoupling of the financial system; inequalities and tensions caused by the concentration of wealth and income, both within countries and between them, with serious social, political and economic consequences; and the risk of an environmental crisis of immense proportions with disastrous effects for the planet (ECLAC, 2016a).

The women of the region, both those that serve in government bodies and those who belong to the feminist movement and the broader women's movement, have been arguing for decades that a gender perspective must be explicitly incorporated into sustainable development (Santiago Consensus). They have insisted on the urgent need to promote actions that range from macroeconomic policies to the promotion of peace in order to promote sustainable development with gender equity and equality (Lima Consensus). According to the Mexico City Consensus (2004), full development is achieved through political, social, economic and cultural measures that allow for the enjoyment of all rights. It also introduces the importance of designing and executing national development plans in all spheres of State action, including the resources to finance them, taking account of ethnic, racial and generational diversity.

The need for gender mainstreaming in all plans, programmes and policies as a requirement for achieving sustainable development is a point that has been raised consistently since the Santiago Consensus, which is fully consistent with the new challenges facing the world as a whole. The eradication of all forms of discrimination and inequalities in access to resources, and in paid and unpaid work, is an essential contribution to women's autonomy in the public and private spheres, and a condition for sustainable development (ECLAC, 2016a). Nonetheless, further gender-based analysis is needed on the challenges that consumption and production patterns pose for the region's countries, as well as on the implications of the environmental emergency for gender mainstreaming in relation to topics such as climate change, land use, energy, water and extreme natural events.

## 2. Critical dimensions for women's autonomy and the exercise and guarantee of their rights

The wide-ranging and varied issues included in the agreements reached at the sessions of the Regional Conference address sectoral and multisectoral issues such as education, the labour market, care and unpaid work, physical and mental health, sexual and reproductive health, violence, science and new technologies, poverty and social protection, communications media and cultural patterns, natural disasters and migration, armed conflict, the environment and natural resources, credit and productive resources. The regional gender agenda groups these issues together, seeking a broad rather than a restrictive interpretation, under different categories of rights that must be guaranteed: the right to a life free of violence and discrimination; sexual and reproductive rights; economic, social and cultural rights; civil and political rights; and collective and environmental rights. These rights, in conjunction with freedoms, also call for women's autonomy in its three dimensions —physical, economic and decision-making— recognizing the linkages between those dimensions and taking account of the integrated nature of the transformative processes needed to achieve equality and sustainable development.

The intersectional approach is put into practice by recognizing the need to guarantee all human rights to all women in the region and placing the goals of women's autonomy and gender equality front and centre in the pursuit of sustainable development. The wealth of the agreements negotiated by the region's governments at the sessions of the Regional Conference on Women in Latin America and the Caribbean is undeniable. The extent to which the issues are addressed varies from one Consensus to another and over time. Their treatment is clearly determined by emergencies, current circumstances and context, but also reflects progress made in raising awareness of the lack of full recognition of women's human rights, and of the different forms of discrimination faced by women, together with the political commitment to eradicate them.

The agreements reveal transitions between different social disputes and their various effects on policy. Thus, for example, ideas on poverty and the inclusion of women in development progress to a more comprehensive notion of women's economic autonomy and sustainable development with gender equality; ideas about reducing the number of children progress to full recognition of sexual and reproductive rights; ideas on quotas progress to full parity in all spheres of public authority and society; ideas on the recognition of the value of unpaid work done in the home progress to discussions on the reorganization of work within the home and in the labour market, and the forging of pacts that generate co-responsibility between the State, the market and families.

**Diagram I.3**
**Agreements of the regional gender agenda based on critical dimensions that are recognized as rights**



**Source**: Economic Commission for Latin America and the Caribbean (ECLAC).

As identified in the regional gender agenda as a whole, the following are some of the main issues under each dimension, which in turn are aligned with the approaches outlined above.

- Right to a life free of violence and discrimination: violence against women in its various manifestations (private, public, institutional, obstetric, political, in conflict situations, natural disasters, deprivation of liberty, sexual harassment, incest, sexual exploitation, trafficking, forced prostitution, rape, femicide or feminicide); public safety and cities; legislation and access to justice; educational content and communications media; stereotypes, sexism, racism, ethnocentrism, homophobia, lesbophobia and discrimination.

- Sexual and reproductive rights: sexual information and education, abortion, contraception, good-quality health services, maternal mortality, sexual orientation and gender identity, universal services; disability and old age; adolescent maternity; sexually transmitted diseases and HIV/AIDS; health emergencies; healthy maternity; technological development; different types of family.

- Economic, social and cultural rights: income, employment and productive engagement; work and control of resources; sexual division of labour, unpaid work and care; social protection and security; education; science and communication technologies; transformation of cultural patterns; intergenerational transmission of poverty; head of household and well-being; the use and distribution of time; fiscal and macroeconomic policies; social policies; public investment; rural areas; paid domestic work and informality; firms and enterprises; credit; technologies and innovation; territory and production models.

- Civil and political rights: political participation and leadership; political parties and electoral systems; representation and parity; feminist and women's organizations and movements; migration; conflicts and peace-building; e-government.

- Collective and environmental rights: land and territory; water and forests; natural disasters and extreme events; climate change; rural and urban environments; risk management and mitigation; right to development; international cooperation.

Over the last 15 years, the elimination of all forms of violence against women has been the issue most frequently addressed in the agreements (51 times), followed by measures relating to unpaid work and the labour market (44), sexual and reproductive health (35), and women's political participation and leadership (32). This first group of issues reflects the importance and value accorded to the three spheres of women's autonomy: physical, economic and decision-making. Nonetheless, it is important to recognize that, apart from measures on violence and sexual and reproductive health, the dimension of autonomy relating to reproductive self-determination, the freedom to take decisions regarding one's own body, and physical integrity, are also at the heart of the agreements. A holistic reading of the regional gender agenda shows a strong virtuous relationship between the spheres of autonomy and rights, and the way they interact.

Irrespective of the number of corresponding agreements, many of the issues included under the other dimensions have been gaining importance. The different degrees of emphasis make it possible to identify challenges for the future, deepen work on gender statistics and indicators and the measurement of inequality within and between countries, and monitor progress towards equality. Similarly, variability in the use of concepts and terms elicits thinking on the type of discussions, social conversations and academic outputs needed in order to make further progress. The critical dimensions recognized as rights involve policy ideas, desires and claims, but do not necessarily reflect the reality shown in the diagnostic studies of women and men who do not exercise their rights. Chapters II, III and IV of this document will reveal, through an analysis of the situation in the region, the gaps that exist and the policy options that are opening up to achieve equality in sustainable development.

## 3. Implementation pillars

A multiplicity of agreements in the regional gender agenda focus on strengthening the role of States in promoting women's autonomy, paying special attention to the means of implementation, such as catalyst agents and cross-cutting measures. For example, even at the first session of the Regional Conference on Women, held in Havana in 1977, it was argued that governments must establish and immediately strengthen mechanisms endowed with adequate staff and budget to speed up the achievement of the goals of global, regional and national plans, and that the minimal functional structure for implementation should encompass the formulation of plans and programmes, research and evaluation, dissemination and relations with regional and international organizations (ECLAC, 1977, paras. 21.1 and 21.4). Twenty years on, the Santiago Consensus recognizes the importance of strengthening national mechanisms or government offices for the promotion of women in the technical, budgetary and politico-administrative spheres, in order to enable them

effectively to exercise their functions of managing and monitoring public policies to foster gender equality, which is the responsibility of all State entities (ECLAC, 1997, para. 7d). This continued to be expressed ever more decisively in all the subsequent Consensuses, through measures that strongly allude to the hierarchical status of women's machineries and their strengthening, and the implementation of national gender equality plans and information and monitoring systems.

It is therefore unsurprising that the first agreement of the Quito Consensus focuses on adopting measures in all necessary areas, including legislative and budgetary measures and institutional reforms, to reinforce the technical capacity and political influence of government machineries for the advancement of women (Quito Consensus, 2007). Similarly, the Brasilia Consensus (2010) repeats the call to strengthen government institutions dedicated to policies for women, and introduces the notion that these should also exist at the subnational levels. Meanwhile, the Santo Domingo Consensus (2013) stresses the link between strengthening institutions and the existence of non-transferable and irreducible budgets. Territorial inequalities and State decentralization processes also elicit calls for gender equality policies at the local level, strengthening the creation of gender affairs offices or units in the municipalities. A call is also made to strengthen regional gender mechanisms to ensure the mainstreaming of equality in the development agendas being promoted in the regional integration processes.

Implementing the Consensuses has been an ongoing concern for the region's governments, as indicated in the preambles of the respective documents, and reflected in some of the agreements of the meetings of the Presiding Officers of the Regional Conference on Women. The countries have displayed special interest in moving forward in implementing the Santo Domingo Consensus adopted at the twelfth session of the Conference, as shown in the preparatory process for the thirteenth session.

The 10 implementation pillars for the agreements are shown in diagram I.4: (i) normative framework; (ii) institutions; (iii) participation; (iv) capacity-building and -strengthening; (v) financing; (vi) communication; (vii) technology; (viii) cooperation; (ix) information systems; and (x) monitoring, evaluation and accountability. The commitments assumed in the regional gender agenda and in the 2030 Agenda for Sustainable Development imply responsibilities and actions on different scales: global, regional, national and local. The consensuses also include multi-scale measures that require regional and international cooperation and which are fundamental for promoting integration and reducing regional and global disparities, as well as the inequalities that exist both within countries and between them. Although the agenda, guided by the standards of justice and equality, refers to the situation in the countries of Latin America and the Caribbean, a bias towards the universal nature of rights can be discerned, with sensitivity towards specific local characteristics and the conviction that discrimination against women is not a matter just for a few countries or regions of the world, but for all of them (Nussbaum, 1999).

**Diagram I.4**
**Implementation pillars of the agreements of the regional gender agenda**
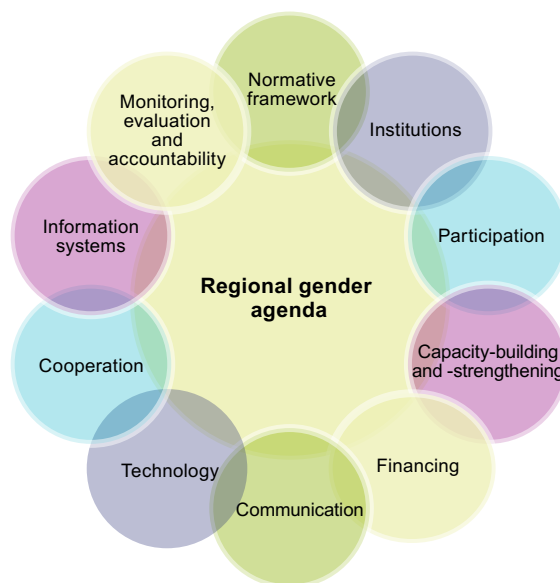


Source: Economic /Commission for Latin America and the Caribbean (ECLAC).

Gender statistics, indicators and information systems have featured in all of the consensuses and are key to capturing the complexity involved in transforming unequal gender-based power relations, and their intersection with other categories such as race, ethnicity, age and territory. Evidence-based decision-making and public policymaking are increasingly valued by governments; and the work done jointly by the Regional Conference on Women and the Statistical Conference of the Americas of ECLAC demonstrates this. Advances in this field have made it possible to capture information through access-, process- and results-based indicators and through structural indicators (OHCHR, 2012a). The signs of qualitative progress (Pautassi, 2013) have strengthened the arguments and enabled the close monitoring of trends affecting the different aspects of physical, economic and decision-making autonomy for women, and the exercise of their rights, particularly economic and social rights. A shift has been made away from the study of averages looking at the overall progress of a country or region and towards the adoption of an inequality perspective that reveals progress, regression or stagnation in reducing gaps between men and women.

The analysis of the measures also shows how progress has been made in establishing linkages between, on the one hand, women's rights guaranteed through normative frameworks and institutions and, on the other, fiscal policies, both in the way that revenue is collected and spent, and in the resources specifically assigned to gender equality and women's rights.

The Lima, Mexico City and Brasilia Consensuses contain agreements on access for all women to the new information and communications technologies (ICTs), and on the need for education and training in the use of technologies to create networks and promote information exchange. Together with the progress made on the conceptual of the "information society", the twelfth session of the Regional Conference held in Santo Domingo (2013), where the key theme was women in the digital economy, also stressed the need to adapt applications and content to local languages. The member countries agreed to build a new technological, scientific and digital culture oriented towards girls and women, to bring them closer to these new technologies and enable them to become familiar with them. It also discussed the risks faced by women in cyberspace and the need to combat child sexual exploitation and pornography through cybersecurity, and the criminalization of these offences.

Although this issue did not occupy a central place in the discussions at the Fourth World Conference on Women in Beijing, the region has identified technology as an implementation pillar in view of the rapid pace of technological development and the opportunities it offers to speed up change in national growth models to make them more sustainable. For the Mexico City Consensus (2004), achieving sustainable development involves conserving the environment and promoting women's access to ICTs. Ten years later, the Santo Domingo Consensus (2013) refers to the relationship between the sciences, new technologies and the promotion of development; and it calls for the design and implementation of plans, programmes, projects and public policies for gender equality to be prioritized, including those aimed at reducing poverty through sustainable development, to make gender equality a pillar of that development.

In terms of international cooperation, the Lima Consensus (2000) focuses on bilateral and multilateral cooperation mechanisms, positing that cooperation must be based on mutual respect and the exchange of experiences. Cooperation must strengthen technical and financial support programmes and serve to promote equality and human rights. The Mexico City Consensus (2004) agrees to promote cooperation to support the activities of machineries for the advancement of women to implement the Beijing Platform for Action, and urges United Nations specialized agencies to continue to support equal rights and the creation of opportunities for women in the region through cooperation programmes. The Brasilia Consensus calls for regional and subregional cooperation programmes, in addition to multilateral support, to promote gender equality in the framework of the regional integration processes of Latin America and the Caribbean. It also introduces South-South cooperation and argues for this to be strengthened to move the agenda forward. The Santo Domingo Consensus takes a further step, by urging donors to meet their commitments in terms of official development assistance as an essential element for gender equality, while respecting each country's self-determination.

The communications media are considered another pillar for implementing gender equality policies and consolidating women's autonomy. The Quito Consensus calls for strategies to enable women to become involved in communication spaces as part of a more general aim of strengthening democracy and equal inclusion, and two elements are introduced: (i) the adoption of public policies or laws to eradicate sexist, stereotyped, discriminatory and racist content from the media; and (ii) encouragement of the media's commitment to parity in women's participation in politics. As a way of recognizing the power of the media, the Brasilia Consensus identifies the need for mechanisms to monitor the content transmitted, and enhance access for indigenous and Afro-descendent women to the media, through programmes that incorporate other languages and cultural identities. Subsequently, in Santo Domingo, explicit reference was made to the importance of committing the media to equality and parity, including the establishment of discussion mechanisms and the generation of campaigns to promote women's human rights.

Social participation, in its broadest sense, is also considered an implementation pillar. The agreements refer to the imperative to increase women's participation in decision-making and in power, as part of the strengthening of democracy (Lima Consensus). That participation is qualified as full and equal, inclusive, plural and multicultural (Quito Consensus), and is linked to the construction of citizenship in all domains of decision-making (State, society and market) and at all levels (local, national, regional and global) (Mexico City Consensus). The value of women's participation at the community level in managing the environment for sustainable development is also made explicit. The notion of parity and affirmative action for all women, particularly Afro-descendants, indigenous people and youth, and the advancement of their leadership (Brasilia Consensus) linked to the reform of political parties and their financing is introduced in the Quito Consensus. The latter calls for all necessary steps to be taken, including legislative reform and budgetary allocations specifically aimed at strengthening these mechanisms. It also insists on the importance of women's participation in defining national and international development models. To that end, in Brasilia, the countries agreed to promote parity-based representation in regional parliaments, such as the MERCOSUR Parliament, the Central American Parliament, the Andean Parliament and the Latin American Parliament. The Santo Domingo Consensus goes a step further by promoting legislation to prevent, punish and eradicate harassment and political and administrative violence against women who gain access to power, thereby drawing attention to the nexus between violence against women and their access to public decision-making processes, which until then had been hidden.

The regional gender agenda pays particular attention to civil society participation, particularly the feminist and women's movements, as a key element in the process of defining the public agenda on women's rights. This participation is seen as a cornerstone for moving ahead in the implementation and fulfilment of the agreements by the different actors, since much of their effort is focused on monitoring the States' commitments and obligations and accountability. Recognition is given to the important and varied roles that have been played by civil society organizations in constructing the equality agenda (influence, production of evaluations and periodic reports, institutionalization of oversight and accountability, contributions to the development of women's institutions and the deepening of democracies, together with participation in official country delegations at the sessions of the Regional Conference on Women), and in imbuing this agenda with an intersectional and pluricultural nature, which has been reflected in the approaches present in the government agreements.

In their dialogue with civil society, governments have made a commitment to help strengthen those organizations, networks and movements with a view to promoting their sustainability and autonomy, and maintaining their participation. Governments also agreed to conduct a study on the possibility of establishing a regional fund for gender equality, which would help finance organizations (Santo Domingo Consensus).

In terms of using information systems to implement the regional gender agenda and facilitate its monitoring and evaluation, the agreements explicitly refer to the collection and processing of sex-disaggregated statistical data and the adoption of gender indicators in surveys, censuses and administrative records. This is reinforced by the demand to disaggregate information in terms of ethnic, racial and generational diversity (Mexico City Consensus), taking into account self-identification (Brasilia Consensus) and the relevance of information as a tool for guaranteeing transparency in public management. The Quito Consensus urges countries to share strategies, methodologies and indicators on their policies. It specifically calls for the creation of the Gender Equality Observatory for Latin America and the Caribbean (ECLAC, 2007c), and the development of instruments for periodically measuring unpaid work, through time-use surveys, and violence against women.

A very broad spectrum of policies has been adopted as a result of the agreements over these almost 40 years. This public agenda for gender equality supports comprehensive normative frameworks that are compatible with internationally agreed human rights and that have a budget, human and technological resources and suitable information systems. They should also be based on the intersectional approach, function at the subnational level, offer mechanisms that seek to strengthen real participation by feminist and women's organizations, cut across the mandates of all State entities and promote accountability. This body of policies, which has gradually been taking on new meaning, challenges the traditional notions of economics and puts the care economy at the centre.[11] It also challenges any customary practices or legal frameworks that infringe and thus violate women's rights, while issuing an invitation to parity democracy and cultural change in power relations between women and men, which are needed to achieve all of these transformations.

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[11] According to ECLAC, "The various economic approaches —whether more Keynesian or more neoliberal and despite the differences between them— focus exclusively on production, consumption and the distribution of goods and services, without considering labour and the many activities that fall outside the scope of the market. As a result, those analyses are not only partial but could also be erroneous. If only one part of the reality is taken into account and analysed but under the assumption that it forms the totality, there can be no assurance that the results —whether statistics or policies to be implemented— will be proper." (ECLAC, 2015a, p.13).

All of the above reflects the extensive efforts made in Latin America and the Caribbean to shape an extremely rich regional public policy agenda for gender equality, and to combat discrimination against women. The perseverance and leadership of the authorities of the national machineries for the advancement of women and other government entities, such as parliaments, supported and driven forward by the feminist movement and international organizations, have made it possible to maintain constant activity in the negotiation and forging of agreements, the results of which have guided, and will continue to guide, the definition of public policies on women, equality and development.

## C. The 2030 Agenda for Sustainable Development and the regional gender agenda: virtuous confluences and linkage opportunities

According to ECLAC (2016a), the 2030 Agenda for Sustainable Development represents a consensus on the need to search for a new development paradigm. Nonetheless, progress on this front faces three key challenges: (i) the lack of a clear mention of its means of implementation in an appropriate institutional and global governance framework; (ii) the analysis of how the Sustainable Development Goals are interconnected and related to the economic variables that condition them; and (iii) the need for these objectives to be promoted as part of a new economic policy based on compacts between the State, the market and society, and under new international and national coalitions.

The regional gender agenda offers mechanisms for moving forward on each of these three fronts, based on a pioneering analysis: first, because each of the agreement documents includes reflections on the means of implementation capable of sustaining the development of transformative policies in the countries; second, because the intersectional approach is inherent to addressing gender equality. This is because that approach focuses on the multiple discriminations that interlock and reinforce each other, and on the historical inequality that has affected women, particularly those belonging to indigenous and Afro-descendent peoples, those who are in situations of poverty or those living in rural or marginal urban areas. Here, the interconnection between development factors and objectives is undeniable. The third reason is that the process of constructing this agenda has strengthened the argument that the current conditions of inequality can be changed only in the framework of robust compacts between the State, the market and society, which, in partnerships that include families in particular, aim to dismantle and reorganize the way the costs and benefits of well-being and development have been distributed. In this regard, the regional gender agenda's track record can contribute tools for advancing the debate in individual countries on the implementation of the 2030 Agenda. It also serves as a safeguard, avoiding an exclusively objectives-focused view of development, which could result in the simplification of the commitments on equality and women's rights already agreed upon by the countries of Latin America and the Caribbean, or in the generation of selection bias in the commitments, thus ignoring the multidimensional nature of development. For example, commitments that have already been assumed at the regional level include guaranteeing comprehensive sexual education, non-discrimination on the grounds of sexual orientation and gender identity, and protection of women human rights defenders, as well as ensuring sufficient and sustainable resources to finance gender equality policies. These commitments must be implemented in a way that goes beyond what is explicitly laid down in the Sustainable Development Goals.

Thus, for the 2030 Agenda to generate a set of policies and guidelines with the transformative power to deepen the region's progress and drive it forward in terms of addressing its challenges, the countries must pool their efforts on the political, methodological and conceptual priorities already agreed upon and, above all, implement the 17 Sustainable Development Goals and their 169 targets, drawing on their interrelated nature to generate positive synergies and prevent certain objectives being achieved at the expense of progress on others.

Complementarity can be discerned in public policy targeting approaches, for example. The 2030 Agenda recognizes the need to build societies based on respect for human rights, including the right to development (United Nations, 2015c, paras. 35 and 10). The principle of non-discrimination is included in its preamble, which asserts that "States have the responsibility to protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status" (United Nations, 2015c, para. 19). In addition, the 2030 Agenda aspires to a world in which "democracy, good governance and the rule of law, as well as an enabling environment at the national and international levels, are essential for sustainable development [...]" (United Nations, 2015c, para. 9).

**Table I.1**
**The Sustainable Development Goals**

| | |
|---|---|
| Goal 1. | End poverty in all its forms everywhere |
| Goal 2. | End hunger, achieve food security and improved nutrition and promote sustainable agriculture |
| Goal 3. | Ensure healthy lives and promote well-being for all at all ages |
| Goal 4. | Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all |
| Goal 5. | Achieve gender equality and empower all women and girls |
| Goal 6. | Ensure availability and sustainable management of water and sanitation for all |
| Goal 7 | Ensure access to affordable, reliable, sustainable and modern energy for all |
| Goal 8. | Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all |
| Goal 9. | Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation |
| Goal 10. | Reduce inequality within and among countries |
| Goal 11. | Make cities and human settlements inclusive, safe, resilient and sustainable |
| Goal 12. | Ensure sustainable consumption and production patterns |
| Goal 13. | Take urgent action to combat climate change and its impacts[*] |
| Goal 14. | Conserve and sustainably use the oceans, seas and marine resources for sustainable development |
| Goal 15. | Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss |
| Goal 16. | Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels |
| Goal 17. | Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development |

**Source**: United Nations, "Transforming our world: the 2030 Agenda for Sustainable Development" (A/RES/70/1), September 2015.

The commitments and targets of the 2030 Agenda need to be adapted to the challenges and priorities of Latin America and the Caribbean, aligning them with existing agreements. Although these Goals and targets are directed towards all sectors of society, the governments agreed that "we will endeavour to reach the furthest behind first" (United Nations, 2015c, para. 4). This is a broader and more integrated approach than that proposed by the Millennium Development Goals (United Nations, 2000a); but, to some extent, it is narrow relative to the equality challenges facing Latin American and Caribbean societies.

The 2030 Agenda recognizes the centrality of gender equality and women's empowerment in moving towards patterns of sustainable development; and it also states that each country has different focuses, visions of the future, models and instruments for achieving development. Latin America and the Caribbean showed great interest in participating in the negotiation process, and the region advocated for the inclusion of women's rights. The Santo Domingo Consensus (2013), for example, recognizes the need to include gender equality and women's empowerment in the post-2015 development agenda. This was reflected in the 2030 Agenda, which states that: "Realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities [...]. The systematic mainstreaming of a gender perspective in the implementation of the Agenda is crucial (United Nations, 2015c, para. 20). Goal 5, "Achieve gender equality and empower all women and girls", defines a specific regulatory domain that will need to be reflected in concrete policies in the countries.

Goal 5 and its nine targets, together with the other 16 Goals that include cross-cutting gender commitments explicitly or implicitly —either because they address the structural conditions needed for gender equality or because they refer to gender equality indirectly or mediated by other targets and objectives— represents an opportunity to move towards constructing a regional agenda for sustainable development based on gender equality and on women's autonomy and rights, and on the elimination of the multiple interconnected equality gaps, drawing on lessons learned and commitments already assumed. In particular, it is necessary to move forward, while avoiding fragmentation, in defining how to mainstream an approach centred on the intersections between Goals and targets in order to fully incorporate the principle of the indivisibility of human rights and to reflect the certainty that actions aimed at achieving

decent work and full employment, sustainable and inclusive industrialization and the promotion of innovation are not neutral in terms of their potential impacts for achieving Goal 5, if the incentive for production sectors to maintain wage inequality and precarious employment for women is perpetuated (DAWN, 2016).

**Figure I.1**
**Proposal for mainstreaming the targets of the Sustainable Development Goals (SDGs) in the language agreed upon in the 2030 Agenda for Sustainable Development**
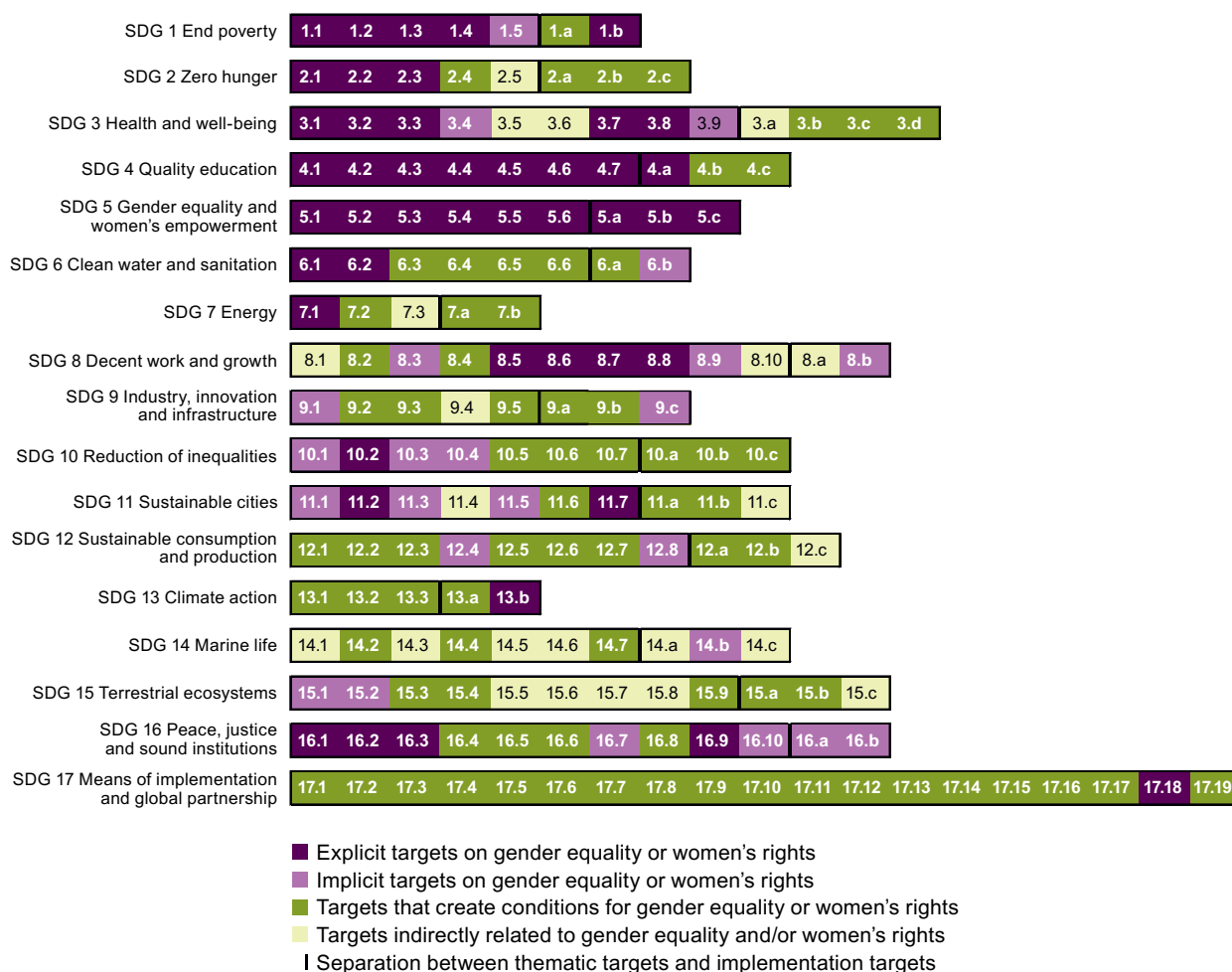


Source: Economic Commission for Latin America and the Caribbean (ECLAC).

On the basis of the regional gender agenda, figure I.1 summarizes the orientation of mainstreaming policies in the Sustainable Development Goals, according to accrued knowledge and the agreed language. An analysis was made of each Goal and its targets to identify how women's rights and gender equality are present. Each type of target is shown with a different colour, and each Sustainable Development Goal appears together with its targets numbered and colour-coded. Thus, the colour purple indicates explicit targets on gender equality or women's rights. The language used refers to "women" and "girls", "universal access", or "equal access", or else the target is defined as "for all". Implicit targets on gender equality or women's rights are shown in light purple. These targets, in their formulation and language, do not refer specifically to women and girls, but given the characteristics of the inequality matrices and development patterns prevailing in Latin America and the Caribbean, they are essential for achieving gender equality and ensuring the fulfilment of rights in the region. These targets refer to the "needs of those in vulnerable situations", and those in "small and medium-sized enterprises". There are measures aimed at eliminating "discriminatory laws, policies and practices". In some cases, the related indicators call for information

disaggregated by sex (for example, indicators 8.3.1 and 8.9.2). Other targets, shown in green, create the necessary structural conditions (albeit not sufficient on their own) for progress towards gender equality and women's rights in Latin America and the Caribbean and to bring about a shift towards sustainable and egalitarian development patterns. These targets must be implemented taking gender equality and women's rights into consideration if they are to be successful in reducing equality gaps. For example, global economic and financial governance, financial and trade flows and technology transfer could either be put to the service of the Sustainable Development Goals, women's rights and gender equality, or, conversely, they could obstruct the fulfilment of these aims. Considering the indivisible and interlinked nature of the 2030 Agenda, efforts must be made to link the green targets with the purple ones. Targets shown in white are related to gender equality and women's rights either indirectly or mediated by other variables.

## 1. Structural challenges for development with gender equality and sustainability

In Latin America and the Caribbean, the world's most unequal region, consolidating inclusive, solidarity-based and fair societies is a priority for guaranteeing sustainable development in all of its dimensions: social, political, economic and environmental. For ECLAC (2016a, 2014a, 2012a and 2010e), equality is not only a matter of distribution or opportunities; its genesis must be sought in the different areas of social and economic life, in the domains of culture, and in the functioning of institutions, economy and employment. It is first and foremost a concept that combines the approaches of rights, capacities and equal means. According to ECLAC, equality is the development horizon, and politics and policymaking are the instrument. This notion considers the achievement of gender equality as the basis for fully overcoming the inequalities that pervade families, society and institutions; and it involves the full exercise of women's rights and autonomy, with profound effects in all dimensions of well-being. It puts equality of outcomes back on the public policy agenda as a lens for evaluating the progress made by individual countries in all spheres of social, economic and environmental development. But this view also identifies the threats facing the achievements reached in different domains, and in some cases the tendency towards regression —whether in economic terms, arising from the stalling and slowdown of growth, or in political and ideological terms, in conjunction with conservative forces. This is also nurtured by ideas rooted in feminism, which, in a critical and heterodox view, challenge the development vision and scope of equality (ECLAC, 2014a).

In this context, women's autonomy is linked to the structural conditions that sustain the inequality of power between men and women, which, in turn, is rooted in the pattern of inequality prevailing in Latin America and the Caribbean (ECLAC, 2015d). It is also related to the changes needed in these conditions in order to overcome the obstacles to achieving equality, either through external restrictions or through endogenous features of the countries of the region. The main structural challenges include the need to transform discriminatory cultural patterns and the culture of privilege, overcoming monetary inequality and poverty, deconstruction of the current sexual division of labour, and the dismantling of the concentration of power, relations of hierarchy and subordination that pervade our societies. Latin America and the Caribbean currently has the opportunity, despite the difficult economic, political and social situation at present, to change the countries' development path by overcoming the structural conditions that hinder equality.

Apart from putting an end to poverty, the 2030 Agenda aims to reduce inequality and aspires to promote sustained economic growth, good-quality employment and innovation, and to combat climate change. Over the last decade, Latin America has seen a declining trend in inequality as measured by the Gini coefficient (ECLAC, 2015c). However, inequality remains one of the region's most serious problems. The 20-year review of the implementation of the Beijing Declaration and Platform for Action (Beijing+20) showed that important institutional, legal and social developments have occurred in Latin America and the Caribbean over the last two decades, which mean that women in the twenty-first century are in a better position than at any other time in history. Yet, major obstacles to the exercise of rights still remain, including the persistence of violence against women, limited social and political participation, resistance to changes in the sexual division of labour, labour market entry barriers and the burden of care (ECLAC, 2015a). On top of this, there are institutional constraints within States that undermine efforts to promote, decisively and as a matter of priority, an agenda focused on overcoming inequalities. Thus, in the middle of the second decade of this millennium, the regional panorama is one of light and shade.

## 2. The financing of the Sustainable Development Goals, economic slowdown and women's rights

In July 2015, United Nations States Members adopted the Addis Ababa Action Agenda of the Third International Conference on Financing for Development. This Conference examined the progress made in, and obstacles to, the implementation of the Monterrey Consensus and the Doha Declaration, but it focused mainly on agreeing to measures to support the means of implementation of the 2030 Agenda.[12] Discussions were influenced by the global economic slowdown and growing uncertainty and volatility. Thus, the Action Agenda favours the mobilization of domestic resources and private sector contributions to finance sustainable development (Bidegain Ponte, 2015).

With regard to the Sustainable Development Goals, Latin America and the Caribbean is at a crossroads in terms of the social, economic and environmental challenges that lie ahead and the economic resources available. The latest data show that the region's gross domestic product (GDP) contracted by 0.4% in 2015, which translates into a 1.5% downturn in per capita GDP. This is the region's poorest performance since 2009 and has had an effect on regional poverty and employment rates. In the Caribbean the situation is even more complex, with public debt at 69.5% of GDP. In 2013, the total public debt of 10 countries from the subregion reached unsustainable levels between 76% and 130% of GDP (ECLAC, 2015i).

However, developments in economic activity and the performance of the wage labour market are highly heterogeneous among subregions and countries. This indicates that, despite the shrinking fiscal space, there is room to take the urgent measures necessary to sustain and further the progress made under the Millennium Development Goals, particularly to prevent adjustment measures having a direct effect on women's rights. This has happened in previous situations where women, through domestic and unpaid care work within the home, compensated for the lack of social policies and public investment cuts in this area (Cornia, Jolly and Stewart, 1987). Although social spending has continued to rise since the early 1990s, reaching 19.1% of GDP in 2012-2013, there has been a reduction in the rate of growth over the last three years. This is a new wake-up call. "In the current context, active fiscal policies to promote smart adjustments gain greater relevance: analysing the level of public spending as well as its composition to avoid excessive cuts to public investment and social spending…" (Bárcena, 2015).

In the last five years, some of the region's countries report that they have implemented some kind of reform of budget management models and developed a specific methodology to monitor public investment and its impact on women's autonomy and gender equality (ECLAC, 2015a). However, financing and investment mechanisms pose an ongoing challenge for all Latin American and Caribbean countries. Most budget lines that can be identified as specifically aimed at advancing gender equality and protecting women's rights are limited to a narrow set of costs associated with State gender institutions, policies on violence against women and some public services, for example in the health sector.

Investment in public resources to achieve the Sustainable Development Goals is obligatory if the targets are to be met successfully. This becomes more complex when, in addition to the resources for Goal 5, resources are needed to meet specific targets under other Sustainable Development Goals, while mainstreaming a gender equality and women's autonomy perspective throughout the sustainable development agenda. The financial implications of the challenges will require strong political will and the involvement of multiple public and private actors.

This requires moving towards a fiscal compact, such as that promoted by ECLAC, aimed at mobilizing sufficient public resources for sustainable development, and reducing the gender equality funding deficit, where increased taxes and control of avoidance, evasion and unlawful financial flows could help to finance policies that guarantee rights. To that end, it is necessary to deepen the debate on the greater or lesser degree of progressiveness and explicit consideration of the gender discriminations that operate in the tax structure in order to mobilize the domestic resources needed for the 2030 Agenda (Bidegain Ponte, 2015). According to the principle of non-regression, even in times of crisis or stalled growth, the available resources must be maximized to progressively fulfil human rights. Furthermore, while the 2030 Agenda is a plan of action for the next 15 years, States are obliged to guarantee

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[12] At the International Conference on Financing for Development held in Monterey, the participating governments agreed to enhance the coherence of the international monetary, financial and trading systems in support of development, and, at the same time, "mainstream the gender perspective into development policies at all levels and in all sectors" (United Nations, 2002, para. 64). In this context, a new partnership between the developed and developing countries and the systemic reform of global economic governance were crucial for moving the commitments from paper to practice.

women's rights and fully implement the Beijing Platform for Action. The regional gender agenda is a permanent commitment and neither the 15-year target nor the current context of economic slowdown should be interpreted as a way of postponing fulfilment. It is also important to remember that, as was the case for other critical moments experienced by the global or regional economies, this new economic phase is not neutral with respect to the situation of women and equality.

## 3. Means of implementation

As described by the United Nations Inter-Agency Technical Support Team in the documents preparatory to the meetings of the Open Working Group on the Sustainable Development Goals, "the notion of 'means of implementation' describes the interdependent mix of financial resources, technology development and transfer, capacity-building, inclusive and equitable globalization and trade, regional integration, as well as the creation of a national enabling environment required to implement the new sustainable development agenda, particularly in developing countries" (United Nations, 2014).

On the basis of its traditional, integrated approach to development and its multidisciplinary work and structure, ECLAC will lay emphasis on strengthening policy analysis and dialogue centred on the key dimensions of the implementation of the 2030 Agenda for Sustainable Development (ECLAC, 2016f). The means of implementation are fundamental for translating commitments into specific outcomes. There are multiple synergies between the implementation pillars of the regional gender agenda, analysed in section B, and the means of implementation of the Sustainable Development Goals. First, the means of implementation for Goal 17 ("Strengthen the means of implementation and revitalize the global partnership for development"), particularly those relating to "financing and systemic issues" are taken up again in implementation pillars 5 and 8 (financing and cooperation). Moreover, the means of implementation "technology" is reconsidered in implementation pillar 7 (technology). Lastly, means of implementation "capacity-building" is incorporated in regional implementation pillars 2 and 4 (institutions, and capacity-building and -strengthening). Both implementation proposals emphasize the strengthening of "information systems", and "monitoring, evaluation and accountability" (pillars 9 and 10). As seen in point B, the implementation pillars of the regional gender agenda go slightly further and highlight three fundamental means for the full and effective implementation of public policies on equality in Latin America and the Caribbean, namely "normative framework", "participation" and "communication" (pillars 1, 3 and 6).

Lastly, as the 2030 Agenda draws on lessons learned from the implementation of the Millennium Development Goals to prioritize the construction of disaggregated data "to help with the measurement of progress and to ensure that no one is left behind" (United Nations, 2015c, para. 48), the regional gender agenda considers information systems and the strengthening of gender statistics and indicators as another implementation pillar of public policies on equality. In this regard, not only does it propose new alternatives, but it also questions both the androcentric indicators normally used to define and calculate poverty or a country's GDP, or to identify economically active persons, and also the consequent development policy decisions that those indicators imply.

A new development model for Latin America and the Caribbean cannot turn a blind eye to the imperative of gender equality. The blend between the 2030 Agenda and the regional gender agenda can provide a privileged mechanism for this reflection, enabling conditions to be created to build a fully equal society. Without gender equality, sustainable development is neither genuine development nor sustainable.

## 4. The 2030 Agenda and women's autonomy

The 2030 Agenda and the Sustainable Development Goals also open up an important window of opportunity for strengthening women's empowerment and autonomy, which is understood in the sense that, "Empowerment amplifies women's voices and is expressed in their ability to engage politically, while autonomy is the result of societal changes to expand women's spaces of freedom and reduce inequality gaps" (ECLAC, 2015a, p. 23).

Over the last few decades, the Latin America and the Caribbean region has recognized the importance of, and need for, gender equality as a substantive element of democracy and justice. Apart from progress in terms of educational achievement, the women of the region have gained higher levels of autonomy and have drawn attention to serious

problems of gender violence and discrimination. This has elicited action from several governments; however, despite the efforts they have deployed to achieve equality, they have not yet attained the targets proposed in the regional agenda or a guarantee of women's rights. This includes a debt in terms of the absence or insufficiency of measures that promote autonomy with reciprocal recognition (ECLAC, 2014a), which, while insisting on processes of acquiring and developing autonomy, seek to influence the circumstances that generate and reproduce the oppression and domination manifested in social relations.

Autonomy, understood as people's capacity to take free and informed decisions about their lives, enabling them to be and act in accordance with their own aspirations and desires, given a historical context that makes those possible (ECLAC, 2011a), is a fundamental factor for guaranteeing the exercise of human rights in a framework of full equality and, consequently, a condition for overcoming gender injustices. Autonomy becomes a central element for achieving equality —a fundamental human right— and a precondition for women to act as full subjects of development.[13] It is also conceived as a component of freedom, as a specific combination of capacity and lack of restrictions (Forbes, 1995), in the sense that autonomy is not only not being prevented from attaining well-being and exercising rights owing to external factors, but that there are means available for choosing the way of life that is considered most appropriate (Bobbio, 1991).

Given the multidimensional nature of development, and as shown in the rest of this volume, ECLAC has placed a strategic focus on women's autonomy in three dimensions and on the interrelations between them: (i) economic autonomy, which concerns the possibility of controlling assets and resources; (ii) physical autonomy, which refers to the capacity to freely decide on issues of sexuality, reproduction, and the right to live a life free of violence; and (iii) decision-making autonomy, which means full participation in the decisions that affect the lives of women, their families, their communities and society at large.

The 2030 Agenda for Sustainable Development, along with its Goals and their targets, form a programmatic framework that contributes to women's autonomy in its multiple dimensions, while supporting the creation of structural conditions for equality. For that purpose, it will also be necessary to reposition gender equality plans as the backbone of medium- and long-term national strategies for sustainable development, and find a new way of making public policy inclusive, more innovative and effective in order to attain its objectives and contribute to the civilizing proposal of the 2030 Agenda, in which the culture of privilege and discrimination gives way to the culture of equality and rights.

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[13]   See Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

# Distributive equality and economic autonomy

# Introduction

ECLAC reports that, over the years, the Latin American and Caribbean region has made significant progress in some dimensions of equality, albeit at varying speeds and with wide variations between countries. In recent years, efforts to sustain or expand progress have been constrained (Bárcena and Prado, 2016).

Women's overrepresentation in poor households, insufficient own income, an excessive burden of unpaid work, a gender-based economic participation gap and consistently higher unemployment rates among women than among men are proof that major challenges still lie ahead to ensure women and men have a level playing field and that both are able to exercise their rights fully.

Income distribution inequality increased sharply from the 1980s until 2000, after which it continued to grow at a slower pace. In the developed world and a number of developing regions, inequality has never been greater. A report by Oxfam (2015a) states that, in 2014, the richest 1% of people in the world owned 48% of global wealth and that, with the further increase in global inequality in 2016, the share of the top 1% of the population will exceed 50%. While Latin America has managed to reduce income inequality over the past decade, it is still the most unequal region in the world, although not the poorest (ECLAC, 2016a).

Economic autonomy is a cornerstone of women's autonomy and, by definition, requires women to receive enough income to overcome poverty and have enough free time for training, entry into the labour market, personal and professional development, active participation in social and political life and caring for loved ones without it becoming a barrier to realizing their own aspirations. Cash income and time are finite —and often scarce— resources, and empirical evidence suggests that they are not distributed equally either in households or in society. Women have less access to money and other production resources, such as land, training and technology. In addition, women have less time for themselves because of the amount of time they spend time on the daily care and welfare of family members. This undermines women's autonomy and fails to achieve distributive equality in either households or society as a whole.

The notion of citizenship is part of the debate on women's economic autonomy because it has been identified as one of the approaches for addressing gender-based poverty in the region and drawing attention to women's empowerment and participation in decision-making and in society's economic processes. This has led to the concept of women's economic and labour citizenship, which entails the full exercise of their rights in production activity and employment, under conditions of genuine equality of opportunity and outcome, without any form of discrimination, within a framework of strong economic development, based on mutually agreed, fair and equitable employment arrangements for all men and women, from the perspective that human rights are integral, interdependent and indivisible (Feres, 2009).

In acknowledgment of this, governments in the region decided to adopt measures and commitments, enshrined in the regional gender agenda (ECLAC, 2016c), to help overcome inequality and increase women's economic autonomy by means of public policy. Some countries are working to monitor and penalize wage differentials between men and women and to establish job training programmes that enable women to enter higher-paid, traditionally male-dominated fields. Others opted to reform their social security systems by implementing rules that take into account

gender inequalities and grant women some kind of recognition when they are forced to leave the labour market and stop paying contributions for reasons of pregnancy or parenting.

According to the provisions of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, to achieve gender equality worldwide and in the region, women's economic autonomy needs to be enhanced and an in-depth analysis conducted of the current distribution of economic, natural, productive and financial resources between women and men in society and in households. To this end, a study of people's incomes and current distribution patterns is a key step in the development of equality policies that guarantee economic and social rights.

Two of the international community's objectives over the next 15 years are to "end poverty in all its forms everywhere" (Goal 1) and to "achieve gender equality and empower all women and girls" (Goal 5). While these goals are undoubtedly ambitious, they are particularly relevant for Latin America and the Caribbean, where 168 million people are still living in poverty and gender inequality not only persists but is even being reproduced in a variety of ways in both the public and private spheres (ECLAC, 2016a).

# A. No economic autonomy for women without overcoming poverty

In today's society, having one's own income is a prerequisite for any adult to exercise their economic autonomy and not to rely on others permanently to meet their needs and those of their families, as well as for making decisions about resources. However, for many women, an income provides a basis but does not necessarily enable them to exercise full economic autonomy because their income is too low to lift them above the poverty threshold for individuals or households.

In Latin America and the Caribbean, there has been an extensive debate on the link between the dominant gender system and poverty, and the regional agenda on gender equality establishes that it is not possible to overcome poverty unless a gender approach is mainstreamed into all actions.

In 1994, governments in the region meeting for the sixth session of the Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, in Mar del Plata, Argentina, stated that "the persistence of poverty and extreme poverty in Latin America and the Caribbean is linked to the enormous debt burden in many of its countries and territories, which has propelled them into formally or informally adopting structural adjustment policies with stringent conditionalities. This has impacted negatively on the region's capacity to invest adequately in the human development and institutional resources needed to confront the spread of poverty. For women, the combined effect of the debt burden and adjustment measures has also been to increase their productive and reproductive work, with deep implications for their economic, physical and social well-being" (ECLAC, 2016c).

The region is currently experiencing an economic downturn, after several years of growth and expansion. This new situation calls for a close watch to be kept to ensure that any achievements already made in terms of equality are sustained and to decide on any backsliding caused by the slowdown. ECLAC has determined that not only is equality valuable in itself, it is also a transformative factor of economic development, with the result that any policies designed to achieve equality must also consider the economic development model required by the region.

At a global level, the implementation means provided for in Sustainable Development Goal 1 include the creation of sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions. Such policy frameworks are key to women's economic autonomy because they imply linking gender issues with poverty and calling special attention to the economic needs of women worldwide. An analysis linking poverty with gender inequality is critical to more efficient poverty eradication. If this link is not fully understood and acted upon, it will be very hard to rid the world of poverty. Up to now, poverty measures based on household surveys have not been gender-sensitive and have been underpinned by two premises: that the distribution of household income is completely equal and that the value of unpaid work is zero. A review of these premises and their methodological implications is one of the new challenges posed by an agenda for women's economic autonomy.

Faced with the profound gender inequalities still facing countries in the region, the indicator of population without own income is key to analysing women's economic autonomy and characterizing gender inequalities in terms of access to monetary resources (ECLAC, 2010a and 2015a).[1] As receipt of an income confers the power to decide how to allocate such income, this indicator is proposed not only as the individual flipside of traditional poverty measurement at household level but also as a way of measuring women's autonomy in terms of economic decision-making within the family. It also shows women's potential (or otherwise) to save, purchase a consumer durable or dwelling, invest in a productive venture or spend their income on other activities. This indicator has fallen by 10 percentage points between the early 2000s and now (see figure II.1), mainly as a result of increased employment and women's steadily growing labour force participation. However, in Latin America in 2014, 1 in 3 women over the age of 15 who were not studying exclusively had no income of their own, compared with one 1 in 10 men in a similar situation. For women, this calls into question their economic citizenship and access to goods and services, while partly explaining their growing overrepresentation in poor households and the existence of women who, despite living in non-poor households, have no resources of their own and are engaged in unpaid work but who could fall into poverty as the result of a change in the family structure (divorce, widowhood, migration).

**Figure II.1**
**Latin America (weighted average of 18 countries): population without own income, by sex, 2002-2014**
*(Percentages)*
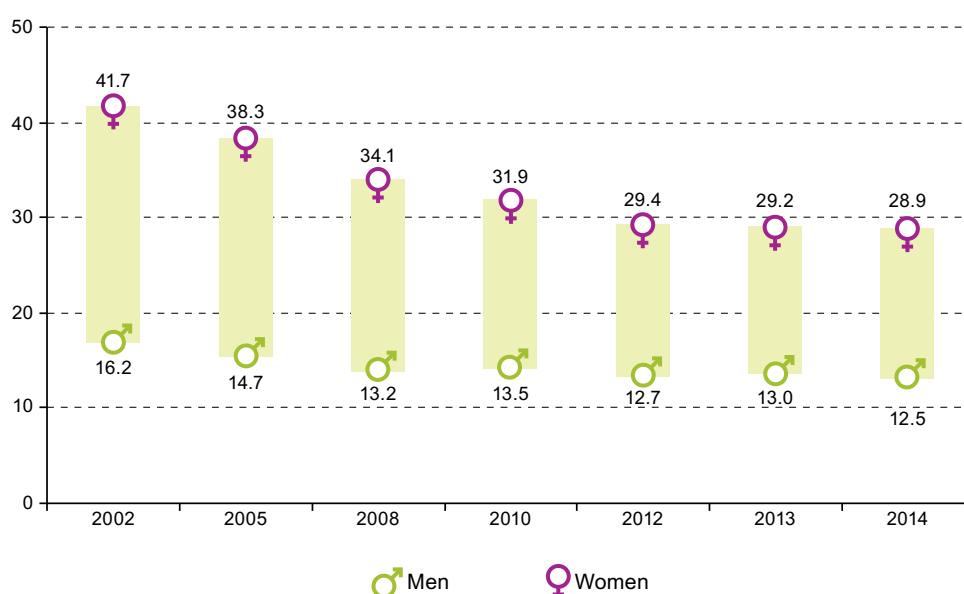


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

## 1. More women among the poor

After falling for a number of years, the pace of poverty reduction in Latin America, as measured by household income, levelled off to around 28% in 2012, while extreme poverty increased from 11.3% to 12.0% (ECLAC, 2015c), as a result of the economic slowdown that the region continues to experience. However, the poverty reduction and GDP growth achieved over the past decade have clearly not benefited women to the same degree as men. On the contrary, there is a growing trend for women to be overrepresented in poor households, and the femininity index of poor and extremely poor households has increased steadily.

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[1]    The indicator of the population without own income refers to the ratio of the total female or male population aged 15 years or over with no income of their own and who are not studying full-time (according to activity status), in relation to the total female or male population aged 15 years or over that is not studying.

The femininity index of poor households reflects the percentage of poor women aged 20-59 years compared with the proportion of poor men in the same age group, adjusted by population structure. In Latin America, the femininity index increased by 11 percentage points between 2002 and 2014, from 107.1% in 2002 to 118.2% in 2014 (see figure II.2). This means that, in 2014, the percentage of poor women was 18% higher than that of poor men in the same age group, pointing to women's overrepresentation in this group of households.[2] The situation is similar but even more acute in extremely poor households, where the femininity index rose by 12 percentage points between 2002 and 2014, to 121.5%.

**Figure II.2**
**Latin America (18 countries): incidence of poverty and femininity index of poor households, 2002-2014**
*(Percentages)*
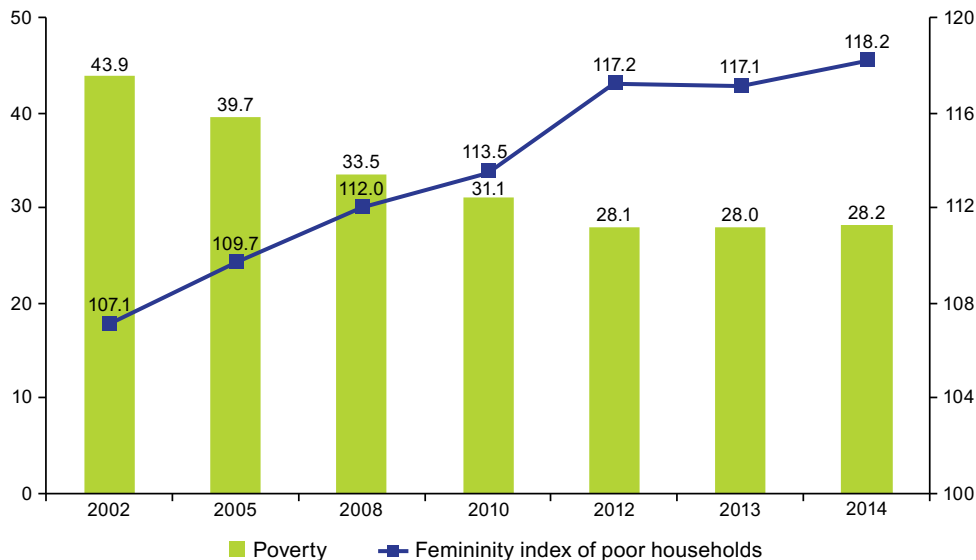


Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

The behaviour of the femininity index is heterogeneous and may even seem paradoxical at first glance because, in recent years, countries where the biggest reduction in income poverty has occurred have seen the femininity index of poor households increase (Argentina, Chile and Uruguay). This means that, although there are fewer poor households in the country, they include a higher proportion of women than men. In countries with high levels of poverty where the figures did not decrease much, or even rose (including Guatemala, Honduras and Mexico), there are no wide variations in the concentration of women in poor households and the femininity index is among the lowest in the region.

This is leading to a thorough review of policies for poverty reduction and gender equality, as poverty reduction strategies are clearly not enough in themselves to improve women's lives. Unless a gender perspective is mainstreamed into policies from the outset, taking into consideration the sexual division of labour and the discrimination and barriers to access faced by women in the labour market, policies may not be very effective in achieving their objectives and may have an adverse impact on women, or even increase the proportion of poor women to men. Moreover, when countries slash their poverty levels, as has happened in the Southern Cone over the past decade, they are obliged to resort to other, non-traditional policies viewed as homogeneous and gender-neutral. This is because poverty levels of less than 5% denote structural poverty, which is more difficult to overcome than the highest levels of poverty and is where more women are concentrated. Major structural poverty issues facing these countries include a stagnant

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[2]   The femininity index of poor households is computed as follows: ((Number of women aged 20-59 years in poor households/Number of men aged 20-59 years in poor households)/(Total number of women aged 20-59 years/Total number of men aged 20-59 years))*100. This indicator is usually interpreted as the number of poor women for every 100 poor men. In this case one could say that, in 2014, there were 118 poor women for every 100 poor men in the 20-59 year age group. While this interpretation is close to reality, it is not completely accurate because the indicator is calculated to adjust for the number of women per 100 men in the overall population.

women's economic participation rate and higher unemployment rates among women from poor households, together with limited State provision of care services and segmented private provision. In countries that have pioneered women's participation in the labour market, the rate has slowed and, in some cases, the proportion of women in paid employment has even fallen. This is the case in Argentina, where the labour force participation rate of women has shrunk by 2 percentage points over the past decade. These countries would appear to have a "glass ceiling" in women's labour force participation and need to implement policies to boost women's economic participation to secure their economic autonomy and overcome poverty.

It is often the case that gender disparities are smaller where living conditions are the poorest and levels of deprivation the most acute. For instance, in countries where more than 40% of households are poor, the femininity index of poor households ranges from 100 to 109 women for every 100 men (see figure II.3). The challenge in reducing poverty rates in such countries without increasing the proportion of women in poor households is to design poverty eradication policies that mainstream a gender perspective from the outset, taking into account the specific conditions of each country. Such policies should be aimed at boosting women's labour force participation and providing services to facilitate their personal and professional development, while ensuring that the principal barriers to breaking free from poverty are not being created within the household. This entails active employment policies, training, job opportunities and promotion, access to the financial system and wider social protection. In order to overcome poverty, it is essential to ensure and promote the sustainability of such efforts and the income sources of all household members, including the possibility of recognizing the right to a guaranteed basic income as a new human right.

**Figure II.3**
**Latin America (18 countries): incidence of poverty and femininity index of poor households,**
**around 2005 and 2014[a]**
*(Indices and percentages of the population)*
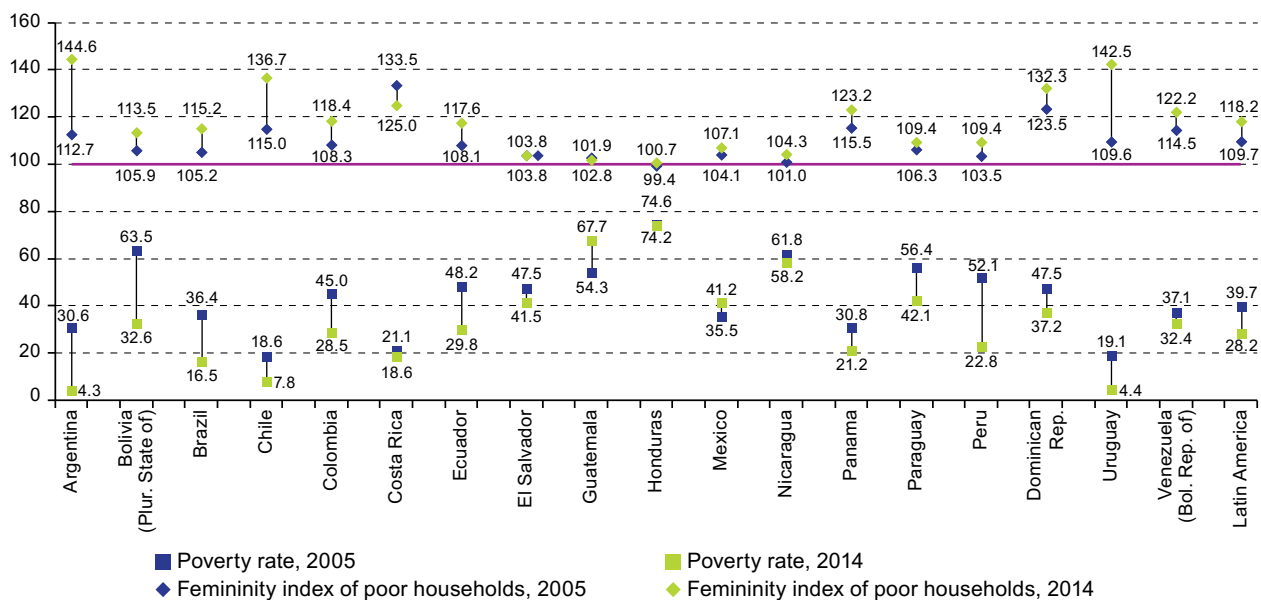


Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.
[a] National data, except in the case of Argentina (where 31 urban centres were analysed) and Uruguay (2005). Data are for 2005 and 2014, except in the case of Argentina (2005 and 2012), Bolivia (Plurinational State of) (2004 and 2013), Chile (2003 and 2013), El Salvador (2004 and 2014), Guatemala (2002 and 2014), Honduras (2003 and 2013), Nicaragua (2005 and 2009), Peru (2003 and 2014) and Venezuela (Bolivarian Republic of) (2005 and 2013).

One of the poverty reduction strategies that governments in the region should prioritize is promoting access to own income. This means that poverty reduction and productive inclusion policies should consider care of dependants (children, older adults and persons with disabilities), value the skills and expertise of women and expand their opportunities by breaking down vertical and horizontal segmentation in employment.

## 2. Own income is not enough

Personal income can come from a variety of sources: paid employment in the form of wages or salaries; self-employment income and profits; income derived from ownership of physical or financial assets; or transfers related to a person's career (retirement benefits) or to circumstances for which they receive money personally. Transfers may come from the State, in the form of contributory transfers, such as retirement benefits, or non-contributory transfers, such as disability pensions or special poverty alleviation programmes, or else they may derive from a tie with a family member or former family member in the form of remittances or obligations arising from dissolution of marriage or custody of children. Figure II.4 shows the composition of own income broken down by type of income.
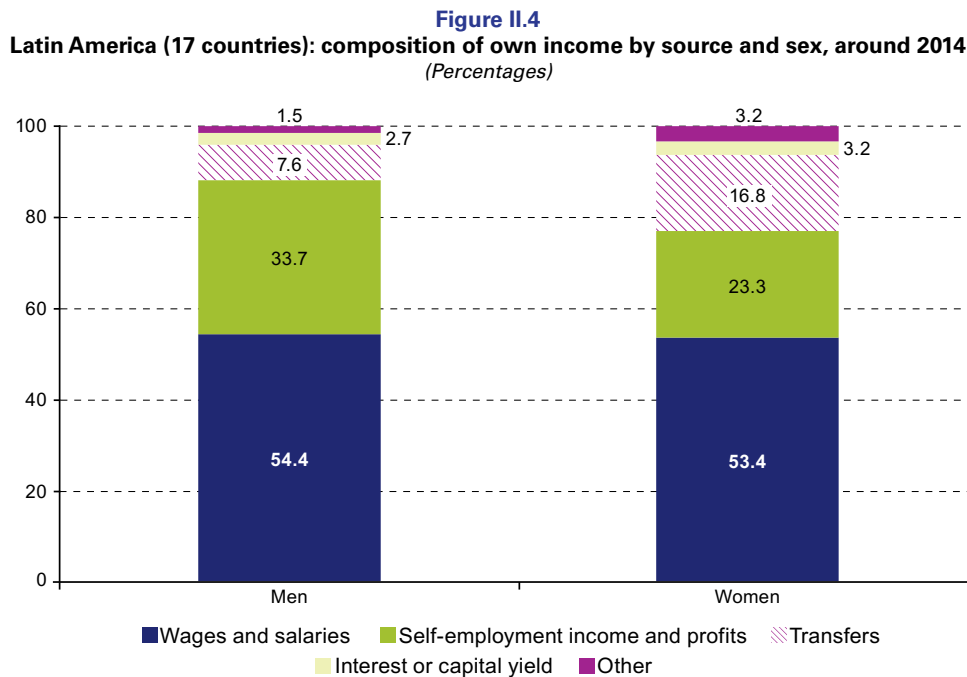
**Figure II.4**
**Latin America (17 countries): composition of own income by source and sex, around 2014**
*(Percentages)*



*Source*: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

The main source of income for both men and women is wages and salaries, accounting for 54% of all personal income. This shows how important the labour market is in enhancing people's economic autonomy and tackling inequality (ILO, 2014). A point of note is that only one in two working-age women in the region are economically active, meaning they are employed or seeking employment.[3] Not only can employment provide women with an income that gives them economic autonomy, if it is in the formal sector it also provides them with access to social protection, including, in some cases, health coverage and a set of networks and stability that empower women to achieve other forms of autonomy, such as physical and political autonomy.

As for the second most important source of income —self-employment income and profits— wide disparities exist between men and women in Latin America, with this source providing 33.7% of men's total income and 23.3% of women's. In Latin America, such income and profits are generated by business and financial asset management, areas where there are fewer women, as well as by self-employment, a widespread form of formal and informal employment in the region where women are heavily represented. According to various studies, the growth potential of companies formed by women is constrained by informality: between 55% and 91% of women's business activity in the region takes place in the informal economy. This makes the income of women entrepreneurs more unstable and likely to disappear than that of men. Women head 23% of the region's small businesses but only 9% of its large companies. Company size is highly relevant because it is positively associated with income volume and stability (The Economist Intelligence Unit, 2013).

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[3] After the nineteenth International Conference of Labour Statisticians (ILO, 2013), the terms "working population" and "inactive population" were dropped. Prior to that, the term "inactive" was reserved for people who did not participate in the labour market and were not seeking employment.

> **Box II.1**
> **Migration and remittances as part of women's incomes**
>
> Poverty, lack of opportunities, complementarity in labour markets and the sexual division of labour have led to an increase in women's migration worldwide over the past two decades, either within their own country or to another country in the region. For example, the Caribbean has the highest rate of migration of its educated workforce in the world, with 70% of higher education graduates migrating to developed countries between 1965 and 2000. In Latin America, women tend to predominate among migrants from neighbouring countries —where flows tend to be the greatest— to the point where such migration tends to more feminized than migration in general. In short, there is a higher proportion of women in regional migration than in migration from other sources, although countries vary.
>
> In Latin America and the Caribbean, as women's migration for economic reasons has increased, women are also sending more remittances, so contributing to the development of their countries of origin. In addition, women also receive the most remittances, in terms of amount and frequency, and invest these resources for the benefit of their families. While it is difficult to compile remittances data disaggregated by sex, some studies clearly show the importance of women's participation in this economic flow that is so vital for some countries in the region (Cervantes and Rodríguez, 2015).
>
> The invisibility of women's role in earning, sending and managing remittances is an issue that has received little attention in the current debate, even though women have a history of sending more regular remittances and are usually responsible for managing them in the home community, often resulting in production ventures of various kinds. This is all the more important if we acknowledge that, at local level, remittances can trigger development and are part of household income, serving to supplement social policies for social inclusion and equality.
>
> The increasing attention being paid to remittances should not obscure the backdrop to their dynamic. ECLAC has warned that remittances are no substitute for social policies and programmes and that the personal and social costs of migration should be taken into account, one being a high rate of family disintegration. Migration has consequences for chains of care, especially of children, who are often left in the care of grandmothers or older sisters when a mother migrates (ECLAC, 2002; Martínez, 2008). It has also been highlighted that, while migrants send money to their home countries, they face risks inherent in moving away from home, in social and labour force participation and, in general, situations of vulnerability in their daily lives, making it hard for them to adapt (including learning a new language).
>
> The economic perspective on migration focuses on how remittances impact on the composition of household income. From this perspective, remittances are defined as a wage fund that replaces or supersedes income that a person could have earned in their home country had they not migrated abroad. Remittances should therefore be considered not as a supplement to household income but as ordinary income added to other sources of household income (Canales, 2004 and 2008). This is especially true of regular remittances but may not be so for sporadic remittances. For this reason, the analysis should not be confined to macroeconomic impacts but should also consider family and local economic dynamics.
>
> **Source:** Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Jesús Cervantes and Anahí Rodríguez, "Ingreso de México por remesas familiares proveniente de los estados de Estados Unidos", Documentos de Remesas, No. 3, Centre for Latin American Monetary Studies (CEMLA), 2015 [online] http://www.cemla.org/PDF/remesas/documentos-remesas-03.pdf; Jorge Martínez, *América Latina y el Caribe: migración internacional, derechos humanos y desarrollo*, Libros de la CEPAL, No. 97 (LC/G.2358-P), Santiago, ECLAC, 2008; Alejandro Canales, "Las remesas de los migrantes: ¿Fondos para el ahorro o ingresos salariales?", *Remesas de los mexicanos y centroamericanos en Estados Unidos. Problemas y perspectivas*, Germán Zárate Hoyos (ed.), Mexico City, El Colegio de la Frontera Norte/Miguel Ángel Porrúa, 2004, and "Vivir del norte. Remesas, desarrollo y pobreza en México", Temas de migración, Mexico City, National Population Council (CONAPO), 2008 [online] http://www.conapo.gob.mx/es/CONAPO/Vivir_del_norte_Remesas_desarrollo_y_pobreza_en_Mexico_2008.

Another major difference between men and women is in transfer income, which is particularly important because of its strong link with public policy. Transfers account for 16.8% of women's total income but less than 8% of men's income. Understanding the disparities produced by this type of income in the composition of men's and women's personal income is key to overcoming women's lack of autonomy. When non-contributory government transfers are conditional upon performing an activity, women may be forced to continue assuming responsibility for caregiving to receive monetary resources, a situation that reinforces gender roles and limits women's career development (see box II.2). Strictly speaking, although women receive the transfer, it is not income that they can dispose of as they see fit because their role in conditional cash transfer programmes is to act as expense managers for other household members. The transfer women receive consists essentially of financial support or grants for children attending school. They do not receive the transfer as women but as mothers and persons responsible for caregiving and domestic reproduction. It has been pointed out (ECLAC, 2013f) that transfer programmes take more of a maternalistic approach than a gender approach. In addition, there is a risk that job placement programmes implemented subsequent to conditional cash transfer programmes would create gender biases that limit women's participation, as the type of training provision, course timetables, savings requirements or lack of care provision may prevent women from participating in this new generation of programmes and cause them to fall back into poverty.

### Box II.2
### Impact of conditional cash transfer programmes on women's time allocation

Most Latin American countries have established conditional cash transfer programmes as an instrument of social protection. At present, 20 countries in the region have at least one conditional cash transfer programme, with coverage of around 21.5% of the general population in 2013 (ECLAC, 2015d). Most programmes give the transfer directly to the mother or woman head of household, which has increased the visibility of women in social policy. In some instances, receipt of the transfer has given women a greater influence over household resources, enabling them to control spending and improve their social position in the community (Gammage, 2011). However, despite these achievements, some studies (Adato and others, 2000; Bradshaw and Linneker, 2003; ECLAC, 2013f; Gammage, 2011; Molyneux, 2006; Parker and Skoufias, 2000) suggest that women's participation in conditional cash transfer programmes can be counterproductive for them and incur an opportunity cost by preventing them from engaging in paid work or limiting their freedom to do so. Indeed, this evidence suggests that, by demanding compliance with conditionalities, such programmes might actually reinforce the sexual division of labour and, in so doing, reproduce and exacerbate existing

gender disparities in the region, as they convey and reinforce a social construct where care is almost exclusively a woman's responsibility.

Most studies of such programmes conducted in the region have tended to focus on their impact on children's activities and on adults' paid work but have failed to investigate the important issue of their impact within the household and on the possible redistribution of household tasks, especially with regard to time allocated to caregiving, domestic work and leisure (Canavire-Bacarreza and Ospina, 2015).

Evidence from time-use surveys in the region confirms the impact of such programmes on the distribution and reallocation of time within the household. A study by ECLAC (2013f) shows that, in both Ecuador and Mexico, the total work time of women beneficiaries of conditional cash transfers differs slightly from that of women non-beneficiaries. However, a breakdown of this information by type of work reveals substantive differences. In both countries, women beneficiaries of conditional cash transfers spend less time on paid employment and more time in caregiving than women with the same characteristics who are not beneficiaries of such programmes (see the figure below).

**Ecuador and Mexico: average work time of women with children under the age of 15 years,**
**according to whether they receive conditional cash transfers, 2010**
*(Hours per week)*
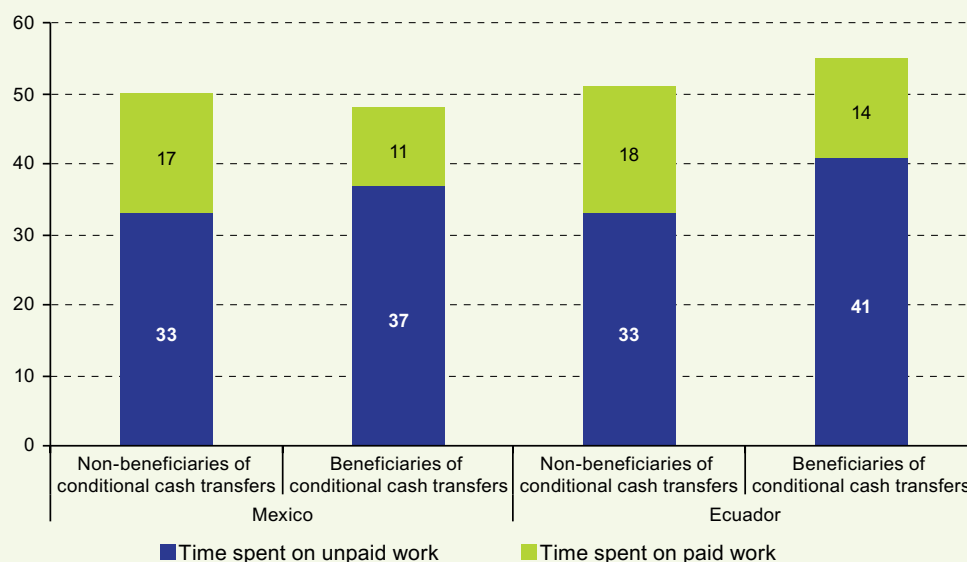


Source: Economic Commission for Latin America and the Caribbean (ECLAC), *A look at grants: support and burden for women. Gender Equality Observatory of Latin America and the Caribbean. Annual Report 2012* (LC/G.2561), Santiago, 2013.

Again using time-use surveys but this time conducting a quasi-experimental evaluation, a study by Canavire-Bacarreza and Ospina (2015) discovered that Colombia's More Families in Action programme decreases the time spent by boys in paid work and increases their leisure time but reduces the leisure time of girls and increases the time they spend on domestic work. As for the programme's impact on adults, the study found that men increased their paid work at the expense of domestic work and that women increased their domestic work at the expense of leisure time.

Consistent with the above findings, it emerged from a quasi-experimental analysis of Mexico's Oportunidades programme by Espejo (2013) that the programme increased women's burden of domestic and care work because it decreased children's participation in these activities. The study results also showed a statistically significant decrease in the average time spent in paid work, amounting to 2% in the case of men and 12% in the case of women. This proves the assumption that time and task allocation are modified specifically to carry out the activities demanded by the programmes.

The studies analysed confirm that women, regardless of age, do most of the unpaid work. This unfavourable situation is exacerbated by conditional cash transfer programmes, which perpetuate the traditional role of women in the home. Moreover, such programmes fail to promote the principle of co-responsibility, where men and women share responsibility for complying with the conditionalities, much less do they encourage equal participation in childcare (Molyneux, 2006), with the result that they do little to challenge the existing sexual division of labour within households and society at large. These considerations should be taken into account when designing programmes with conditionalities, possibly considering whether to remove conditionalities to avoid turning them into a burden on those responsible for compliance.

**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of ECLAC, *Inclusive Social Development: The next generation of policies for overcoming poverty and reducing inequality in Latin America and the Caribbean* (LC.L/4056/Rev.1), Santiago, 2015; *A look at grants: support and burden for women. Gender Equality Observatory of Latin America and the Caribbean. Annual Report 2012* (LC/G.2561), Santiago, 2013; Gustavo Canavire-Bacarreza and Mónica Ospina, "Intra-household time allocation: An impact evaluation of conditional cash transfer programs", *Documentos de Trabajo, Economía y Finanzas*, No. 15-17, Bogota, Economic and Financial Research Centre, Universidad EAFIT, 2015 [online] http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2645096; Andrés Espejo, "The impact of conditional cash transfer programs on the time allocation of beneficiaries: The case of "Oportunidades" program in Mexico", thesis, Master's in Social Policy and Development, London School of Economics, 2013.

Where own income relies on a conditional cash transfer from the State, it makes women just another adjustment variable for any cyclical economic crisis faced by countries in the region. As many cases have confirmed, once a crisis sets in and public spending is reduced to address it, cutbacks are very likely to be made in social programmes, where women are the main beneficiaries. The result is tenuous income with very little certainty of continuity, through no lack of willingness or capacity on the part of beneficiaries but as a result of policy decisions made far from their day-to-day lives.

Figure II.5 shows the proportion of men and women receiving income, by source. It confirms that most people with an income of their own derive it from the labour market. This applies to both sexes, although men derive 59% of their income from the labour market, compared with 48% of women. In Latin America, there is a nearly 10% gap between men and women in the category of self-employment income and profits. This source of income is also linked with the labour market and is crucial because formal and informal self-employment accounts for a huge share of overall income in the region. The proportion of women receiving transfers is 39%, compared with 19% of men, highlighting women's dependence on this source of income.

**Figure II.5**
**Latin America (17 countries): population with own income by type of income and sex, around 2014**
*(Percentages)*
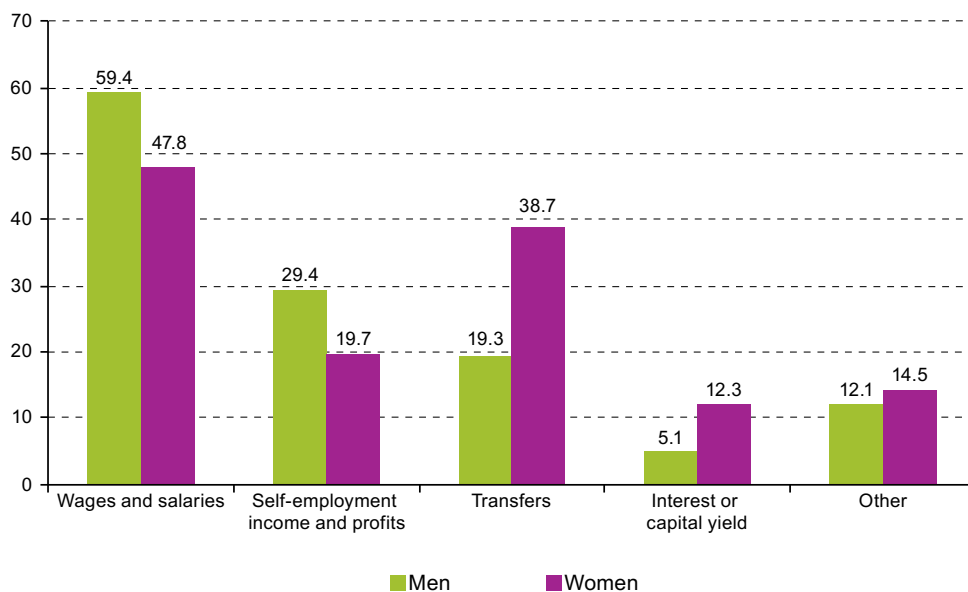


**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

It is crucial to examine a number of points relating to own income, other than its composition, which emerge from a more in-depth examination of types of income. For instance, focusing solely on non-contributory transfers and the population with own income reveals some interesting differences between men and women. In Latin America, there has been a significant increase in government transfers over the past decade and, in many cases, preference was given to paying such transfers to women in the household rather than men. This was intended not only to alleviate poverty but also to empower women and give them a greater role in decision-making. It was also based on the assumption that women are better managers and likely to put the money to better use. The flipside of such non-contributory transfers is that they carry conditions relating to childcare, which reinforces women's role as caregivers and entails a time commitment that limits their labour market participation because it often precludes them from full-time employment, job-seeking or vocational training (ECLAC, 2013b), as box II.2 shows.

According to available information on 14 countries in the region, the own-income indicator varies dramatically in the case of women, depending on whether the non-contributory transfers they receive are counted. Although an average 29% of women in the region have no income of their own, when non-contributory transfers (basically conditional cash transfers intended to alleviate poverty among low-income households) are excluded, the figure rises to 36% (see figure II.6). Some cases are very pronounced, as in Chile, where the difference between the two situations is more than 12 percentage points, while in others such transfers make a difference of only 1% or less, as in the Bolivarian Republic of Venezuela, Costa Rica and Uruguay. It is surprising to note the heavy gender impact of non-contributory transfers (most of which are conditional), as no major differences are found for men in any of the countries analysed.

**Figure II.6**
**Latin America (14 countries): population without own income by non-contributory government transfer beneficiary status and sex, around 2014**
*(Percentages)*
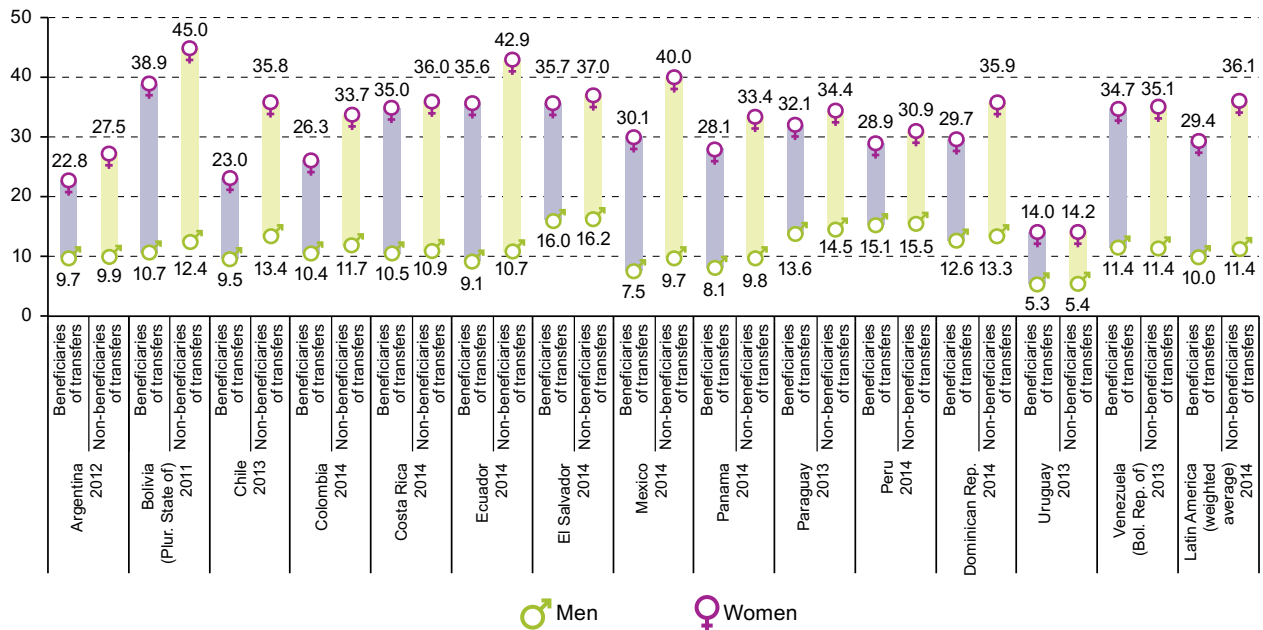


Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

Around 90% of men in the region aged 15 years and above have an income of their own and receipt of such transfers does not alter their situation to any great degree. On average across countries in the region, a non-contributory government transfer is the sole personal income of less than 1.4% of men, compared with 7.1% of women.

Own income does not guarantee full economic autonomy because, when income is low, it perpetuates dependence on other household members. One of the criteria for analysing income adequacy is that monetary poverty should be measured by the consensual method. It is calculated on the basis of agreed nutritional and other needs for people in a given economy. People living in households whose monetary resources are below this minimum threshold are assumed to be living in poverty. This measure involves adding together all the income received by a household and dividing the total by the number of household members. However, this method of poverty measurement has been criticized repeatedly by feminist economists as it does not necessarily reflect the real distribution of income within households, nor does it count the time contributed by household members (mainly women) for the welfare of the family group.

Bearing this in mind and based on the assumption that the per capita poverty line is a monetary threshold that ensures people's ability to purchase certain goods in the market to meet their basic needs, figure II.7 shows how much lower the volume of women's monetary income is than this threshold.

**Figure II.7**
**Latin America (weighted average of 17 countries): population with own income,**
**by per capita poverty line, around 2014**
*(Percentages)*



**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

In Latin America, for an average of around 24% of women receiving own income, such income is less than one per capita poverty line. Even when they receive an income of their own, women in this group are unable to overcome poverty, placing them in a clear position of economic dependence. This is exacerbated where other household members have inadequate income or where the family structure changes as a result of separation or widowhood, if it is the husband who receives most of the household income.

Women's incomes as measured in poverty lines are markedly lower than those of men. While the income of nearly 1 in 4 women amounts to less than one poverty line, the figure for men is nearly 1 in 10 (9.8%). It is important to point out that this comparison measures not just labour income, where gender inequality has already been identified by the wage gap, but all sources of personal monetary income for men and women.

# B. The minimum wage: a labour institution that contributes to women's economic autonomy

ECLAC sees the labour market as the master key to development and, as already demonstrated, it is where most of people's income is generated. If there is no intervention to address labour market failures, inequalities persist and tend to be reproduced, with the result that gender gaps endure (ECLAC, 2014b). The minimum wage is an institution with a major impact on wage structure in the labour market because it sets a minimum threshold above which the wage pyramid should be organised (Lupica, 2015). Apart from raising the floor of the formal wage structure, its effects extend to other sectors of the economy; for instance, a number of welfare benefits are expressed in terms of the minimum wage. Throughout Latin America, with the exception of Mexico, the purchasing power of the minimum wage is at least equal to the value of the country's poverty line (ECLAC, 2014a). For the purposes of cross-country comparability, the analysis in this section expresses personal income in terms of the minimum wage of each country in the region, as each country sets a minimum threshold for how much a worker should receive for the reproduction of labour.

The impact of the minimum wage on incomes and workers' conditions is an important but controversial issue. For example, increasing it can have a positive impact on a family's overall income and hence on its ability to escape poverty. However, it could have potentially negative consequences, such as increasing overall prices (Campos, Esquivel and Santillán, 2015). While the findings from studies on the impact of the minimum wage are inconclusive, evidence for its positive effect in reducing inequality seems to be more convincing (Brown, 1999, cited in Maurizio, 2014). In general, the minimum wage helps to raise the incomes of people and job segments with lower bargaining power.

Studies in the region point to a greater consensus that, as a labour institution, the minimum wage tends to compress wage distribution at the lower end and, in so doing, helps to reduce inequality of labour income (ECLAC, 2014a). A study in Costa Rica to measure the impact of the Government's 2010 campaign to increase compliance with minimum wage legislation shows that this policy benefited the most disadvantaged sectors of labour market the most, including women, young people and the least educated (Gindling and Trejos, 2013).

The domestic service sector is an interesting example where the minimum wage has become an instrument for raising women's incomes. In recent years, this sector has undergone significant changes in some countries in the region as a result of new international standards and the adoption of national legislation to recognize and regulate domestic service as employment. Table II.1 shows which countries have matched the wages of domestic service workers to the national minimum wage or have fixed a specific minimum wage for the sector.

**Table II.1**
**Latin America (18 countries): legislation on a minimum wage for domestic workers, 2015**

| Conditions | Countries |
|---|---|
| Minimum wage for domestic workers, or domestic workers included in the general minimum wage | Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Uruguay and Venezuela (Bolivarian Republic of) |
| No minimum wage established for domestic workers | Dominican Republic, El Salvador, Honduras and Peru |
| Part of salary can be paid in kind | Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru and Uruguay |

**Source**: International Labour Organization (ILO), *2015 Labour Overview. Latin America and the Caribbean*, Lima, 2015.

The aim of minimum wage policy is to reduce the incidence of low pay and hence protect the purchasing power of the most vulnerable workers. The minimum wage is a labour market institution that exists in most countries around the world, many of which have ratified the ILO Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) and ILO Minimum Wage Fixing Convention, 1970 (No. 131). Even countries that did not ratify them have set up minimum wage-fixing mechanisms. There has been a recovery in the purchasing power of the minimum wage in 12 countries in the region over the past decade, which has done much to reverse the trend of the previous decade.[4]

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[4] There is currently a wide variety of mechanisms in the region for fixing the minimum wage and its coverage and governing interaction between the minimum wage and collective bargaining. In countries such as Argentina, Brazil, Chile, Peru and Uruguay, the minimum wage has nationwide coverage, while in others, like Costa Rica, Guatemala, Honduras and Paraguay, it is fixed by occupational category (Maurizio, 2014).

As noted earlier, the indicator of population without own income reveals that not only do one in three women in the region have no income of their own but, as figure II.8 shows, the income of 26% of all women over the age of 15 is less than one minimum wage. This means that more than half the women in the region (55%) have no income of their own or their income is less than their country's monthly minimum wage, which is considered an indicator of the ability of a person working in the labour market to meet their own needs and those of their family.

**Figure II.8**
**Latin America (weighted average of 17 countries): distribution of the population aged 15 years and above by income relative to the minimum wage, around 2014**
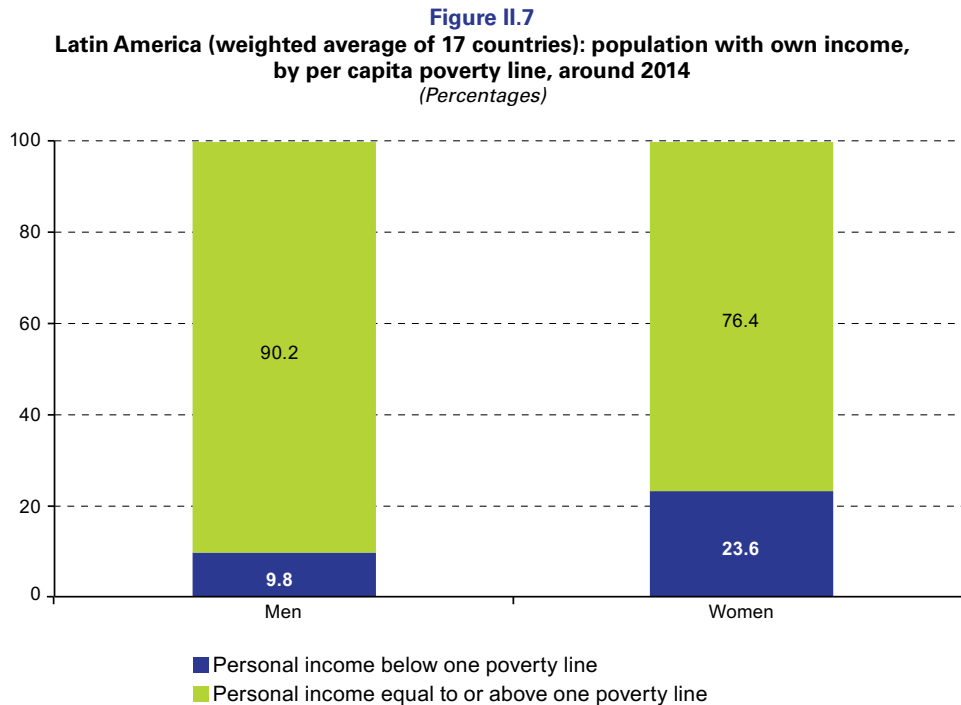*(Percentages)*



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

Men are the most represented in middle-income groups, with more than 50% of men receiving an income of between one and four minimum wages, compared with 37.6% of women. There are also double the number of men in the highest income bracket of more than four minimum wages: figure II.8 shows that 7% of women in the region have incomes of more than four minimum wages, compared with 16% of men.

Wide variations exist among countries in the region for which information is available. In some countries, there is a low proportion of women with an income below one minimum wage but a high proportion of women without incomes of their own (Bolivarian Republic of Venezuela). In other countries, around 45% of women receive an income of less than one minimum wage (Ecuador and Honduras). This variation can be attributed to the value of the minimum wage in individual countries and their use of the minimum wage to set wage standards for a large section of the wage-earning population.

An analysis of the working population to compare the incomes of men and women reveals that the occupational category with the smallest gender gap is that of wage workers but that a clear gender gap exists in the categories of employers and self-employed workers (see figure II.9).[5] The median income of women self-employed workers in the region is barely one minimum wage.

As the categories in figure II.9 demonstrate, a "sticky floor" (a concept that denotes gender vertical segmentation in the labour market) could be said to exist in women's incomes because their distribution is very compact at the lower end. That is to say, women's incomes are close to one minimum wage in all cases, whereas the distribution of men's median incomes appears to be more dispersed and their income levels are higher than women's in all categories. There is clearly no sticky floor for men as there is for women.

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[5]  It was decided to base these indicators on the median income of men and women in order to avoid skewing the figures by including extreme cases, as happens with averages.

**Figure II.9**
**Latin America (average of 17 countries): median income of the working population
by occupational category and sex, around 2014**
*(Multiples of the minimum wage)*



Self-employed workers    ▲ Wage workers    ■ Employers

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

## 1. Impact of establishing a basic income for women

One of the issues of debate surrounding people's economic and rights and incomes is the universal (or citizen's) basic income. This is certainly a multifaceted issue and policymakers have understood the need for broad social consensus and agreement based on public debate and the widest possible participation to ensure that any such large-scale policy is implemented successfully and consolidates a right.

In Latin America, the debate on transfers to provide a basic income began in the 1970s and gained further prominence in the 1990s, when proponents stressed "its potential to further the realization of social rights and remedy the inefficiency of some social programmes" (Godoy, 2004, cited in Cecchini and Martínez, 2011). This debate led to consideration of the concept of a universal basic income as a means for transforming social protection and guaranteeing the right to an income, thereby reducing social inequalities.

While the basic income is much the same as any other cash transfer from the welfare State, it is distinguished by its universality and the fact that its receipt is not subject to conditionalities. Up to now, cash transfers in the region have been subject to conditionalities or eligibility criteria related to the specific situation or status of a section of the population (such as poverty, disability, unemployment, pregnancy or number of children).[6]

The discussion on a basic income has been guided by the argument that transfers need to be linked with the exercise of citizenship, as this would reinforce the rights, autonomy, dignity and freedom of individuals. Thus, the basic income is intended as a mechanism to supplant the paternalist or welfarist approach that has so often resulted in patterns of segmentation and stigmatization of poverty and extreme poverty (ECLAC, 2011a), with a strong gender bias, as it is women who face the most vulnerable and precarious situations. Importantly, the basic income is not incompatible with paid work,[7] and a number of labour market variables have demonstrated the need for a universal income policy.[8]

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[6] See Red Renta Básica [online] http://www.redrentabasica.org/rb/.
[7] Paid work is understood to mean work performed in the labour market and included in the national accounts, so unpaid family work for commercial purposes as a category of economic activity is also considered as paid work.
[8] They include the growing phenomenon of working poverty; the precarious circumstances of much of the working class; a high probability of greater mechanization and robotization leading to increased unemployment not offset by new job creation; and drastic changes in labour relations (Raventós and Wark, 2016).

The basic income could have at least four potential effects on paid work: (i) to increase workers' bargaining power by reducing pressure to accept a job out of necessity; (ii) to increase self-employment, as the risk of starting a new economic venture would be lessened by the fact that the basic income would act as risk insurance; (iii) to increase part-time paid work because the basic income would offset the low pay currently offered by such jobs; (iv) to increase wages in some jobs (the most irksome and least rewarding jobs), while decreasing wages in other jobs (Raventós and Wark, 2016).

While the basic income would not resolve all the problems caused by inequality and the sexual division of labour (as this would require broader structural reform covering different variables), it would have some positive effects, including: (i) increasing women's freedom by giving them economic independence; (ii) reducing the feminization of poor households; (iii) distributing domestic and care work better, as a basic income would increase women's bargaining power. In addition, women would gain not only in economic terms but also in terms of rights and autonomy (Raventós and Wark, 2016). The introduction of a universal basic income for women would have at least three further outcomes: (i) a more balanced distribution of resources; (ii) recognition of gender equality by guaranteeing a basic income for both sexes; (iii) enhancing women's individuality and hence the possibility of furthering women's representation.

A minimum wage policy, coupled with a basic income policy, would create synergy, helping to increase women's economic autonomy and to improve distributive equality in countries of the region; in turn, this would contribute to sustainable development.

# C. The care economy: an integrated process of production and reproduction

While women's income, the need to overcome poverty and women's real opportunity to exercise economic autonomy are important issues, it is also crucial to analyse the silent contribution women make to a country's economy and the sustainability of human life as the flipside of the situation described above, reflecting an imbalance in the social and economic organization of care that prejudices women directly.

At the tenth session of the Regional Conference on Women in Latin America and the Caribbean (Quito, 2007), representatives of governments in the region discussed unpaid work and the burden of care as a form of social organization that impairs women's development. At the conference, governments agreed to "formulate and apply State policies conducive to the equitable sharing of responsibilities by women and men in the family, overcoming gender stereotypes and recognizing the importance of caregiving and domestic work for economic reproduction and the well-being of society as one of the ways of overcoming the sexual division of labour".

The 2030 Agenda for Sustainable Development expresses particular concern to recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies (target 5.4 of the Sustainable Development Goals). Apart from designing and implementing policies to promote sharing of responsibility between the State, market, families and the community, countries in the region are making a major effort to identify and quantify the unpaid work performed in the home, including time spent and an economic valuation at market prices. This is shedding light on a large volume of work that, until now, has been considered part of women's "natural" tasks in aid of reproduction and social welfare.

In feminist economics, care coordinates the processes of production and reproduction and it is imperative for countries to recognize and redistribute it to achieve gender equality and social and economic equality. According to Carrasco and Tello (2013), the sustainability of human life should be analysed on the basis of a "chain of support" made up of five logical and historical links: natural systems, caregiving in the home, communities, State public administration and markets. Care in the home is the second link in this chain and, as many studies of unpaid work have shown, it is delivered mainly by women. Viewed from this perspective, the economy is a much more complex reality than the market and the State, in which women play the important, but largely invisible, role of providers of unpaid care services in the home (ECLAC, 2009). Criticism of the sexual division of labour, which is one of the cornerstones of feminist thinking, challenges the assumption that this division sprang from capitalism but instead links it to earlier patriarchal societies (Montaño and Calderón, 2010).

From the current debate on the care economy and the sustainability of human life, it is clear that traditional economic analysis fails to consider or account for much of what is produced and sustains people's lives. To illustrate this graphically, we have the concept of the "iceberg economy" (Carrasco and Tello, 2013) where the factors taken into account— the visible portion— is only part of the overall economy, ignoring all the relationships, transactions, effort, energy, and their linkages, at work below the waterline. Hovering above the iceberg is a cloud representing the financial world, which focuses the attention of analysts, policymakers and public opinion in general, once again obscuring what is happening below the waterline (see diagram II.1).

**Diagram II.1**
**(Un)sustainability of human life**



Financial world

Capitalist market economy

State Public services

Communities

Care economy

Natural resources and useful energy
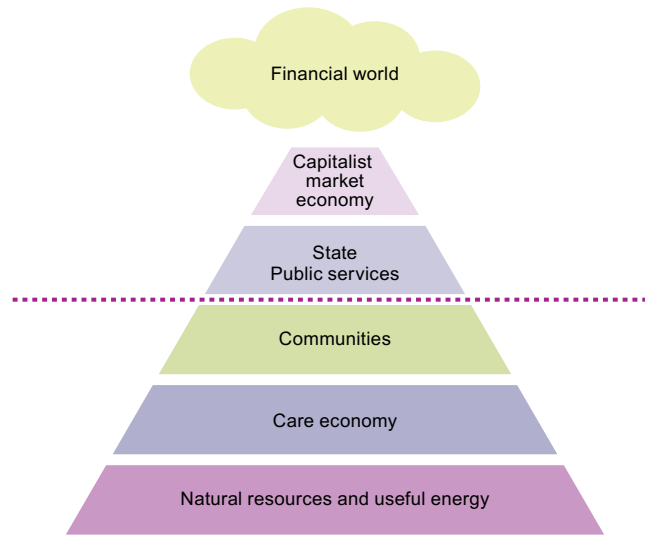
**Source**: Cristina Carrasco, on the basis of Cristina Carrasco and Enric Tello, "Apuntes para una vida sostenible," *Tejiendo alianzas para una vida sostenible. Consumo crítico, feminismo y soberanía alimentaria*, Barcelona, Marcha Mundial de las Mujeres/Xarxa de Consum Solidari, 2013.

For women to achieve autonomy, it is crucial to analyse what happens in the care economy because it is here that the social and cultural powers and responsibilities assigned by society are concentrated, in accordance with the dominant gender system, which, in many cases, hinders women's personal development and prevents them from deploying their skills in innovation, production, the labour market and other areas.

Concentrated in the care economy are all the actions and relationships that ensure people's welfare and survival, from providing and preparing food to giving affection and emotional support, as well as bringing up children and adolescents and providing healthcare to family dependants. Much of the discrimination against women in many areas of life is seen to stem from this link in the chain, where an unequal distribution of monetary and time resources has been established.

## 1. Making the invisible visible

The effort by countries in the region to identify the economic contribution of households to the national economy by valuing the services they provide but which are not reflected in the production boundary of national accounts, has brought to light situations that were overlooked by public policy.

A revision of the 1993 System of National Accounts (SNA) introduced the possibility of building satellite accounts within the central framework of national accounts, in order to provide an integrated picture of a specific field of economic activity, significantly expanding the analytical capacity of national accounting, without overburdening or disrupting the central system. Satellite accounts use complementary elements or alternative concepts to make apparent and describe in more depth aspects that are hidden in the accounts of the central framework or surface only in a limited number of points.

The steps required to include unpaid work in the system of national accounts are: (i) quantify unpaid work; (ii) value unpaid work; (iii) construct a satellite account for unpaid household work.

**Table II.2**
**Latin America (8 countries): economic value of unpaid household work**
*(Percentages of GDP)*

| Country | Year | Total | Women | Men |
|---------|------|-------|-------|-----|
| Colombia | 2012 | 20.4 | 16.3 | 4.1 |
| Costa Rica[a][b] | 2011 | 15.7 | 11.5 | 4.3 |
| Ecuador | 2012 | 15.2 | 11.8 | 3.4 |
| El Salvador | 2010 | 18.3 | 14.5 | 3.9 |
| Guatemala | 2014 | 18.8 | 16.3 | 2.5 |
| Mexico | 2014 | 24.2 | 18.0 | 6.2 |
| Peru | 2010 | 20.4 | 14.1 | 6.3 |
| Uruguay[a] | 2013 | 22.9 | 16.3 | 6.6 |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of valuation of unpaid work in the respective countries.
[a] The calculation did not involve the bodies governing each country's national accounts (central banks).
[b] Greater Metropolitan Area.

In Ecuador, for example, the economic value of unpaid domestic and care work (15.2% of GDP) is greater than the contribution of any other economic activity in the country, including oil extraction (11.3% of GDP) and construction (11.8% of GDP). In El Salvador, the economic value of unpaid household work (18.3% of GDP) is similar to that of the entire manufacturing industry (18.8%) or the commerce, restaurant and hotel sector (19.9%), the two largest sectors of the economy, and is close to the current value of remittances received by the country.

The inclusion of key variables to facilitate the disaggregation of data at subnational level allowed Colombia to value the output of unpaid domestic and care work at 232,467 million pesos, of which women contribute 79.4%, and to ascertain that the central region is the largest contributor to output (25.5%), followed by Bogotá (20.1%) and the Atlantic region (19.7%).

In the case of Uruguay, the information compiled from the national time-use survey was used to characterize the caregiver population and care work, identify demand and access to services, acquire baseline information and set goals within Uruguay's national system of care.

## 2. Public policy and the care economy

The main advantage of conducting an economic valuation to highlight the invisible contribution of unpaid work is that it supports the establishment of public policies that recognize and redistribute unpaid work. In fact, some countries in the region have used information from time-use surveys to design integrated policies that include services, time, resources and regulations for care, for both care recipients and caregivers.

Importantly, the economic valuation of unpaid work can also be useful in designing, monitoring and evaluating employment policies, as the volume of unpaid work performed in the home points to the existence of labour market niches and unmet demand for care services, where action can be taken through employment, training and professional development policies in these sectors. The information is also useful for social security policies, given that many of the gaps in women's contributions are attributable to times in their lives when they have had to devote themselves exclusively to unpaid work.

Policies for poverty alleviation, education, transport and infrastructure and health could benefit greatly from using time-use survey information on time spent by household members on: the education of children and adolescents and assistance with schoolwork; their own health; and care and support for family dependants, by helping them to attend medical centres, providing therapies or administering medicines. Such information would certainly be very useful in designing actions to enhance the welfare of both women and men. Thus, information on unpaid work and its economic valuation make a consistent contribution to the development of policies for equality and sustainable development in the region.

Such information can also be useful in designing economic policies, which are not gender-neutral because they are part of a specific set of distributive relationships and institutional systems at work within a social structure traversed by gender and power relationships in which men and women occupy different economic positions. This provides great potential for fiscal policy to be used as a tool for tackling inequalities between men and women and producing different impacts on their lives.

Nevertheless, an increasing number of studies suggest that the tax design in some countries in the region increases gender inequalities by limiting women's economic autonomy and widening equality gaps, as it does not usually consider differences between women and men in patterns of consumption and entry into the labour market, the types of economic activities they tend to engage in, or the differentiated gender roles imposed by the sexual division of labour (ECLAC/Oxfam, 2016), whereby women tend to shoulder most of the reproductive and care burden. These omissions exacerbate inequality in the region and fiscal policy continues to be underutilized.

A study conducted by Oxfam (2015b) in three countries in Central America and the Caribbean identified examples of gender bias in the tax system, including:

- Lack of special deductions for self-employed workers— a sector where women are overrepresented— which are allowed for wage workers.
- Existence of lower taxation rates on income or capital gains— women are underrepresented in this group of taxpayers due to the greater obstacles they face in accessing economic assets.
- Failure to take into account projections that recognize and compensate unpaid work performed mainly by women, or a least the economic cost of acquiring care services, in the light of the insufficient and inadequate public care services.

It is essential to include the gender dimension in economic policy analysis, not only to improve understanding but also to follow up, monitor and periodically assess any actions carried out. This calls for a gender approach, in order to understand gender-differentiated situations and impacts when designing, implementing and evaluating policy, bearing in mind at every stage that initial needs and the outcomes achieved with State actions may have a range of consequences for men's and women's lives, enhancing or limiting their ability to exercise full citizenship and autonomy.

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**Box II.3**
**Care work: urban policies and gender equality**

More and more people in Latin America and the Caribbean are living in urban areas. In 2014, 77% of the total population lived in cities of more than 2,000 inhabitants and the rate is forecast to rise to 85% by 2030 (ECLAC, 2014a). Large cities of over 1 million inhabitants are also growing. In 2015, 36% of the region's population lived in large cities and this figure is projected to rise to 40% by 2030 (ECLAC 2016a). As it is in cities, which are major economic drivers of countries and territories, that most of the infrastructure and public goods required for the population's well-being are located and where industry, commerce and services are concentrated, cities can become the key arena for policies to boost women's economic autonomy through active employment programmes and the provision of quality care services.

Structural inequalities, which include gender inequalities, impact differently on men's and women's enjoyment of urban goods, public spaces, participatory democracy and employment opportunities. Such inequalities are often the result of men's and women's differing roles in the private and public spheres, the sexual division of labour and unequal distribution of dependent care responsibilities. Furthermore, the symbolic horizon of cities as places where opportunities are equalized and rights can be exercised is limited by spatial segregation, where social, economic and gender inequalities often intersect. Urban poverty has a distinctive gendered dimension (Tacoli, 2012).

The demographics of Latin American cities, coupled with the regional trend of placing the burden of the care economy mainly in the domestic sphere, and on women in particular, present specific challenges for the provision of family support services and infrastructure. Municipal governments provide public services to a growing number of people in the region.

However, for a large section of the population, the supply of health, education, transport and security services is insufficient to meet their needs.

Many of Latin America's large cities have adopted a model of mass construction of homes far from places of work and study, without adequate urban services. The city growth model instigated a marked separation between places of residence, work and services/leisure, most with poor access to public transport. This often serves to increase women's time burden because care tasks, which fall mainly on them, involve travelling to use different services in the city. In Mexico City, the 2007 origin-destination survey by the National Institute of Statistics and Geography (INEGI, 2007) shows that women account for 64% of all trips made for the purpose of escorting, taking or collecting another person, compared with 36% of men. In cities, women are also the main public service users; this assumes them to be unoccupied, with no obligation comply with working hours and plenty of free time to wait in queues (Rico and Robles, 2016). Changing the way time works in the city in recognition of women's total burden of work is an issue yet to be addressed by local governments.

Recent studies on four cities in the region (Mexico City, Cuenca (Ecuador), Montevideo and Santiago) reveal that, while there are differences between them, all local governments have limited resources to implement universal care services and it is not one of their priorities (Pérez, 2016; Batthyány, 2016; Segovia, 2016). Existing services therefore focus on the lowest-income population, prioritizing first children and second older adults, with very little care service provision for persons with disabilities. In addition, there is clearly an extremely limited supply of support services, counselling, respite and training for paid and unpaid caregivers.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of ECLAC, *Compacts for Equality: Towards a Sustainable Future* (LC/G.2586), Santiago, 2014; *Horizons 2030: Equality at the Centre of Sustainable Development* (LC/G.2660/Rev.1), Santiago, 2016; Cecilia Tacoli, "Urbanization, gender and urban poverty: paid work and unpaid carework in the city", *Urbanization and Emerging Population Issues Working Paper*, No.7, International Institute for Environment and Development (IIED)/United Nations Population Fund (UNFPA), 2012; Lucía Pérez Fragoso, "¿Quién cuida en la ciudad? Oportunidades y propuestas en la Ciudad de México", *Asuntos de Género series*, No. 136 (LC/L.4211), Santiago, ECLAC, 2016; Karina Batthyány, "¿Quién cuida en la ciudad? Oportunidades y propuestas en Montevideo (Uruguay)", *Asuntos de Género series*, No. 134 (LC/L.4182), Santiago, ECLAC, 2016; Olga Segovia, "¿Quién cuida en la ciudad? Oportunidades y propuestas en la comuna de Santiago (Chile)", *Asuntos de Género series*, No. 132 (LC/L.4127), Santiago, ECLAC, 2016.

# D.  Income and time use: domestic and care work at the heart of the equation

Just as the feminist movement's slogan "the personal is political" drew attention to domestic issues requiring public policies, advances in the region show that, now, time is political. It is essential to develop and implement public redistribution policies to foster gender equality and sustainable development.

Women's monetary and time poverty creates a vicious circle that is very difficult to escape without special policies to foster their economic autonomy. The burden of the unpaid work culturally ascribed to women curtails their opportunities for entering the labour market and becomes even heavier, demanding a greater time commitment, in poor households needing to increase their income. Households in the lowest income deciles have the highest number of dependants to care for (mainly children and persons with disabilities or chronic illnesses). Women from these households therefore have greater responsibilities for a larger number of dependants and higher demands on their time for domestic and care work, which limits their ability to seek employment and to enter and remain in the labour market, or leads them to accept poor-quality jobs because they are close to home or have more flexible working hours. In the poorest households in the lowest income quintile, 42.1% of women over the age of 15 have no income of their own and engage in unpaid domestic work. In the highest quintile, this drops to 17.2% (see figure II.10). The gap between women is therefore shaped by their own income and that of their households.

**Figure II.10**
**Latin America (weighted average of 18 countries): population aged 15 years and above without own income, by sex and household income quintile, around 2014**
*(Percentages)*
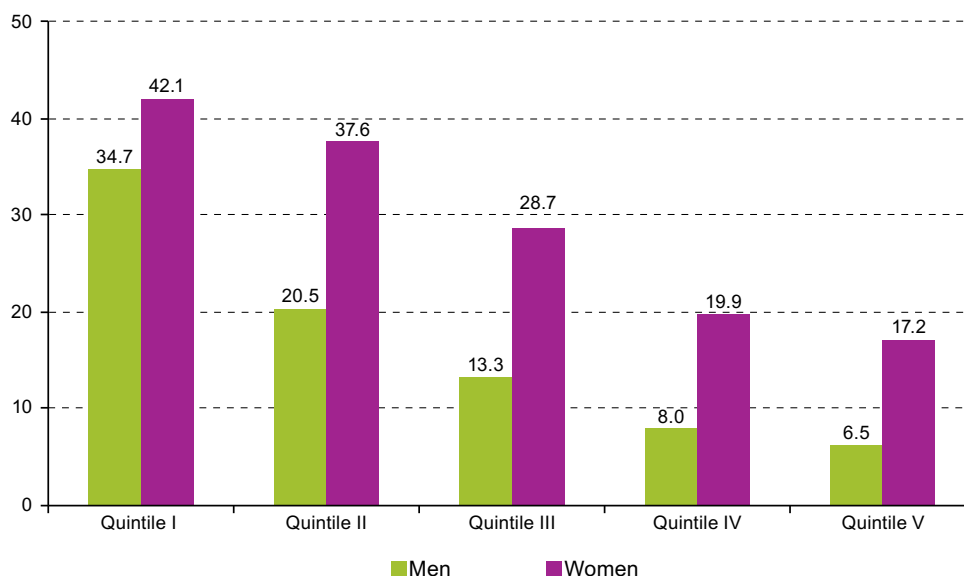
Disparities between men and women have not only a monetary component but also a component of time spent on different types of work. For that reason, analysis of income alone does not provide the full picture of poverty —particularly that of women— to help us understand one of the main mechanisms of gender inequality in today's society. It is therefore essential to examine both monetary resources and time use when designing redistributive policies to break the vicious circle between income poverty and time poverty, so that progress can be made towards achieving sustainable development with equality and participation.

Traditional measures of poverty (based on household income) are limited because income does not guarantee autonomy when the amount is insufficient to ensure well-being. Furthermore, traditional measures are based on a per capita method of calculation that does not necessarily reflect the actual distribution of monetary resources in the home,

given the gender hierarchy present in family relationships. This method of calculation assumes equal distribution of income and decisions relating to it, not only obscuring the dependence and lack of autonomy of women not working in paid employment because of the time they spend on domestic work and caring for others, but also disregarding the power relationships inherent in the family structure. This calls for the introduction of new measures that include issues previously invisible to traditional measures, such as the time availability of household members to carry out different activities and jobs, and the relationship between paid and unpaid work.

A key element for analysing gender gaps in well-being is therefore time use and the distribution of unpaid work within households. This becomes even more important for women aged 20-59 years because theirs is an age group where production and reproduction overlap, creating tension in an adverse environment.

So far, 19 countries in the region have made some attempt to measure time use. While available time-use surveys are not comparable because countries have emphasised different aspects and set different goals in their surveys, clearly trends are similar and gender gaps are consistent across all these countries.[9] Not only do women spend more than three times more hours on unpaid work than men, women's total work time (paid and unpaid) is also greater than men's (see figure II.11).

**Figure II.11**
**Latin America (10 countries): total time spent on paid and unpaid work by the population aged 20 to 59 years, by sex, around 2014[a]**
*(Hours per week)*
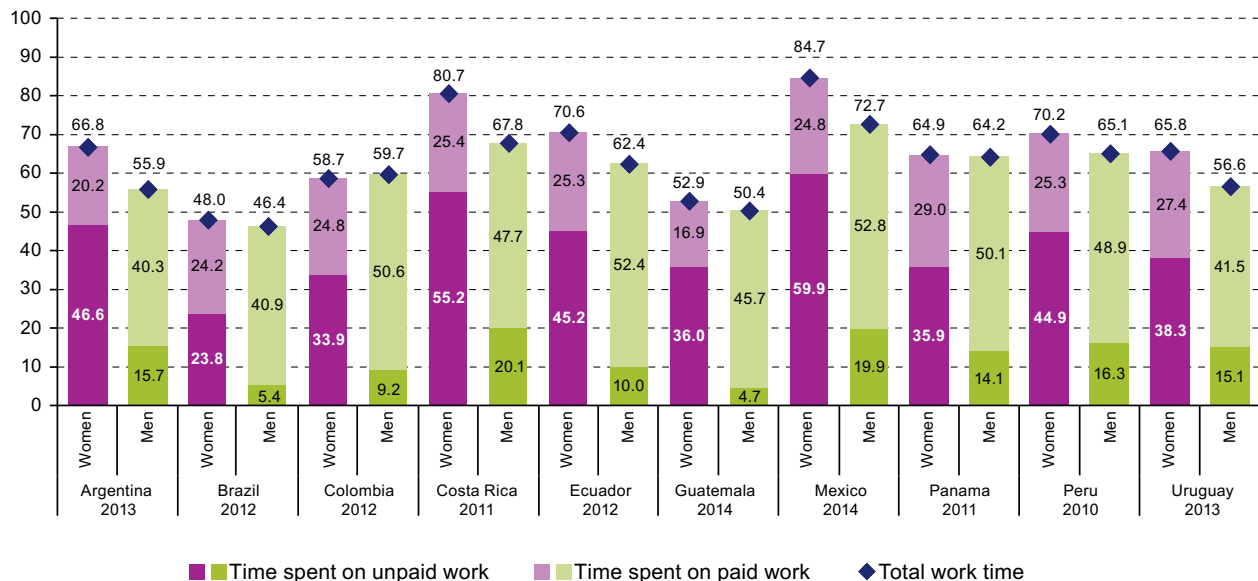


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.
[a] National data, except in the case of Costa Rica, where data are for the Greater Metropolitan Area.

Another important development, apart from time-use surveys, is for the latest household surveys on employment to take a gender approach when compiling information. Some countries have incorporated questions asking why respondents do not participate in the labour force despite being of an age to do so. Survey response categories have come to adopt a gender perspective and at least 10 countries provide an option, in one way or another, for respondents to cite reasons of family and dependent care for not participating in the labour force. An analysis of the responses once again reveals a major gap between men and women citing this reason, consistent with the time spent by women on family and dependent care. As a result of this new knowledge, active employment policies are required to consider not only endogenous or economic growth factors affecting the labour market but also cultural factors relating to family responsibilities and to households, bearing in mind the sexual division of labour.

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[9]    The methodologies used hitherto by countries to conduct their time-use surveys have been heterogeneous, both in the aims pursued and in their data-gathering procedures and classifications. They also differ in terms of sample size, geographical coverage and disaggregation possibilities (ECLAC/INEGI/INMUJERES/UN-Women, 2016).

**Figure II.12**
**Latin America (10 countries): population aged 20 to 59 years not participating in the labour market for family reasons, around 2013**
*(Percentages)*
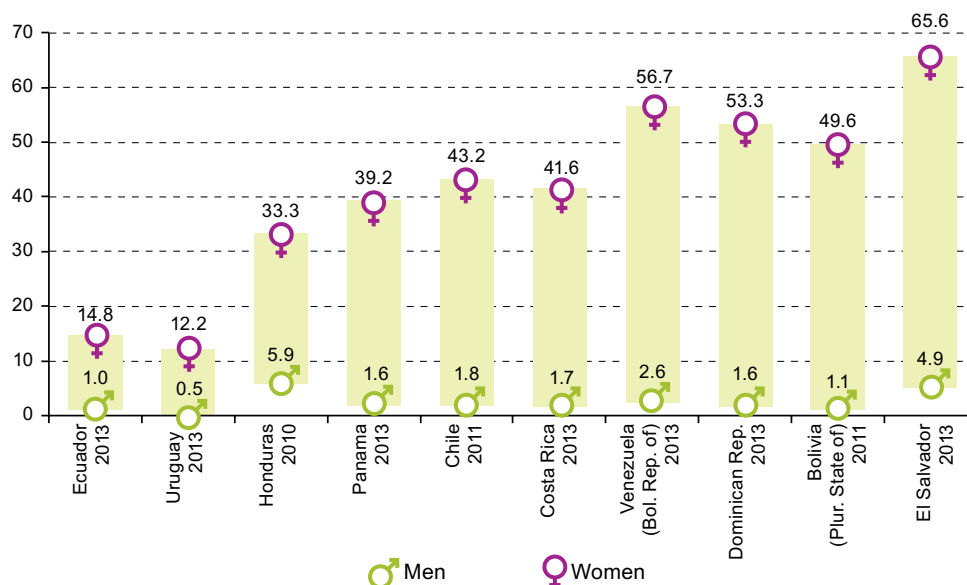
An analysis of two crucial resources for overcoming monetary poverty —income and time— reveals that, even though income poverty is something that women suffer from severely, time is distributed even more unequally. Clearly, then, disparities between men and women have not only a monetary component but also a component of time spent on different types of work, exacerbating the gender gap in the home.

Figure II.13 shows that unpaid working time by women in the group without incomes of their own is greater than in the group of women who do have an income of their own. Nevertheless, women with own income are required to spend a significant portion of this income on paying other women to perform care and domestic reproduction work. At present, when a woman engages in paid employment outside the home she leaves another woman working at home, on a paid or unpaid basis, as men are not seen to take on a significant share of the unpaid work. This reproduces gender gaps, and barriers to the access of all women to employment and economic autonomy are hardening.

One aspect to be borne in mind by public policymakers is that, even though women are able to reduce their own burden of unpaid work when they earn an income, mainly because it enables them to purchase services and technology products in the market to make work easier and save time, this does not diminish the gender gap. There is still a very wide gap between the number of hours spent by men and women on unpaid work, irrespective of age, marital status or occupation (ECLAC, 2009), and this can only be explained by the dominant gender system. It is a very important point to bear in mind because, while policies to promote women's access to the labour market or other sources of own income can serve to reduce their burden of unpaid work, unless they are accompanied by policies to encourage sharing of responsibility between men and women within the home, they will not succeed in overcoming current gender inequalities in the home. To achieve greater equality, it is imperative to design cultural, time and economic policies to help men to change their behaviour and undertake domestic and care work.

There is a general trend for women to spend more time on unpaid work but this is also stratified by socioeconomic status (see figure II.14). Women from households in the poorest quintiles spend the most time on unpaid work, one of the reasons being the size and dependency ratio of such households. The gaps are wide, with women from households in the lowest quintile spending up to 65 hours per week on unpaid work, while women in the top quintile spend 20-40 hours per week, depending on the country. In the case of men, there are no significant differences in the amount of time spent on unpaid work between households in the different income quintiles. This means that the gender gap is made wider and even more unfair by an overlapping economic gap.

**Figure II.13**
**Latin America (7 countries): unpaid work time of the population aged 20 to 59 years**
**by own-income status and sex, around 2013**
*(Hours per week)*
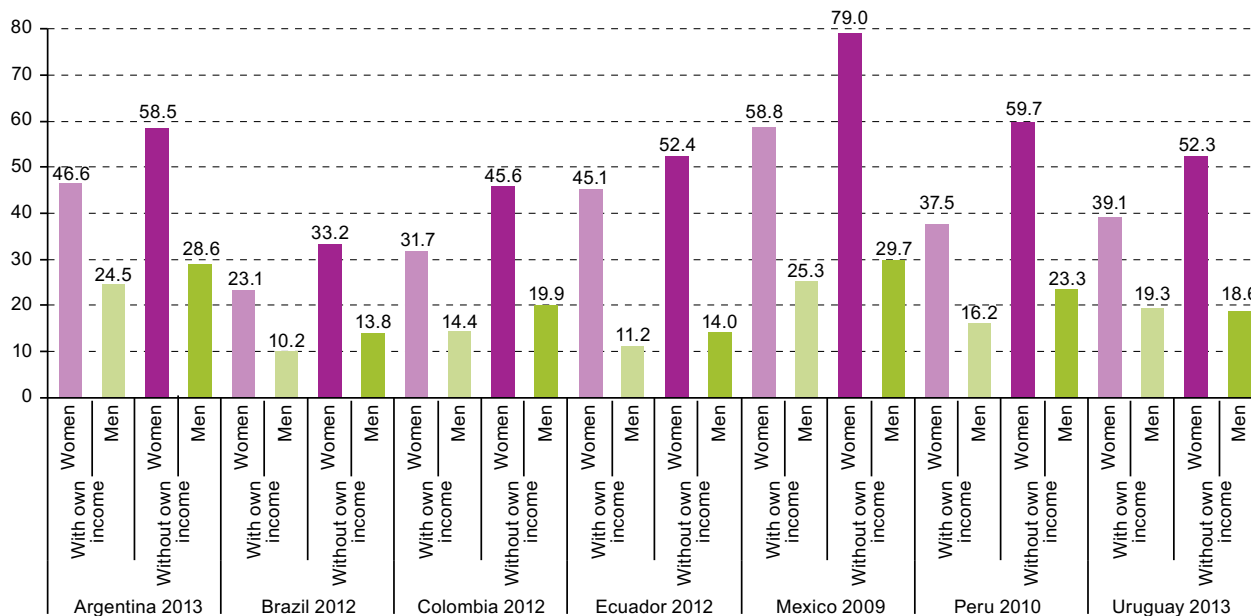


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

**Figure II.14**
**Latin America (9 countries): proportion of paid and unpaid work performed by women**
**aged 20 to 59 years, by poverty status, around 2014**
*(Percentages)*
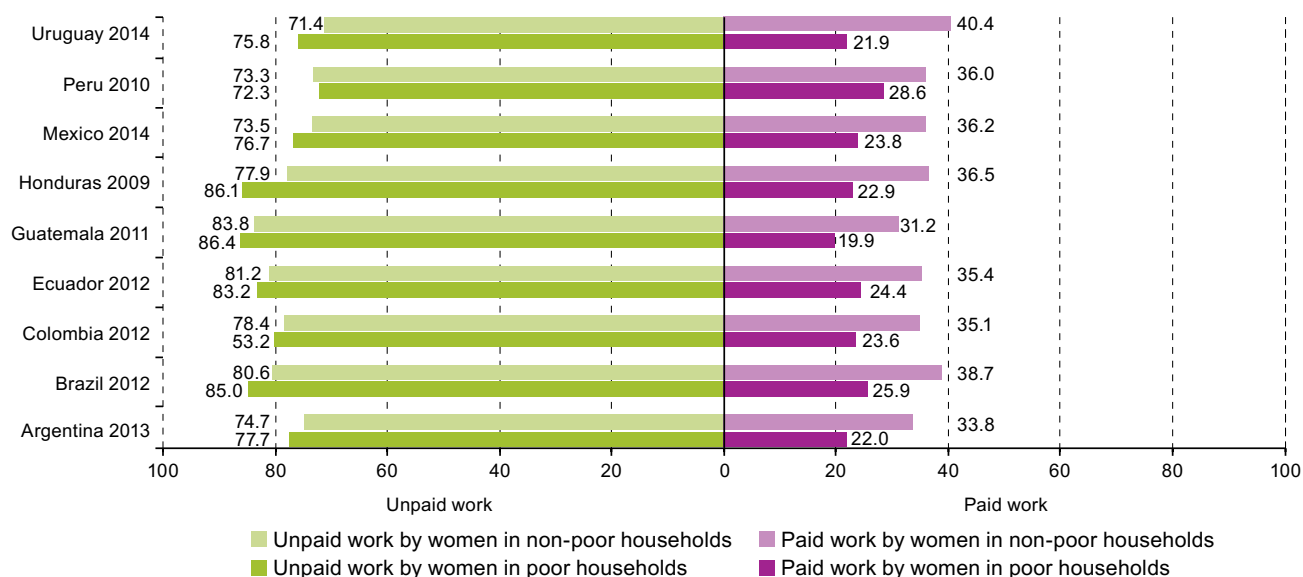


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

This trend is clearly regressive. What is more, the dependent population for reasons of old age, chronic illness or disability is expected to increase as a result of demographic changes under way in the region. Indeed, one of the roots of the so-called "care crisis" (ECLAC, 2009) can be traced to profound changes in the age structure of Latin American

societies owing to a segmented decline in fertility and an increase in life expectancy (Rossel, 2016). This is leading to a marked increase in the population's demand for care, coupled with public care provision that fails to meet the needs of the poorest households, which cannot afford the highly segmented solutions available in the market.

Women perform 71% to 86% of all unpaid work required by households, depending on the country. In all countries in the region for which information is available, women in poor households have the heaviest burden of unpaid work. In the case of men, it makes very little difference whether or not they are from poor households in terms of the proportion of unpaid work they do. As ECLAC has mentioned earlier, there are no wide disparities between men according to marital status, educational level, activity status or age group. This reveals strong resistance to change in the sexual division of labour, both from men individually and from society as a whole, in the absence of policies and programmes for redistributing domestic and care work, and, hence time use. It is important for poverty reduction policies to avoid reinforcing current gender roles because the demand for unpaid work, primarily caregiving, could overload women still further without changing the gender distribution of total work.

Family responsibilities, especially care tasks, are among the reasons holding women back from participating fully in the labour force and earning their own income.

Regardless of how many women participate in the labour market and how much their income contributes to the household, the inflexible share of time spent by men on unpaid work activities calls for policies that not only link paid and unpaid work but also redefine traditional roles. That is to say, policies should seek not only to improve women's opportunities to enter (and remain in) the labour market and to contribute monetary income to the household but also to promote men's role as caregivers and their participation in other social reproduction tasks.

In terms of public sector support, the analysis reveals two potential areas for equality policymaking: policies for redistributing monetary resources to address women's income poverty; and policies for redistributing time as a key resource for poverty eradication and women's personal and professional development. Poverty eradication policies should consider the distribution of working time and should not reinforce current gender roles. This means establishing a balance or reconciling paid with unpaid work for both men and women, and promoting shared responsibility for care within both the private sphere and the sphere of labour relations and service provision by the market and State.

## 1. Shorter working hours for all: a key to shared responsibility for care

Women's and men's experience of work down through the ages has differed completely. The life cycles and paths of women and men have diverged, with the two undertaking different activities and responsibilities.

Following industrialization, the work concept was hijacked by the productivist ideology of the industrial society, and a separation was introduced between work and employment (or self-employment), which came to be seen as a core human activity, determining people's schedules, working hours and lives. Thus, the idea of work in the broader sense —prior to industrialization and capitalism— as a continuous, trans-systemic, natural human activity, has been impoverished by referring to or modelling itself on wage-based production (Carrasco, 2009).

Another well-known hallmark of the industrial revolution was its substantive changes to the economic system, changes in production, marketing, relations between worker and owner, and the institution of longer working hours.

By the mid-nineteenth century, the working day had increased from 12 hours to 14 hours and explosive demand for labour had led to women and children being used to perform specific tasks under dangerous conditions for low pay. In early 1769, social movements denounced the abuse and poor working conditions endured by women and men workers, which resulted in strikes and mass demonstrations to demand better working conditions and shorter working hours.

In England, in 1833, an 8-hour working day was introduced for children aged 9-13 years and a 12-hour day for workers aged 13-18 years. In 1847, a 10-hour working day was established for workers aged 13-18 years and an 11-hour day for women. In France, in 1848, a 10-hour working day was introduced for people working within Paris city limits and an 11-hour day for those working in the rest of the country. In England and in parts of the United States of America, a 10hour working day was introduced for all workers in 1850. One of workers' basic demands became an 8-hour working day, under the slogan "eight hours' labour, eight hours' recreation, eight hours' rest". Later, the International Socialist Workers Congress of Paris of the Second International, held in Paris in 1889, agreed

to commemorate International Workers' Day on 1 May every year, as a tribute to the Haymarket martyrs in Chicago (United States of America): workers executed for their involvement in protests that began on 1 May 1886 and ended abruptly on 4 May of the same year. In late 1886, workers' demand for an 8-hour working day ended in victory. In 1919, the International Labour Organization adopted the Hours of Work (Industry) Convention (No. 1) limiting the hours of work in industrial undertakings to 8 hours per day and 48 hours per week. This was mainly in response to legislative advances in Europe, as well as to the demands of the international trade union movement. In Latin America, the convention came to have a major influence on the adoption of labour legislation in the ensuing decades.

Despite all these struggles, women nowadays have to contend with a very long working day indeed as they not only work for the market, they also spend many hours on domestic and care work that is not traded in the market.

Notwithstanding the specific characteristics of individual countries, over the decades societies in the region have continued to experience profound structural change, leading to changes in the organization of work, production, marketing, forms of recruitment and the operation of labour markets in general. However, so far there has been no significant shift in prevailing cultural conceptions according to which social reproduction is a women's responsibility rather than a necessity for society.

Reducing the number of paid working hours for both men and women, more than a century after the eight-hour working day was introduced, would not only enable women to enter paid employment but would also free up men's time to perform unpaid work activities, paving the way to shared responsibility. Balancing paid and unpaid work by envisaging a shorter working day would allow for a more even distribution of the total workload between men and women, transforming the current situation where women devote one third of their total work time to the market and two thirds to unpaid work, while men do the reverse.

# E.    Discrimination and inequality in the labour market

The labour market is the master key to equality and the place where the redistribution of income and rights occurs (ECLAC, 2014a). Although there have been marked improvements for women in some labour market indicators over the past few decades (ECLAC, 2015a), women's labour force participation has levelled off at around 53% across the region in recent years, pointing to the existence of a ceiling for women's entry into paid employment that needs to be broken through. Another point of note is the discrimination and inequality currently faced by women in paid employment.

Recent qualitative studies show that women's perception of their labour market participation is mediated by their experiences as mothers and caregivers, linked to continuing family negotiations. A study in the Plurinational State of Bolivia (Marco, 2016) shows that women perceive economic autonomy as a process with multiple challenges. Some of the characteristics common to the background of all the women interviewed were their early, mass entry into the labour force and their awareness of the inequalities they experience and aspire to overcome. All the women interviewed, without exception, believed that it was advantageous for women to have a job and an income. This may sound obvious but they might well have held the opposite view, given their dual burden of paid and unpaid work. Significantly, most of the respondents expressed the view that women could, and should, be free to do whatever they want with their money, although inconsistencies were noted in its allocation, often related to the needs of children and the home. Mothers and grandmothers were held up as role models who combine a struggle for autonomy with self-sacrifice to children and selfless care of others.

In addition to resistance to changing the sexual division of labour, mainly from men, and the allocation of virtually all domestic and care work to women, women's labour force participation is characterised by two features requiring priority attention: a disconnect between education and paid work and stubborn labour market segmentation. Both are analysed below.

## 1.  Disconnect between education and paid work

The regional monitoring report on the Millennium Development Goals in Latin America and the Caribbean (ECLAC, 2015b) reports that, while significant progress has been made in girls' access to formal education, particularly in secondary and tertiary education, the efforts made have not been sufficient to achieve the proposed targets.

In 2015, according to the UNESCO Institute for Statistics, throughout Latin America and the Caribbean, the rate of access to primary education is slightly lower for girls than for boys. The gap is wider at the higher levels, with girls having better access to secondary education (1.07) and tertiary education (1.29). However, this is uneven across the different countries. According to the latest available data, in around 2013, girls were still at a disadvantage with regard to access to primary education, with a ratio of less than 0.97 in Antigua and Barbuda, Dominican Republic, El Salvador, Grenada, Saint Lucia, Saint Vincent and the Grenadines and Suriname, although the ratio in most of these countries was very close to target 3A of the Millennium Development Goals. There is a similar state of affairs in secondary education, where the ratio in Guatemala and Saint Vincent and the Grenadines is below 0.97, while Mexico has not achieved gender parity in tertiary education, to the detriment of girls (ECLAC, 2015b).

While progress has been made in women's access to education and educational attainment, with the result that the average years of schooling of the economically active population aged 15 and above is higher among women than among men (9.6 years as compared with 8.8 years in 2013), for many women, education is still an empty promise. Despite their skills and expertise, they continue to face obstacles in access to paid work and, when they succeed, they encounter a marked gender wage gap which, paradoxically, grows wider the more years of schooling they have.

### (a) Gender wage gap: no improvement even for better-educated women

The gender wage gap remains an obstacle to women's economic autonomy and reproduces patterns of inequality (ECLAC, 2014b). The latest data available from household surveys in Latin America and an analysis of the median income of urban women and men wage workers aged 20-49 working in paid employment for 35 hours or more per week in 18 countries in the region (weighted average) show that, although the wage gap between women and men shrank by 12.1 percentage points between 1990 and 2014, women's pay is still only 83.9% of men's (see figure II.15). It means that, for women, the promise of equal pay for work of equal value is still an empty one. In addition, the disconnect between women's years of education and their earnings reflects the discrimination women face. This situation demonstrates differences depending on the educational level of the employed persons (ECLAC, 2016b).

**Figure II.15**

**Latin America (weighted average of 18 countries): average wage of urban female wage workers aged 20 to 49 years, working 35 hours or more per week, as a proportion of the wages of men with the same characteristics, by years of schooling, 1990 and 2014**

*(Percentages)*
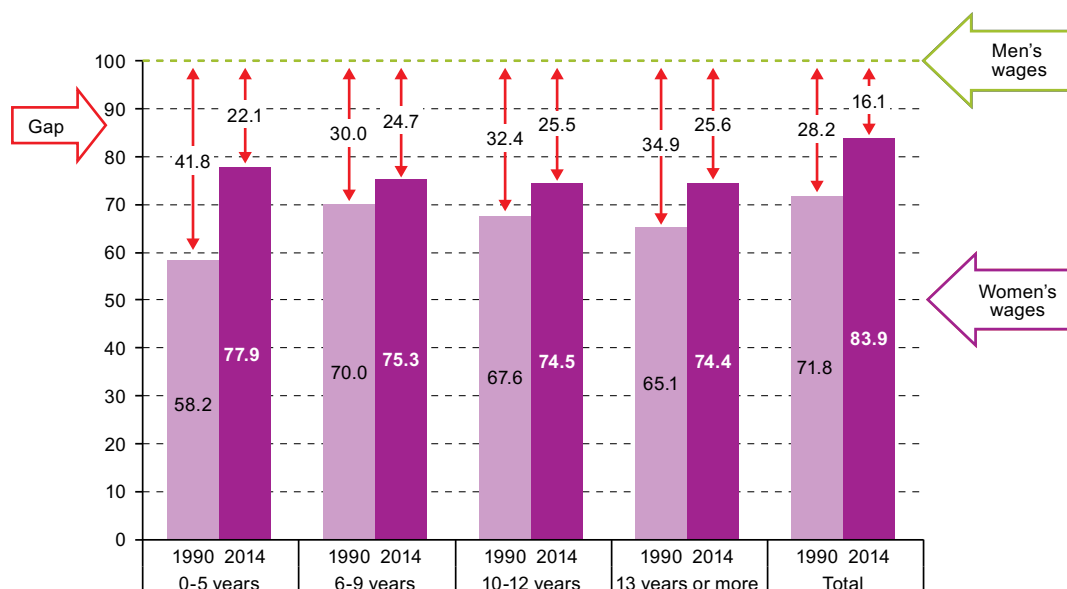


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

The biggest decrease in the wage gap (19.7 percentage points) was observed in the group of women with the lowest educational level (those with 0-5 years of schooling). This is due to two factors. First, to advances in legislation by countries in the region to regulate and formalize paid domestic work, setting minimum hourly wage rates and limiting daily working hours. Second, to an increase in the minimum wage and its use in several countries to raise the incomes of unskilled workers.

For women with the highest educational level (13 years or more of education), the wage gap shrank by 9.3 percentage points. While the entry of women into such fields as science and technology, telecommunications and large enterprise may be helping to improve the situation, it has failed to create equality: the wage gap between women and men is still 25.6 percentage points, showing that investment in women's education and vocational training has not impacted their earnings in line with those of men with the same training. At intermediate levels of education (6-9 years and 10-12 years of schooling) the wage gap has not changed substantially.

While the trade union movement in Latin America and the Caribbean has played a key role in improving working conditions, especially in terms of wages, it has been less successful in closing the gender wage gap. This issue has not been adequately addressed by trade unions in countries of the region. It is therefore crucial to promote spaces for collective bargaining and the active participation of women workers in the discussion and decision-making processes of trade union platforms.

Inequality between men and women in terms of returns on education (ECLAC, 2015d) and lack of continuity between educational and professional careers are factors to be taken into account in achieving the goals of the 2030 Agenda for Sustainable Development for ensuring quality education (Goal 4), and should be closely linked with the goals for decent work (Goal 8) and for the eradication, intergenerational transmission and feminization of poverty (Goal 1).

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**Box II.4**
**Labour force participation of women of African descent**

In the labour market, as in other areas, there is a complex system of multiple, simultaneous structures of oppression leading to loss of autonomy for specific groups of women, which has been termed intersectionality. This applies to Afro-descendent women and their labour force participation, which cannot be interpreted, much less addressed, using isolated variables but must be analysed using an integrated approach.

The gender wage gap, which is not only discriminatory but fails to compensate women's years of education or the public and private investment in acquiring such an education, becomes even more acute when the ethnicity/race dimension is taken into account: the earnings of indigenous and Afro-descendent women are far lower than those of non-indigenous men and non-Afro-descendent men, as well as those of non-indigenous and non-Afro-descendent women (ECLAC, 2015d).

Although Latin America is home to more than 120 million Afro-descendents, there is a dearth of public policies designed specifically for this population group, in particular for Afro-descendent women. One of the factors underpinning this situation is lack of information: "statistical invisibility is also discrimination" (Milosavljevic, 2015). Afro-descendent women, who have a very onerous family burden as they tend to live in households with more dependants, enter the labour market at an early age and leave it later than other women. Furthermore, unemployment rates among Afro-descendent women are much higher than among Afro-descendent men (except in Nicaragua) and non-Afro-descendent women. This scenario partly explains why they are overrepresented in population groups living in poverty or extreme poverty.

The main demands for the economic autonomy of Afro-descendent women, expressed in the Afro-descendent women leaders' Political Platform for the International Decade for People of African Descent and the Charter of the 2015 Black Women's March in Brazil, are: establishment of poverty eradication programmes with specific strategies for Afro-descendent women; promotion of affirmative action to ensure opportunities to access decent jobs with fair and adequate remuneration, curbing discriminatory practices in the labour market; implementation of equitable social security systems for all Afro-descendent women workers, including domestic workers; establishment of business entrepreneurship programmes to incorporate Afro-descendent women into the economy, with dignity, by building on their initiatives and setting up business networks and cooperatives; building capacity for action among rural Afro-descendent women, promoting their access to land, technical and business support and information on market trends, and their participation in the marketing process; promotion of the traditional knowledge of Afro-descendent women by developing projects to combine such knowledge with the use of new technology and production techniques; promotion of food security and sovereignty programmes that respect ethnic/cultural affiliation, prioritizing the access of Afro-descendent women to sufficient healthy, high-quality food free from pesticides and genetically modified organisms; and designing affirmative action policies in education, by introducing university quotas and student aid measures to ensure that Afro-descendent women and men students stay on in education.

As the International Decade for People of African Descent (2015-2024) gets under way, it is more urgent than ever to design and implement public policies for Afro-descendent women and to boost their autonomy as part of the drive for sustainable development.

Box II.4 (concluded)

**Latin America (9 countries): unemployment rate of the population aged 15 and above by sex and ethnicity/race, latest census data available**
*(Percentages)*



Legend:
- Afro-descendent women
- Non-Afro-descendent women
- Afro-descendent men
- Non-Afro-descendent men
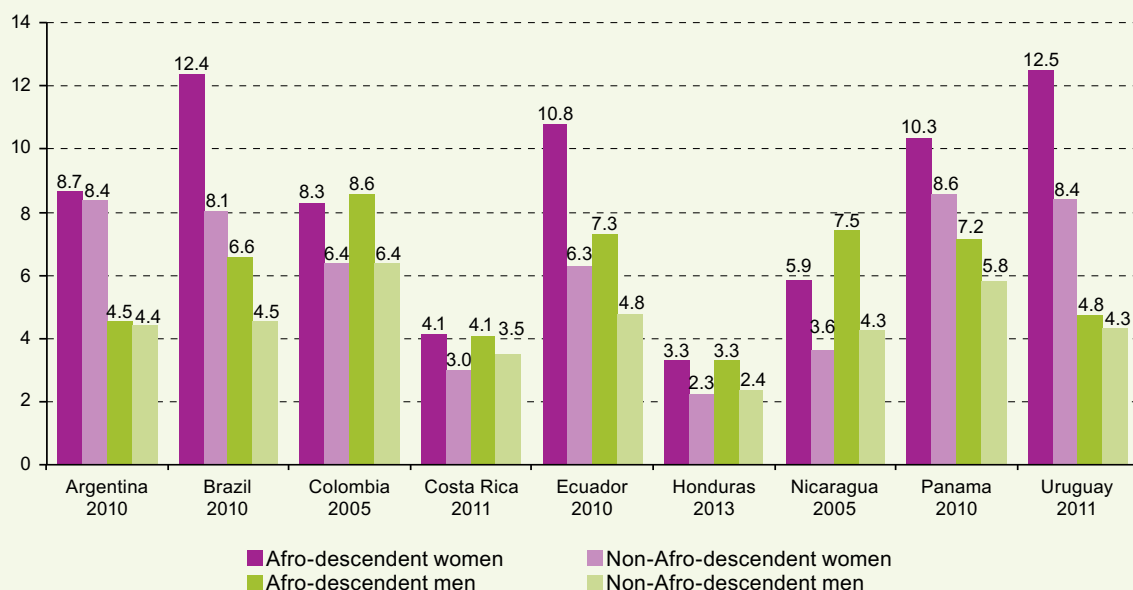
**Source**: Latin American and Caribbean Demographic Centre (CELADE)-Population Division of ECLAC, Indigenous Peoples and Afro-descendants in Latin America and the Caribbean Data Bank (PIAALC), 2016.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of María Aparecida Bento and others, "Las mujeres afrodescendientes en América Latina y el Caribe. Deudas de igualdad", *Asuntos de Género series*, Santiago, ECLAC, 2016, forthcoming; and ECLAC, *Inclusive Social Development: the next generation of policies for overcoming poverty and reducing inequality in Latin America and the Caribbean* (LC.L/4056/Rev.1), Santiago, 2015.

## (b) Young women not in education but working without pay

In Latin America, an estimated 30 million young men and women aged 15-29 years (22% of all young people) are cut off from the two cornerstones of social inclusion: the education system and the labour market. Not only is this a major drawback for them in terms of preventing vulnerability and poverty and enabling them to exercise their rights, both now and in the future, it has also tended to stigmatize them. This stigma has to do with the idea that young people in this position constitute an at-risk population that is prone to vagrancy, criminal behaviour and alcohol and drug abuse. The actual fact of the matter is that these young people are an extremely heterogeneous group with widely varying circumstances and many different reasons for exclusion (Trucco and Ullmann, 2015).

The majority of the young people not participating in either the education system or the labour market are women (73%), and they live in urban areas (66%), except in Guatemala and Honduras, where most such young people live in rural areas. More than half (55%) the young people who are not studying and not employed are engaged in unpaid domestic and care work (Espejo and Espíndola, 2015) (see figure II.16). This points to a clear gender disparity because the vast majority are women. Nor should the high toll this takes on the future career prospects of such women be ignored, as it makes them economically dependent on others and hinders their entry into the labour market, as well as jeopardizing their ability to exercise their rights to education and employment. The cost is not as high for young men leaving the education system because they can offset their lack of formal education with paid work experience, which the labour market rewards in the form of remuneration and future opportunities.

**Figure II.16**
**Latin America and the Caribbean (18 countries): activity status of young people aged 15 to 29 years, around 2014**
*(Percentages)*
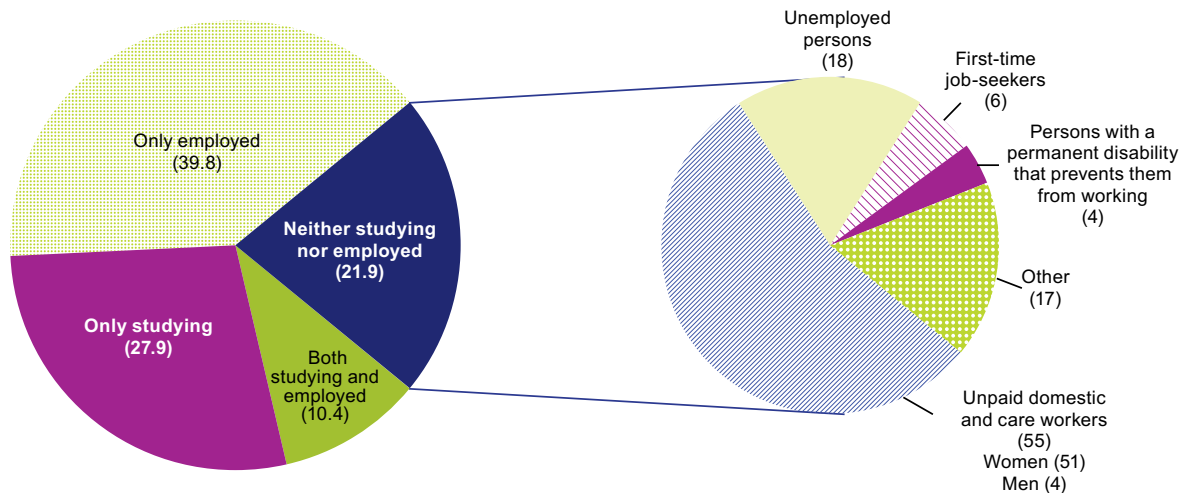


Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

This high regard for work experience helps to explain why 18% of young people who are neither studying nor employed are seeking paid employment after having worked previously (unemployed). A further 6% are young first-time job seekers who have left education. Presumably this is a temporary situation for such young people and at some point they will succeed in joining the labour market. A third group of inactive young people needs to be highlighted because they are persons with a permanent disability that precludes them from working and, in many cases, from following an educational path.

Finally, 17% of young people who are neither studying nor in paid work are in this situation for no obvious cause (denoted as "other" in figure II.16). This is the group that the International Labour Organization (ILO, 2013) has singled out as the "hard core" of social exclusion in its discussion of decent work and youth in the region. It mainly includes young people at the lower end of the age spectrum and from lower-income households (usually in the bottom two income quintiles). Some 8% of young women not in education or employment are in this group, compared with 30% of young men. They are probably the most socially marginalized young people, with no place in established social participation mechanisms. The existence of this hard-core group is thought to be attributable mainly to the structural conditions associated with socioeconomically disadvantaged groups, as well as to the exclusionary, discriminatory workings of social institutions that curtail opportunities for those failing to meet expectations.

Learning more about these different groups in every country and locality provides an insight into the factors of exclusion they experience and the most appropriate policies for addressing them. One of the main strategies should be to acknowledge the problems young women face in achieving a balance between educational and employment opportunities, on the one hand, and motherhood and the family and caregiving responsibilities assigned to them, on the other.

Two of the main reasons for women dropping out of school are motherhood and the responsibility assigned to them for housework. This is a serious social problem, associated with the transmission of poverty and factors such as hopelessness, frustration and demotivation in the face of a labour market that places less value on women's skills and expertise than on men's and which therefore does not consider education as an important instrument of social mobility.

## 2. Stubborn labour market segmentation

Achieving the progressive structural change advocated by ECLAC (2016a) entails moving towards a production model that creates jobs, builds capacity and expands high-productivity activities. This includes access to technology, appropriation of knowledge and distribution of productivity gains among the factors of production. In Latin America, 79% of employed women work in what are considered the three lowest-productivity sectors, with the worst pay, least contact with technology and innovation and, in many cases, poor-quality jobs, as figure II.17 shows.

**Figure II.17**
**Latin America (weighted average of 18 countries): employment by industry
productivity level, around 2014**
*(Percentages)*
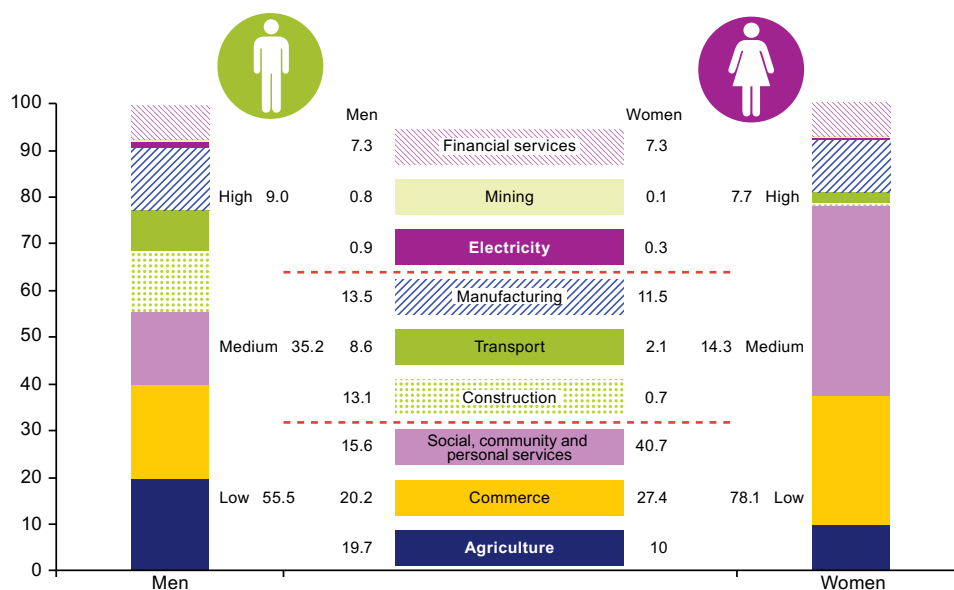


Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

In the region, the world of paid work encompasses a highly heterogeneous production structure that includes low-productivity sectors with high income inequality, in turn creating wide gaps in job quality, wages, social security and mobility (ECLAC, 2015d). In Latin America, the most productive stratum contributes 66.9% of GDP but generates barely 20% of jobs. Meanwhile, the least productive sectors employ 50% of workers but contribute only 10% of regional GDP (ECLAC, 2014, cited by Bárcena and Prado, 2015). The unequal contribution of sectors to GDP and employment leads to an unequal distribution of benefits (Bárcena and Prado, 2015), a fact that is exacerbated in population groups historically disadvantaged by conditions of gender, race, ethnicity or place of residence.

In the youngest population group, labour market indicators are less favourable for women than for men of similar age groups at all educational levels. Indeed, the challenges facing women are particularly severe for those with a low educational level, who find very few opportunities for productive employment. The main outcome is that, despite women's higher levels of formal education, their labour market indicators are lower than men's (ECLAC, 2014a). Women tend to be concentrated in jobs in low-productivity sectors, where employment conditions are unstable and insecure, with little access to social protection and low earnings (ECLAC, 2015c). In the region's labour market, opportunities for women are concentrated mainly in the service sector, where employment is tenuous (ILO, 2008, cited by Voria, 2008).

The disconnect between women's education and employment is also in evidence in technical-vocational education, an educational subsystem of countries in the region which, in some cases, serves to reproduce the dominant development model and gender roles (Silveira, 2011).

In the face of major changes triggered by the incorporation of knowledge into the production structure of advanced economies (Vilaseca and others, cited by Cejas, 2007) —indicating that a transition towards a knowledge-based economy is in progress— education and vocational training has become a pillar of the political, social and economic reforms under way in Latin American societies (Cejas, 2007). Technical-vocational education has emerged as a strategic response to demand for skilled workers with appropriate technical training who are needed to boost the economic development of countries in the region (Velasco, 2005).

Even though there are no great gender disparities in overall enrolment in technical-vocational education in the region, the inequalities that contribute to the horizontal and vertical segmentation of the current labour market are evident in the fields of study in which men and women enrol (see table II.3).

**Table II.3**
**Central America and the Dominican Republic: vocational training specialities**
**with a higher concentration of men or women, 2012**

| Higher concentration of men | Higher concentration of women |
|---|---|
| Mechanics | Crafts |
| Electricity | Beauty care |
| Electronics | Handicrafts |
| Metals | Decoration |
| Carpentry | Dressmaking |
| Masonry | Bakery |
| Agricultural sector | Confectionery |
| Automotive sector | Tourism |
| Industrial mechanics | Manufacture of cleaning products |
| Metalworking | Commerce |
| Panel beating and painting | Health and wellness |
| Moulding and casting | Cosmetology |
| Shipbuilding | Physical therapy |
| Refrigeration and air conditioning | Hairdressing |
| Operation and driving | |
| Multimedia creation | |
| Fishing, navigation, logistics and port activities | |
| Road safety | |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of International Labour Organization (ILO), *Diagnóstico Igualdad de género en los Institutos de Formación Profesional de América Central y República Dominicana*, 2014.

A key point is that young men's and women's chosen study fields are no accident but are permeated by perceptions regarding their skills, expectations of success with such skills and gender stereotypes assimilated during the earliest years of primary education, which coalesce to lead men to choose mainly scientific careers and women to choose mainly social and cultural careers, closer to the traditional gender roles assigned to them. Thus, educational expectations merge with labour market expectations acquired during adolescence to give rise to gender segregation in careers (Rico and Trucco, 2014).

Available information suggests that there is a feedback effect between the technical-vocational education system and the labour market. Women study specialities that are the worst-paid in the labour market, while at the same time the labour market pays less to women specializing in the better-paid fields. This is because pay differentials between fields of study respond to demand factors that place greater value on work performed in production sectors where there is the most market demand, which tend to be the very fields of study chosen by men.

It is essential to improve the linkage between education and the production sector, especially as ensuring the right to education is not enough in itself to achieve equality, with the result that, in the production sector, employment is a sphere of discrimination and transmission of inequality at the post-school stage (Rico and Trucco, 2014). In the process of transition towards a sustainable development model, policies should link all levels of the education system and vocational training, while mainstreaming gender into this system and into employment, to ensure that men and women can choose to train and enter high-productivity sectors on an equal footing, while guaranteeing the recognition of rights throughout their educational and professional careers and in retirement.

**Box II.5**
**Paid domestic work: income but not yet full rights**

In Latin America, 11% of women enter the labour market through paid domestic work, accounting for 95% of people working in this service industry. In the region, around 18 million people are employed in domestic work, accounting for 7% of the labour force (ILO, 2015). This work is still undervalued and precarious, and is one of the activities with the highest decent work deficit. In particular, there are high rates of informality and deregulation, and women working in this sector are often victims of discrimination, exploitation and abuse. In addition, a large proportion are internal or international migrants, or indigenous or Afro-descendent women, this intersectionality produces overlapping inequalities, which are exacerbated by poverty. In such countries as Honduras, Nicaragua and Guatemala, more than 55% of women employed in domestic service live in households where the income is below the poverty line (Rico and Vaca-Trigo, 2016). As was affirmed at the tenth session of the Regional Conference on Women in Latin America and the Caribbean, "caring is a task for women and serving one for poor women" (ECLAC, 2007). This situation began to change for the better in some countries in 2012 with the ratification of the ILO Domestic Workers Convention, 2011 (No. 189), which aims to guarantee the rights of women working in this economic sector. Brazil is a special case because it enshrined mandatory social security enrolment of domestic workers in its constitution as far back as 1988. To date, the convention has been ratified by 22 countries, which have gradually introduced various initiatives to comply with its provisions, especially those concerning working hours, formalization of employment and expanded social security.

**Latin America (18 countries): legislation on the social security rights of domestic workers, 2015**

| Conditions | Countries |
|---|---|
| Mandatory enrolment | Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of) |
| Voluntary enrolment | El Salvador, Honduras and Mexico |
| Special scheme with more limited coverage | El Salvador, Guatemala, Honduras and Mexico |

**Source**: International Labour Organization (ILO), *2015 Labour Overview: Latin America and the Caribbean*, Lima, 2015.

Although very few studies exist on its impact in the countries, the Domestic Workers Convention is particularly important for two reasons: (i) it is the first binding instrument to set standards for protecting domestic workers and is founded on fighting discrimination and poor working conditions, experienced mainly by women, especially international women migrants, which are manifested through exploitation and abuse; (ii) it is an instrument whose enforcement will contribute decisively to achieving a number of Sustainable Development Goal targets, including target 8.8 to protect labour rights and promote safe and secure working environments for all workers, including migrant workers, particularly women migrants, and those in precarious employment.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of María Nieves Rico and Iliana Vaca-Trigo, "Trabajo doméstico remunerado en América Latina: el núcleo duro de la desigualdad de género en el mercado laboral", Santiago, Economic Commission for Latin America and the Caribbean (ECLAC), 2016, unpublished.

# F. Social protection biases and deficits

Social protection and social security systems have an important role to play in view of the challenges posed by women's economic autonomy to policies relating to income and poverty alleviation. Therefore, in accordance with the obligation to ensure, on a basis of equality of men and women, the same right to social security (Convention on the Elimination of All Forms of Discrimination against Women, article 11), the Regional Conference on Women in Latin America and the Caribbean has adopted agreements that address social protection, one of the action areas of the gender equality agenda. For example, the Santo Domingo Consensus (2013) includes a commitment to "achieve the consolidation of public protection and social security systems with universal, comprehensive and efficient access and coverage by means of solidary, standard, participatory financing, based on the principle of solidarity and linked to a broad spectrum of public policies that guarantee well-being, quality of life and a decent retirement and enhance the full exercise of citizenship by women, including those who have devoted their lives to productive as well as reproductive work, both paid and unpaid, female domestic workers, rural women, female informal and contract workers and, above all, women directly or indirectly affected by illness, disability, unemployment, underemployment or widowhood at any stage in their life cycle". Improving social protection systems is a global concern, as evidenced by target 1.3 of the Sustainable Development Goals, which seeks to "Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable" (United Nations, 2015c).

Social protection comprises all social provisions, such as cash and in-kind transfers, subsidies, social insurance and regulations that provide basic welfare guarantees and insurance against risks and institute measures to redress the social problems that citizens face (Cecchini and others, 2015). Social protection is therefore a fundamental tool in States' efforts to guarantee citizens' economic and social rights. Social protection policies include contributory instruments, linked to contributions that people make throughout their working lives, and non-contributory schemes, which are built on solidarity and financed largely by general taxation.

Mainstreaming a gender equality perspective into discussions on this topic and, more particularly, into the resulting policies has been very low on the public agenda, but doing so is vital for at least three reasons. First, the increase in the number of poor households headed by women in the region could be tackled by social protection policies. Second, there is a danger that public policy design could continue to be based on a maternalist approach that contains significant gender biases. Third, within the broader context of well-being, there are potential links between social protection provisions and those that promote women's access to paid work.

Given the rate at which women are joining the labour market and that they constitute the majority of workers in informal, precarious and lower-paid jobs, any social security benefits that they manage to claim are more likely to be non-contributory benefits. Women are the main recipients of these benefits, particularly conditional cash transfers, which have been central to poverty reduction and social protection strategies in the region (ECLAC, 2015d). However, non-contributory social protection is not limited to these programmes; there is a wide battery of instruments, including in-kind transfers, preferential access to social services, subsidies to formalize employment and social pensions and family allowances. In the future, there may even be basic income or guaranteed income systems. Another example is the expansion of health insurance schemes through a combination of contributory and non-contributory mechanisms (ECLAC, 2015d). In recent years, the discussion has begun to focus on care policies as a pillar or component of social protection (ECLAC, 2015c), in particular, access to public care services, leaves of absence to care for a family member, cash transfers, allowances to pay for care and recognition of unpaid domestic work (Rico and Robles, 2016). However, no scheme, be it contributory or not, truly recognizes the part that women's paid and unpaid work plays in the reproduction and viability of society.

## 1. Pension systems and inadequate coverage of women

Social security refers to people's right to protection in terms of access to health care and in the case of a drop in their income for any number of reasons, including old age. Pensions and retirement benefits are two examples of social security instruments and access to them is, therefore, a fundamental pillar of exercising citizenship. Despite the importance of these benefits and the ever-broader coverage of pension and retirement provisions in Latin America (ECLAC, 2013c and 2015c), the outcomes of their implementation reveal structural gaps and inequalities, including gender inequalities. This is a reflection of the inequalities and discrimination that women face in the labour market, and of the design of pension systems, which cannot be considered gender neutral (Jiménez, Quezada and Huete, 2014; Marco, 2016).

Demographic trends are another cause for concern, as longer life expectancy and the ageing population are increasing the proportion of women among older persons. Their situation is precarious: on average, women are less likely to be enrolled in retirement and pension schemes and draw amounts that are almost one-fifth less than those received by men. This is a common trend throughout the region, regardless of which type of pension scheme is in force in each country, be it a distributive arrangement, an individual capitalization plan or a mixture of the two.

A breakdown of workers who qualify for retirement and pension benefits as a result of employment in the formal sector reveals that men and women still do not enjoy equal access to these benefits in most countries. This is compounded by the fact that in six of the nine countries for which data are available, more than 50% of women aged 65 years or over do not have access to contributory pension systems. More women receive an income in their old age thanks to non-contributory social pensions; however, the amounts they receive are low and do not fully guarantee their economic autonomy (Marco, 2016). In the Latin America countries for which data are available, the amount of benefits received by women is lower than the amount received by men in all cases, only approaching parity in the Bolivarian Republic of Venezuela, even though just 44% of Venezuelan women had access to those benefits. The Dominican Republic is the only country in which the gap is in favour of women (by almost 34 percentage points), but it too reports a low coverage rate for women. The gap is less than 10% in Argentina and Brazil. The 1988 Constitution of Brazil stipulates that pension benefits cannot be less than the minimum wage and it extended the coverage levels for men and women in rural areas, among other measures (see box II.6). It should also be noted that female wage workers paid the same contributions as men or more in most of the countries of the region. This may reflect the improvement in women's participation in the labour market and women's more proactive attitude towards pension contributions.

**Figure II.18**

**Latin America (16 countries): persons aged 65 years or over who receive contributory and non-contributory pension payments, by sex and the gender gap in the average amounts paid, around 2014**[a][b]

*(Percentages)*
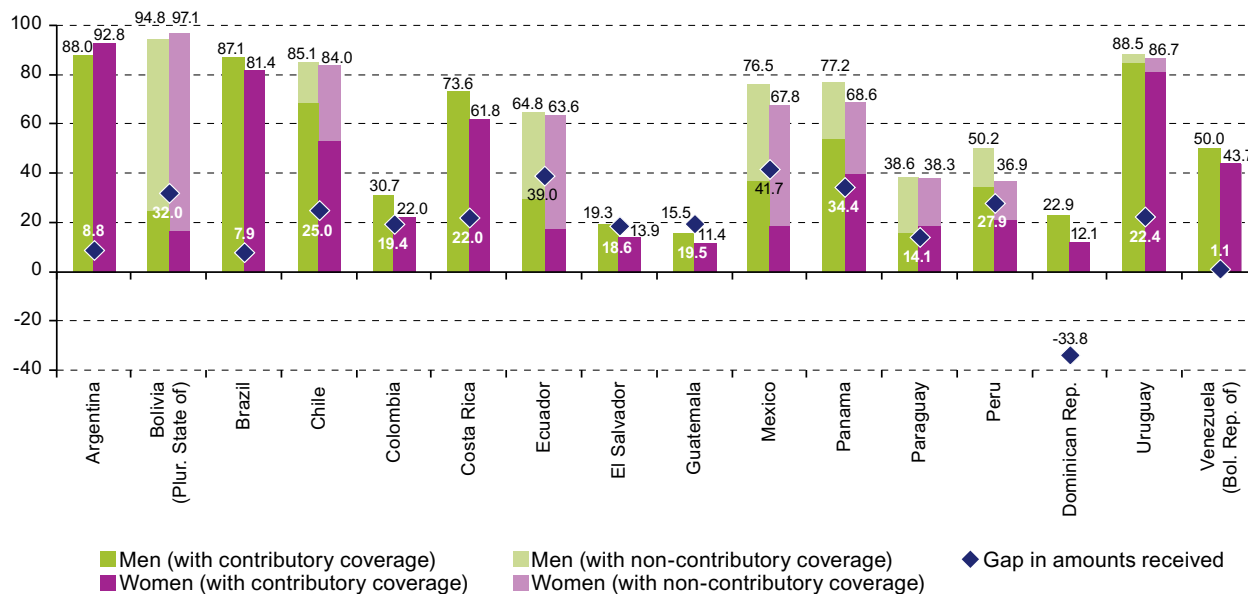


Men (with contributory coverage)    Men (with non-contributory coverage)    ◆ Gap in amounts received
Women (with contributory coverage)    Women (with non-contributory coverage)

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

[a] The gap in amounts paid is the difference between the average contributory and non-contributory pension payments received by women aged 65 years or over compared with men in the same age bracket.

[b] For countries for which disaggregated data are available, the striped areas denote the percentage of people who receive non-contributory pensions only. The household survey data available for the following countries allow non-contributory pension programmes to be distinguished from other schemes: Chile (basic solidarity old age pension and solidarity pension support), Costa Rica (non-contributory pensions regime), Ecuador (Human Development Grant), Mexico (pension for older adults), Panama (the 120 to the 65s programme), Paraguay (food pension for older adults), Peru (Pensión 65 National Solidarity Assistance Programme), Plurinational State of Bolivia (Renta Dignidad universal old-age pension) and Uruguay (old age and disability pensions).

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**Box II.6**

**Recognition of the rural workers' right to social protection in Brazil**

The Brazilian Constitution of 1988 recognizes rural work as an occupation and, therefore, extends pension rights and social protections to workers in that sector; it also provides for the creation of a subsystem of semi-contributory rural insurance, which even covers unpaid work under the family economy regime. In addition, it sets the retirement age for rural men and women at 60 years and 55 years, respectively, and enables rural women to claim this (regardless of whether they are married or not) and other benefits, such as ill-health retirement, old-age pension and sick and maternity leave (Dantas, 2014). While gender equality has yet to be achieved, these reforms are an example of measures that can be taken to expand the scope of social protection in rural areas.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of C. Dantas, "Protección social de las trabajadoras de la agricultura familiar en Brasil desde una perspectiva de género. Informe final", Santiago, FAO Regional Office for Latin America and the Caribbean, 2014.

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The design of pension systems can reinforce or reduce gender inequalities. Gaps widen when systems are based on assumptions about typical recipients who have an uninterrupted, stable employment history in the formal sector of the economy. Such schemes do not take into account the different needs that arise from women's career paths. Women tend to work in the informal sector or may have gaps in their formal sector contributions as care requirements force them to move into the informal sector, which offers more flexible hours, more conveniently located workplaces and other conditions that, given the lack of other options, allow them to reconcile family life with work. Nevertheless that reconciliation comes at a cost: namely, greater vulnerability, lower salaries and poor quality jobs. Moreover, inequalities are exacerbated by the introduction of openly discriminatory mechanisms, such as sex differentiated mortality tables for calculating pension and retirement benefits, which penalize women because of their longer life expectancy. In addition to this, pension systems fail to recognize women's contribution to social protection through unpaid care work, which is a debt that the region must pay if equality is to be consolidated.

**Box II.7**
**Social security for women and men in the Southern Cone**

All evidence indicates that the gender inequalities in the labour market are reflected in social security systems, although the design of individual systems can reduce or reinforce inequalities. The parameters that should be taken into consideration because of their differential gender impact when establishing social security systems include the number of years contributions must be paid in order to qualify for a pension, the mortality rate, the period of earnings used to calculate payments, the correlation between contributions and benefits, and the existence of grace periods associated with child benefits or other similar benefits.

A detailed analysis of the retirement and pension systems in Argentina, Brazil, Chile and Uruguay illustrates this situation (Amarante, Colacce and Manzi, 2016). It is useful to analyse retirement and pension plans separately, as, under retirement plans, individuals' rights are based on the contributions beneficiaries pay during their working lives, while pensions are designed to cover the gaps left by retirement plans and include survivor's pensions and non-contributory social pensions. The analysis reveals that the coverage rates of retirement plans for women are particularly low in Chile, but have improved slightly in Brazil and Uruguay. Pension coverage is higher for women, and coverage rates for both sexes have increased substantially in Chile.

**Southern Cone (4 countries): proportion of persons aged 65 years or over with pension and retirement coverage by sex, around 2000 and 2013**
*(Percentages)*

| | | Argentina | | Brazil | | Chile | | Uruguay | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | | 2000 | 2013 | 2000 | 2013 | 2000 | 2013 | 2000 | 2013 |
| Pension and retirement coverage | Men | 72 | 88 | 89 | 87 | 79 | 85 | 89 | 89 |
| | Women | 65 | 93 | 82 | 82 | 70 | 84 | 87 | 87 |
| Retirement plans | Men | -- | -- | 89 | 86 | 66 | 66 | 86 | 85 |
| | Women | -- | -- | 60 | 63 | 34 | 34 | 59 | 61 |
| Pensions[a] | Men | -- | -- | 2 | 5 | 14 | 25 | 5 | 7 |
| | Women | -- | -- | 33 | 33 | 39 | 57 | 51 | 53 |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.
[a] Includes survivor's and non-contributory pensions.

There are two indicators that allow for a deeper analysis of gender inequality in social security provision. The first is the gap between recipients of retirement and pension benefits, which is the difference between the average pension and retirement payments actually received by women and men, taking only recipients into account. The second indicator is the total gap between retirement and pension benefits, which is calculated on the basis of the total population of women and men aged 65 years or over, including those who are outside the pension systems (hence, the indicator includes those who are classified in surveys as having no pension or retirement income). This total gap reflects the inequality in both the pension and retirement benefit amounts received and access to pension systems.

In the four countries, the gap between retirement benefit recipients and those who draw pensions was between 23% and 29% in 2000. More than a decade later, the gap had narrowed, albeit at different rates (see figure below). The greatest progress was made in Argentina and Brazil, where the gap had reduced significantly. According to data from 2013 for those two countries, on average,

the differences between men and women in retirement income, while they still existed, were smaller, while in Chile and Uruguay they were much more pronounced.

In Argentina and Chile, the total gap narrowed by more than the gap between recipients, as coverage of retirement and pension systems increased. The improvement in the gap between recipients (difference in amounts) in Argentina can be linked to some of the policies implemented in the intervening period, including pension moratoriums, the elimination of sex differentiated mortality tables following the discontinuation of individual capitalization funds, the automatic indexation of retirement systems and the increase in the Universal Basic Pension (ANSES, 2009). In Chile, as the gap between recipients narrowed only slightly, the reduction in the total gap was essentially the result of the greater increase in coverage of women, largely achieved by expanding non-contributory pension systems in the period under consideration. In Brazil and Uruguay, coverage levels barely changed in that period and improvements in the total gap were therefore due almost exclusively to variations in the amount of pension and retirement benefits.

**Southern Cone (4 countries): gaps in the pension amounts received by persons aged 65 years or over, around 2000 and 2013**
*(Percentages)*
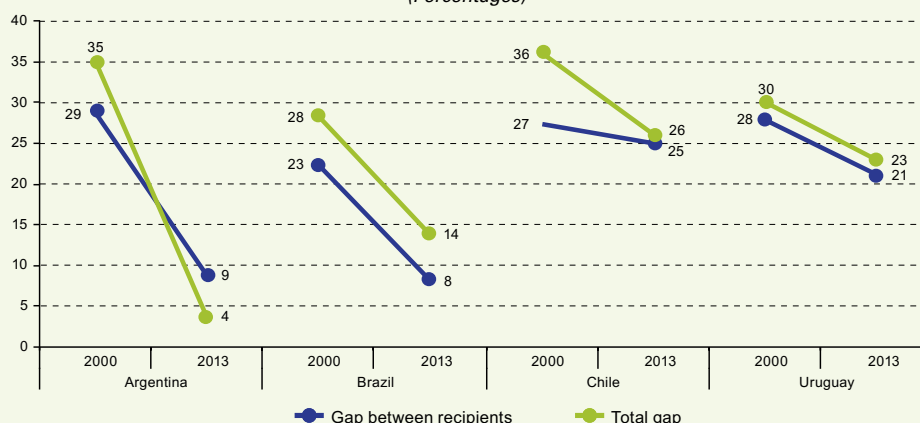


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Verónica Amarante, Maira Colacce and Pilar Manzi, "La brecha de género en jubilaciones y pensiones. Los casos de Argentina, Brasil, Chile y Uruguay", *Asuntos de Género series*, Santiago, ECLAC, 2016, forthcoming; National Social Security Administration (ANSES), "Boletín Previsional y de la Seguridad Social 2009", Observatorio de la Seguridad Social, Administración Nacional de Seguridad Social, Argentina, 2009; and Francesca Bettio, Platon Tinios and Gianni Betti, *The Gender Gap in Pensions in the EU*, Luxembourg, European Union, 2013.

In Latin America and the Caribbean, the impending consequences of this scenario will have far-reaching effects on women's economic autonomy in old age and the debate on citizens' rights and public policy. On the one hand, the limits that democratic States currently come up against with regard to the goal of equality and the consolidation of human rights principles must be acknowledged. On the other hand, the potential outcomes of this situation may seriously undermine the social, economic and even political stability of the countries, in the light of the interaction between demographic change and the failure to ensure adequate and sufficient income for a largely female, aged and impoverished population, with greater care and health needs.

This picture of a stratified population in old age should be addressed as a matter of priority by social and economic policies. Social security systems must take into account the principle of solidarity between men and women, and acknowledge women's contributions to countries' well-being and development. Systems that do not provide guarantees for full and equal citizenship should be reformed.

# G. Natural resources and production assets: obstacles to women's access and control

According to various studies carried out in Latin America and the Caribbean, the effects of climate change, such as drought, extreme weather events, natural disasters and reduced food and water security affect women and men differently because of the roles and status assigned to them.

As they are the hardest hit, women have a crucial role to play in the climate change adaptation and mitigation actions that the world is currently calling for. Thus, their active participation in decision-making is a significant factor, which has not been taken into account sufficiently in the negotiations of the Conference of the Parties to the United Nations Framework Convention on Climate Change to address climate challenges and to achieve the long-term goals of the United Nations Framework Convention on Climate Change, as well as the Sustainable Development Goals. Women routinely employ strategies in their homes to address climate change, using ingenuity and tried and tested actions and know-how to adapt to changing environmental realities. Despite offering solutions and contributing to their families' well-being, women are still largely ignored in local, national and global strategies.

Furthermore, although they are closely involved in the use of natural resources, most women do not own land and have no control over the production assets used to cultivate it. Having no land or property, it is very difficult for women to obtain credit, since most do not have assets that can be put up as collateral for financial loans. This is a vicious circle that excludes women from many production resources or loans to finance ventures. Women's lack of access to goods and financial assets also means that they are left behind in the areas of technology and innovation.

## 1. The exclusion of rural women

In the countries of the region, women who live in poor households or in rural areas and indigenous women are primarily responsible for securing food, water and fuel for cooking or heating the home. As the negative effects of climate change increase, these tasks will become more onerous in terms of time, energy and economic cost, while remaining the responsibility of women and, sometimes, children, without any redistribution or shared responsibility assumed by men. Moreover, there are no extended programmes to replace fuels used in households with alternatives that do not produce harmful emissions.

Women can play a central role in mitigation processes, but attention should be drawn to the importance of not overburdening them with this new responsibility and encumbering them with more unpaid domestic work. In this context, public policies, in addition to being ambitious and long-term, must adopt a comprehensive approach to development and systematically include ex ante assessments of the impact of programmes and projects on women's rights and gender equality, in order to take the necessary preventive measures.

According to the time-use module applied by the National Institute of Statistics in Guatemala in 2014, 9% of women aged 15 years or over fetched water, compared with 4% of men in that age group. This activity takes six hours per week on average.

In view of the diversity of territories and gender gaps, the approach adopted must address a multiplicity of variables that intersect and are, at the same time, mutually reinforcing. By combining a territorial approach and a gender-based approach to development, rural women's control over and participation in the production processes that foster their empowerment and sustainable development can be increased.

According to data from the Food and Agriculture Organization of the United Nations (FAO), approximately 121 million people live in rural areas of Latin America and the Caribbean, or roughly 20% of the total population. Of these rural dwellers, 48% are women (58 million) and about 20% are indigenous (24 million) (ECLAC, 2015a). While the situation varies widely from one country to another, rural women everywhere are a largely invisible and diffuse group, but one that is growing and crucial to establishing a regional agenda for sustainable development based on gender equality and that provides for equal access to production resources, land, financing, technology, training and markets. In this way it will be possible to advance towards recognition of their rights and to ensure their full and equal participation in development, not just as equal beneficiaries, but also as partners on an equal footing.

The rights of rural and indigenous women are set out in various international human rights instruments, such as the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women. Sustainable Development Goal 5, contained in the 2030 Agenda for Sustainable Development, specifies that States should "[u]ndertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws". This target is particularly important for women living in rural areas, as they often work the land, cultivate crops and take certain decisions, but do not own property or inherit the production resources that ensure their survival and that of their families.

Pursuant to general recommendation No. 34 on the rights of rural women of the Committee on the Elimination of Discrimination against Women (United Nations, 2016), States should promote inclusive and sustainable economic development which enables rural women to enjoy their rights, and recognize the right to land as a human right. This recommendation urges States to recognize rural women's crucial contributions to local and national economies, promote their empowerment, and ensure their economic independence and that they are able to benefit effectively and directly from economic and social programmes by involving them in the design and development of all relevant plans and strategies, such as those relating to health, education, employment and social security. However, despite these provisions and the progress made in recent decades, the discrimination and inequalities that rural women face have not been reversed or overcome, and they constantly encounter structural constraints that prevent them from fully enjoying their rights.

Gender equality in rural areas needs a new approach that addresses the changes that rural populations are experiencing: the lines between spaces (rural and urban), activities (agricultural and non-agricultural) and work (self-employed, employed and unpaid) are being blurred, and there is a growing disconnect between the workspace (farm operations) and the living and consumption space (the home) (FAO, 2014).

In the last decade, rural women have made strides in joining the labour market in the region. Between 2002 and 2014, their participation increased by 3.4 percentage points on average —with differences among countries— although there are still gaps compared with women in urban areas (see figure II.19).

Women undertake agricultural work, paid or unpaid, and are often employed on other farms or carry out non-agricultural tasks, combining various activities simultaneously or successively. Those activities vary depending on the time of year, their stage in the life cycle and other family circumstances or the environment.

While the primary sector —composed mainly of agriculture and, to a lesser extent, fishing and mining— is still the biggest employer in rural areas, the tertiary sector has grown considerably in these areas over the past decade, as evidenced by the relatively high numbers of women undertaking non-agricultural activities (see figure II.20).

**Figure II.19**
**Latin America (15 countries): economic participation rate, by sex and area of residence,
around 2002 and 2014**
*(Percentages)*
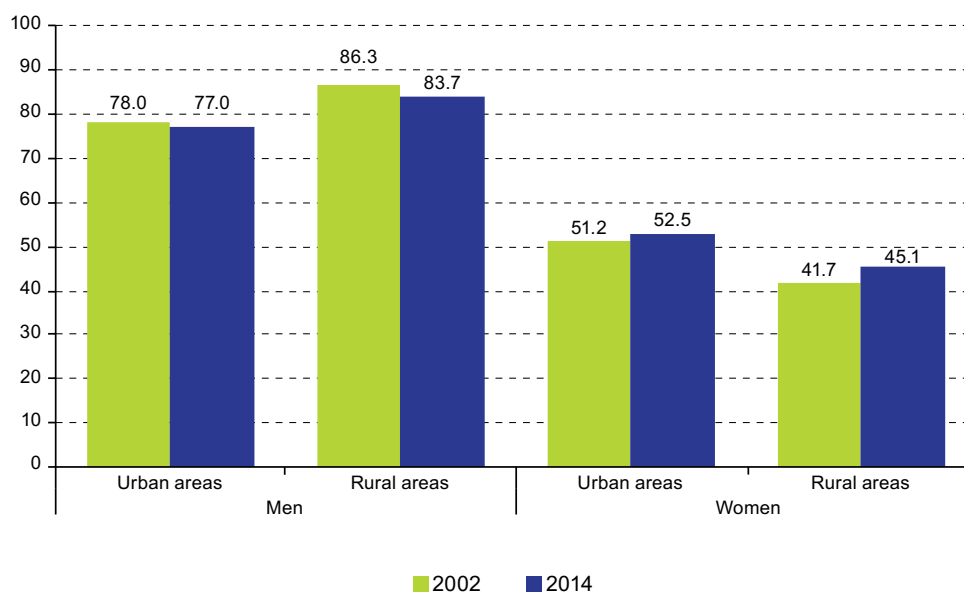
**Figure II.20**
**Latin America (15 countries): rural working population by economic sector, around 2005 and 2014**
*(Percentages)*
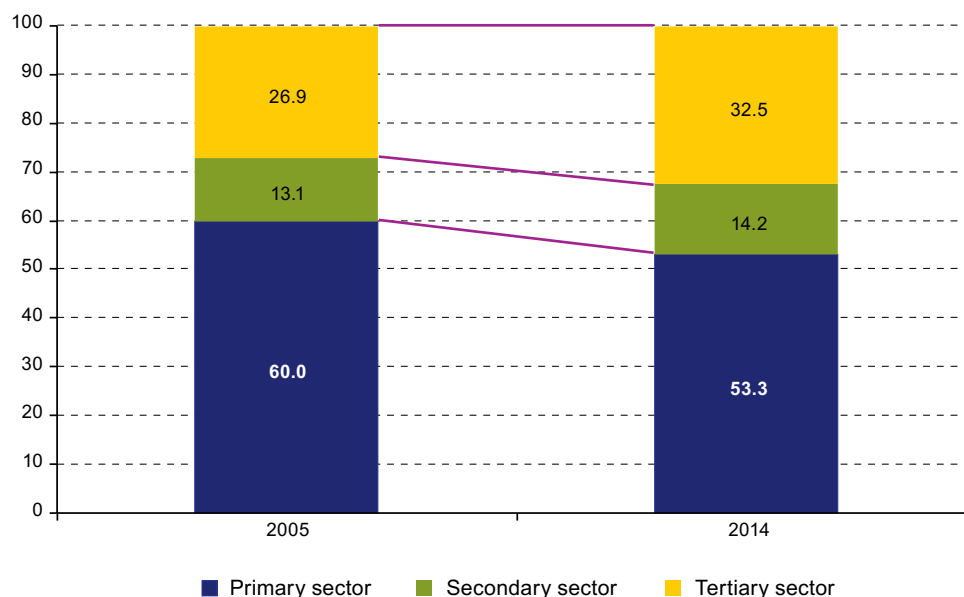
Analysis of family farming reveals that most women undertake unpaid agricultural work on family farms. They make up the majority of the 40% of women in rural areas of Latin America who do not have their own income, but who work a great deal every day, while 11% of men do not have their own income.

One reason for the invisibility of rural women's work is because official statistics do not take into account the work of those who are unpaid family farm workers or those who produce for household consumption, due to the complexity of capturing this economic activity and separating it from housework, so it is not classified as work within the production boundary (ECLAC/ILO, 2016).

Time-use studies show that most of the rural women who are classified as inactive in traditional employment surveys undertake work that is invisible to official statistics as unpaid family workers or producers for household consumption.

The data generated by time-use studies conducted in four countries (Brazil, Colombia and Ecuador (2012) and Guatemala (2014)) reveal that territory —that is, urban or rural geographical area— and sex are variables that determine paid or unpaid workload. Rural women not only spend more time undertaking unpaid work, but their share of that work is also higher (see figure II.21).
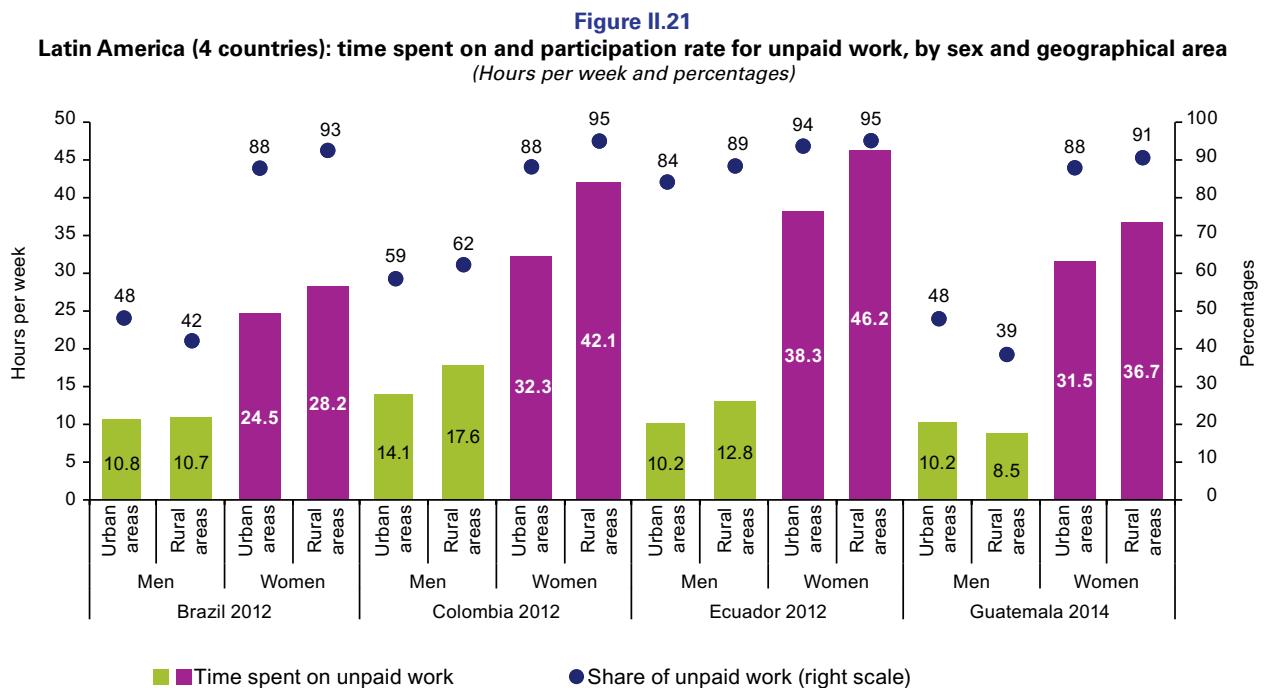
**Figure II.21**
**Latin America (4 countries): time spent on and participation rate for unpaid work, by sex and geographical area**
*(Hours per week and percentages)*



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of time-use surveys conducted in the respective countries.

An analysis of the total working time (both production for the market and unpaid domestic and care work undertaken within households) of the population employed in the agricultural sector, based on data derived from time-use studies conducted in Brazil (2012), Colombia (2012), Ecuador (2012), Guatemala (2014) and Peru (2010), reveals that individuals in this sector work more hours than those employed in other areas (see figure II.22). The paid working hours for both male and female agricultural workers exceeded by at least three hours per week the average of employees in other sectors.

The number of hours of paid work per week for women in the agricultural sector (between 24 and 45 hours) is greater than the average of other working women (between 15 and 22 hours).

The gaps in the number of hours devoted to unpaid work between men and women are wider in the agricultural sector. Women in this sector work, on average, more unpaid hours than all employed women, while the number of hours that men devote to unpaid work is largely the same regardless of which economic sector they work in.

**Figure II.22**
**Latin America (5 countries): total time spent on paid and unpaid work by the population aged 15 years or over employed in the agricultural sector, by sex, around 2014**
*(Hours per week)*
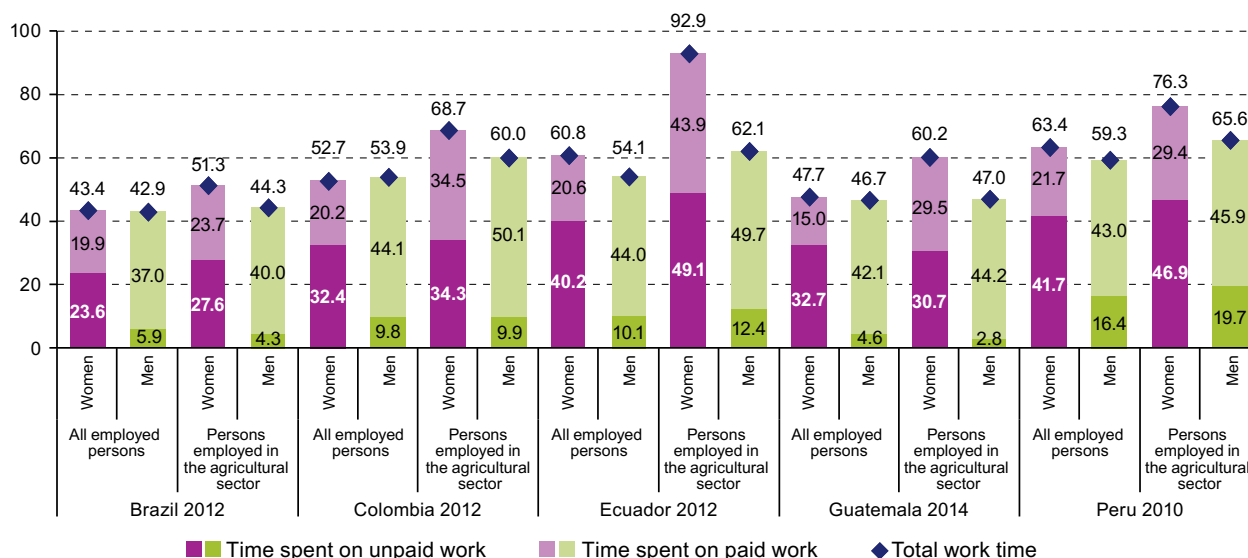


**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of time-use surveys conducted in the respective countries.

The increased participation of women in family farming as producers (paid or not) has not been matched by men taking on more domestic and care work. This inequity in how men and women divide their time between, on the one hand, agricultural production and, on the other hand, domestic and care work, exposes the sexual division of labour. The analysis of the time spent by rural women on paid and unpaid work reveals an even starker division: the long hours they devote to unpaid work limit their market participation and, therefore, their ability to generate income, which ultimately affects their quality of life.

**(a) Family agricultural units**

On average, family farms account for 81.3% of all farms in the region, a figure that is generally replicated across the subregions (see table II.4). The limited data available indicate that the percentage of family agricultural units is 88.4% in the Caribbean; 78.6% in Central America, including Mexico; 79.8% in the Andean countries; and 83.9% in the Southern Cone (FAO, 2014, p. 37).

**Table II.4**
**Latin America and the Caribbean (9 countries): ratio of family agricultural units
to total number of farms, around 2008**

| Subregion/country | Total number of farms<br>(number of units) | Family farms<br>(number of units) | Family agricultural units<br>(percentages of the total) |
|---|---|---|---|
| Latin America and the Caribbean | 20 414 539 | 16 596 837 | 81.3 |
| The Caribbean | 1 704 651 | 1 507 757 | 88.4 |
| Antigua and Barbuda | 1 226 | 1 118 | 91.2 |
| Belize | 13 882 | 10 272 | 74.0 |
| Dominican Republic | 347 563 | 281 526 | 81.0 |
| Grenada | 55 029 | 49 246 | 89.5 |
| Haiti | 1 018 951 | 956 892 | 93.9 |
| Jamaica | 228 683 | 179 999 | 78.7 |
| Saint Lucia | 9 972 | 8 287 | 83.1 |
| Suriname | 10 234 | 10 189 | 99.6 |
| Trinidad and Tobago | 19 111 | 10 228 | 53.5 |

**Source:** Food and Agriculture Organization of the United Nations (FAO), *Agricultura familiar en América Latina y el Caribe: recomendaciones de política*, Santiago [online] http://www.fao.org/docrep/019/i3788s/i3788s.pdf, on the basis of agriculture censuses conducted in the respective countries.

Women are increasingly participating in family farming, particularly in subsistence farming. In the Caribbean, farms headed by women tend to be small (generally less than one hectare) and account for a little more than 20% of all farms (FAO, 2014, p. 42).

The agrarian structure in the Caribbean is becoming increasingly fragmented, especially in Antigua and Barbuda, Jamaica and Saint Kitts and Nevis. In Jamaica, between 1996 and 2007, the number of farms of less than one hectare increased by 9.8%, making up 66.4% of all farms (FAO, 2014, p. 40). According to data from the 2008 Agricultural Census of Suriname, the population working in agriculture accounts for 70% of the economically active population, and most are engaged in production for own consumption. Family farming is the predominant form of production. Many women are involved in production because a large percentage of family farms are run by women (FAO, 2013).

These situations are worsening in both Latin America and the Caribbean because rural women are considered secondary workers whose function is, essentially, to supplement household income. Consequently, those rural women who do work tend to have precarious, informal jobs that are not subject to an employment contract; this is important because having a formal contract means that decent work criteria are more likely to be met.

In addition to this, women receive low wages, a situation that is exacerbated by the temporary nature of their jobs, which is not the case for men, who hold predominantly permanent jobs (ECLAC/ILO, 2016). As a result of receiving lower and more variable monetary income, female workers in the agricultural sector contribute less to social protection systems.

## 2. Barriers to accessing production and financial assets

In order to achieve the progressive structural change advocated by ECLAC, financial systems are needed that have a diversified combination of institutions and instruments at their disposal, capable of providing access to financial services, such as savings and credit, to a wide range of individuals and businesses. As noted in the document *Horizons 2030: Equality at the Centre of Sustainable Development* (ECLAC, 2016a), the predominant development pattern has become unsustainable. In this connection, non-inclusive financial services, which are not extended to people on low incomes or smaller businesses, or which impose very high rates and unfavourable conditions, are not conducive to economic and social development, as they force people to rely heavily on their meagre savings or, failing that, to resort to informal or illegal lenders, both to meet costs such as education and housing and to set up enterprises.

Inclusive financial systems, where access to credit is democratic and fulfils a progressive social function in terms of distribution, will allow countries to transition to markets with higher levels of production and employment. In the light of the current economic situation and the proposal made by ECLAC, they will also help avoid losing the ground already gained by countries of the region with regard to overcoming poverty and redistributing productive and financial resources is not lost.

Women's economic and financial autonomy are essential to achieving equality and are high on the regional gender agenda, which includes measures to improve women's access to assets, in particular, formal financial services, without discrimination and on an equal footing with men. Without access to adequate financing, women find it difficult to budget over the long term and achieve a number of goals, such as improving the quality of their production, boosting their businesses' productivity, and saving for future consumption, investment or contingencies and to help their families avoid the poverty cycle.

The financial systems in place in most countries continue to exclude women, to a large extent, from the formal economy. One of the targets of Sustainable Development Goal 5 states that reforms should be undertaken to give women access to property, financial services and other production sources in order to bring about their economic autonomy (United Nations, 2015c). This is a key requirement for overcoming poverty, boosting productivity, innovation and economic growth, ensuring peoples' well-being and reducing inequality, including gender inequality.

For many women in the region, credit has become a tool that, far from promoting the growth of their businesses and their economic autonomy, perpetuates the marginalization of their activities and renders them more dependent. When they are unable to meet the requirements demanded by formal systems, women turn to informal sources of credit, proving that there is a need that the formal system fails to meet. Formal systems must adapt loan guarantees and their financing modalities to the circumstances of many female entrepreneurs, who have a low income and for

whom the line between financial flows for business activities and those for household costs is sometimes blurred, as meeting the family's basic needs often takes precedence over reinvestment.

Women's lack of revenue or low income limit their access to banking services that require collateral linked to assets or property, and identifies them as a high risk group, undermining the efficiency of the financial system and reinforcing social and gender inequalities. Another obstacle is that many women find the process of accessing financial services and opening a bank account or applying for a loan time-consuming and complicated. It is also difficult for them to provide guarantees or collateral and, in some countries, there are even legal barriers linked to their marital status.

The data indicate that there is a certain reluctance to lend large amounts to women, even though they tend to keep up with repayments better than men once they have obtained the loan or used financial services. In Chile, for example, women have less access to loans of all types: only 44% of women have been granted some form of credit (SBIF, 2016).

Women's limited access to finance must be addressed explicitly by the financial sector to prevent systematic exclusion. Accurate, comparable and reliable data, disaggregated by sex, are needed to identify the barriers to women's financial inclusion and to develop policies. Readily-available financial data are particularly important for analysing the impact of access to financial services on growth and poverty reduction. The private sector should also be provided with information on women's needs and interests with a view to developing products and services without the restrictions that currently affect women, thus expanding market opportunities.

Furthermore, and as was highlighted at the twelfth session of the Regional Conference on Women in Latin America and the Caribbean, held in Santo Domingo in October 2013, access to and use of information and communications technologies are crucial to women's economic autonomy and control over production resources. In order to institute the information society and progressive structural change, all citizens must participate, using all of their abilities and skills to take on the new digital era.

Although women have ever higher educational levels and attainment, they constitute a minority in the field of scientific and technological research and receive less funding than their male colleagues. They also occupy relatively few management positions in the information and communications technologies sector (UNESCO, 2015a). This is also a challenge for the paradigm shift entailed by industry 4.0 and to making more effective use of women's skills for the development of the information and communication technologies sector (Scuro and Bercovich, 2014).

The analysis of various aspects of women's economic autonomy, including the primary constraints, carried out in this chapter makes it clear that in order to build fairer, more inclusive and more sustainable societies, rights-based economic and labour policies with a gender perspective are needed to ensure women's well-being and to help them achieve their potential in line with their education, contribution and needs at all stages of life. Furthermore, the social and economic organization of care should be addressed by policies that seek to reduce inequality and poverty.

# Physical autonomy, freedom and rights

## Introduction

For more than 20 years now, the governments of Latin American and Caribbean countries have been signing agreements, issuing declarations and building a large body of national laws aimed at redressing the lack of freedom surrounding women's exercise of sexuality and motherhood, while emphasizing the violence they experience. One of the broadest achievements reflected in the assessment carried out 20 years after the fourth World Conference on Women and in the regional report prepared by ECLAC (2015a) on the basis of that information is the disappearance of almost all openly discriminatory laws. These documents underlined the gains made in recognizing family diversity and in marriage reform —with the passing of marriage equality[1] and gender identity laws[2] in some countries (ECLAC, 2015a)— and in establishing a relevant legal framework to address violence against women[3] within a relatively short period of the region's legal history.

Steady progress in sexual and reproductive health policies has brought the region a step closer to guaranteeing universal access to reproductive health services and allowing women to make their own decisions about their bodies and the number of children they wish to have. The region is also making advances in providing guaranteed access to safe and good-quality health care for women facing unwanted pregnancies, thanks to the voluntary interruption of pregnancy laws in place to protect the lives and health of adult women and adolescent girls.[4] The 2030 Agenda for Sustainable Development acknowledges that it is not possible to achieve gender equality or to guarantee a healthy life in a sustainable development framework without recognizing women's autonomy in matters of sexuality and reproduction[5] and without guaranteeing them a life free of violence[6] (United Nations, 2015c). The agreements adopted by the Regional Conference on Women and on Population and Development at their various sessions have taken further steps towards recognizing the importance of ensuring that all women have the freedom to exercise their sexual and reproductive rights fully (ECLAC, 2016c). Regional priority measures have been established to follow up and implement the 2030 Agenda and the Sustainable Development Goals on the basis of the most urgent challenges in the region.

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[1]  Argentina (2010), Brazil (2013), Colombia (2016), Chile (2015), Ecuador (2008 and 2014) and Uruguay (2013) all have some form of marriage equality or civil union laws in place for same-sex couples.

[2]  Argentina (2012), Mexico (2015), the Plurinational State of Bolivia (2016) and Uruguay (2009) have adopted gender identity laws that formally recognize transsexual identity.

[3]  All of the countries in the region have laws against violence against women or gender violence, and a large number have comprehensive laws on violence against women.

[4]  There are still a few countries and territories that penalize abortion in all circumstances: Aruba, British Virgin Islands, Chile, Dominican Republic, El Salvador, Haiti, Honduras and Nicaragua.

[5]  Sustainable development goal (SDG) 3 ("Ensure healthy lives and promote well-being for all at all ages"), which includes targets on sexual and reproductive health (3.1, 3.3 and 3.7) and SDG 5 ("Achieve gender equality and empower all women and girls"), which includes targets on gender-based discrimination and violence, and sexual and reproductive health (5.1, 5.2, 5.3 and 5.6).

[6]  SDG 5 ("Achieve gender equality and empower all women and girls"), which includes targets on ending all forms of discrimination and violence against women and girls (5.1, 5.2 and 5.3); SDG 10 ("Reduce inequality within and among countries"), which includes targets on promoting inclusion of all irrespective of age, sex and other factors, ensuring equal opportunity and reducing inequalities of outcome (10.2 and 10.3); and target 16.2 on ending all forms of violence against children.

Women's physical autonomy is tied to the exercise of rights and to democracy upheld by pluralistic and inclusive political principles, that is, by the assertion of liberty and equality for all (Mouffe, 1999). At the same time, physical autonomy should not be limited to sexual and reproductive health, or to a life free of violence, but should mean giving back to women that which has historically been taken from them and which forms the material basis of their existence: their bodies (Prado, 2016). In this respect, women's autonomy also implies a reinterpretation of the social meanings of the body.

As the follow-up of the 2030 Agenda for Sustainable Development gets under way, the exercise of freedom by women and young girls must be a priority. Proposals are therefore needed to ensure that they can live healthy lives and are free to decide on and participate in their countries' social, economic and political life. For this reason, universal access to information and education is crucial, as is ensuring conditions in which they can exercise their sexual and reproductive rights in their daily lives, while also making provision for situations of emergency, disaster and armed conflict that place women and girls at higher risk.

Within the framework of women exercising full autonomy, physical freedom involves two aspects of citizenship: (i) reproductive and sexual rights, and (ii) the right to a life free of violence. These rights are directly linked to women's freedom and autonomy over their bodies, as personal and private territory over which every woman should have legal power and the capacity to take sovereign decisions. This goes to the heart of the feminist agenda and is enshrined in several articles of the Convention on the Elimination of All Forms of Discrimination against Women, including articles 5 (gender-based stereotyping and prejudice), 6 (suppressing all forms of traffic in women and exploitation of prostitution of women), 12 (ensuring access to reproductive health care) and 16 (deciding freely and responsibly on the number and spacing of their children and having access to the information, education and means to enable them to exercise these rights) (United Nations, 1979).

Against this backdrop, the region faces significant challenges: the persistence of adolescent pregnancy, child pregnancy (in many cases stemming from forced motherhood and sexual violence) and unmet family planning needs owing to weak public investment in contraceptive methods and the greater economic responsibility placed on women for reproductive issues. These are some of the greatest challenges on the regional gender agenda, which faces resistance within the countries from conservative quarters who object to the expansion of the rights described. This goes hand in hand with the tension between the vagaries of electoral politics and the establishment of a new institutional and legislative framework in accordance with the gender equality strategies being promoted in the region.

An important achievement to mention is that maternal mortality has declined in most countries in Latin America and the Caribbean, and in 2015, according to official data published by the Maternal Mortality Estimation Inter-Agency Group (WHO/UNICEF/UNFPA/World Bank/United Nations, 2015), the region as a whole recorded 67 maternal deaths for every 100,000 live births, 18 percentage points lower than the 2013 figure. However, measurement issues remain. Rather than the overall figure, what is needed is an analysis by country with a view to understanding the uneven situation it masks, as maternal mortality remains at unacceptable levels in almost half the countries in the region. This issue needs to be tackled with more rigorous analysis than is required by the respective target of the Sustainable Development Goals,[7] which is less demanding than the corresponding Millennium Development Goal, since it does not cover the social and economic specificities of each country.

Estimates for 2015 show that 18 countries in the region had brought maternal deaths below the target ceiling of 70 per 100,000 live births, but 13 countries had still not achieved that target.[8] Irrespective of the average, then, the problem has not been resolved if considered from a human rights perspective and given governments' reaffirmation in the Montevideo Consensus on Population and Development that maternal mortality is an affront to human rights (ECLAC, 2013a). In this case, the *pro homine* principle —whereby from a human rights perspective the more demanding target should be applied— would mean reducing maternal mortality by three quarters between 2016 and 2030 (Yanes, 2016).

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[7]    Target 3.1 of the SDGs, "By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births".
[8]    See ECLAC, Gender Equality Observatory of Latin America and the Caribbean [online] oig.cepal.org.

Ensuring the availability of adequate antenatal care and guaranteeing that births will be attended by skilled health personnel continue to pose a challenge. Based on the most recent data available for Latin America and the Caribbean, 92% of births were attended by skilled health personnel in 2014 (up 11 percentage points on 1990), with most countries reporting a rise in levels of care, although the figures stood at between 80% and 90% for Honduras, Nicaragua and the Plurinational State of Bolivia, and remained below 70% for Guatemala and Haiti (ECLAC, 2015b). In the light of these data and of the mixed picture as regards maternal mortality reduction in the countries of the region, an assessment is needed of the quality and efficacy of reproductive health care and conditions, including access to safe abortions. The progress, hurdles and setbacks in sexual and reproductive health care call for a regional and national focus on the mechanisms used to control women's sexuality and on the simple fact that they represent a form of violence perpetuated throughout all stages of a woman's life.

Against the backdrop of persisting challenges such as the HIV/AIDS epidemic and emerging ones such as the Zika virus —which affects mainly the poorest women in large swathes of the region, whose are thus exposed to high-risk pregnancies— the Pan American Health Organization (PAHO, 2016) called for a review of ethical criteria applied to health care, the incorporation of these advances into Zika research and the protection of women's rights to all relevant reproductive options.

The World Bank estimates the economic cost of the Zika virus emergency at 0.06% of the region's GDP, or US$ 3.5 billion. Controlling the vector and providing health care for the resulting complications will generate additional costs for the region's health-care systems. The economic impact could be greater for countries that depend heavily on tourism, particularly in the Caribbean (potentially more than 1.0% of GDP). In this context, and given that the Zika virus outbreak is a global health issue, solidarity and cooperation among countries should take precedence (PAHO, 2016).

# A.    The right to health and a full life

Historically, differences between men and women have been cited in relation to reproductive health as if pregnancy and childbirth were illnesses, instead of biological and social phenomena. Over the past few decades, the social construction of gender with regard to a person's health status and the care they receive has highlighted the differences between men and women, which tend to revolve around the fact that women generally live longer because of biological and behavioural advantages (WHO, 2009). It also focuses on their differentiated care needs, owing to the specific risks stemming from the activities carried out by men and by women, and to the perceptions of health and levels of access to and control over health resources, both in the family setting and in the public domain. However, women are generally overlooked by health care systems, in which they participate principally as caregivers (PAHO, 1993). The lack of recognition and economic omission of the health-related caregiving provided by women in the home has a physical impact on their person, as does the lack of social and economic support and compensation.

The differentiating effects of gender on health are evident in the excess death rate of males owing to accidents and violence; the higher rate of malnutrition among girls than among boys; the higher incidence of gender-inequality-related depression among women than men; the eating disorders associated (mainly in young women) with weight and body image issues triggered by cultural standards of physical beauty, with a damaging impact on health in adulthood; the excess rate of deaths from adulthood cancer in women; the harmful effects of contraceptive technology and limited investment in contraceptive research; the low proportion of male sterilization compared with that of women; the excessive number of caesarean sections and hysterectomies; and the physical and psychological costs of women's heavier workloads. Combined with the health sector's inability to recognize violence against women as a public health issue and the low priority given to research on diseases and treatments that exclusively or primarily affect women, these issues form a landscape which, although addressed in development policies (PAHO, 1993), still presents enormous challenges. This is especially true for women who have been less identified as rights bearers and are thus invisible in the statistics and the analysis, but are now broadening the arena of policy action.

## 1. Child mothers: child and adolescent motherhood

One of the biggest obstacles to women's autonomy at the beginning of their life cycle is motherhood in adolescence, and even more so, in childhood. Latin America's adolescent fertility rate is remarkably high on the global scale, coming second only to that of Africa. It is much higher than would be expected in light of the region's economic and social indicators (such as the poverty level and human development index) and of the structural changes that a priori should reduce total and adolescent fertility, such as urbanization, widespread participation in school and women's entry into the labour market (ECLAC, 2015c; Rodríguez, 2014a).

Furthermore, the fertility rate for the 15-19 age group is much higher than the total fertility rate would suggest (see figure III.1). According to the official estimates and projections of the United Nations (2015a) and of the Millennium Development Goals Report 2015 (United Nations, 2015b), the region's total fertility rate fell between 1990 and 2010, particularly in the last decade. However, this trend is not reflected in the adolescent maternity rate.

**Figure III.1**
**Latin America (18 countries): adolescent women aged 15-19
who are mothers, around 2010**
*(Percentages)*
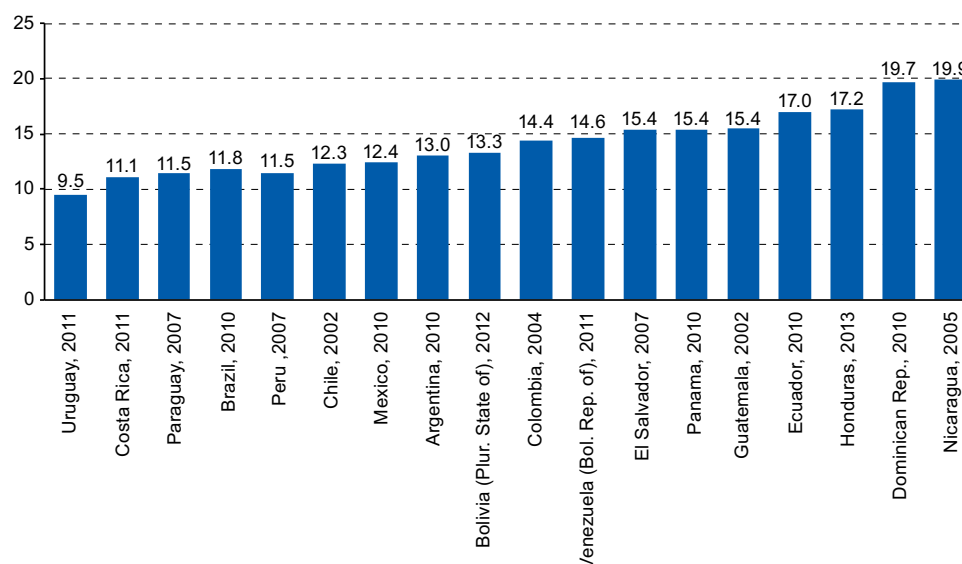


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special processing of population census microdata.

The fertility rate of 76 children per 1,000 women between the ages of 15 and 19 (ECLAC, 2015b) shows the region is lagging behind in sexual and reproductive health care for this population segment. According to information from the 2010 census round, 13% of women aged 15-19 were mothers (Céspedes and Robles, 2016). Data from Mexico's National Council for Population (CONAPO) points to an increase of 11.3% in just five years (CONAPO, 2015, p. 45), owing partly to the limited use of contraceptives (just 54.8% of adolescents used some form of contraception during their first sexual encounter) (CONAPO, 2016) and partly to the increase in the percentage of the adolescent population that has engaged in sexual activity, from 15% in 2006 to 23% in 2012 in the 12-19 age group (National Institute of Public Health, Mexico, 2012). Figure III.2 shows the percentage of adolescent women between the ages of 15 and 19 who become mothers before the age of 15 in ten countries of the region around 1990 and 2010.

**Figure III.2**
**Latin America and the Caribbean (10 countries): adolescents aged 15-19 who became mothers
before the age of 15, around 1990 and 2010**
*(Percentages)*
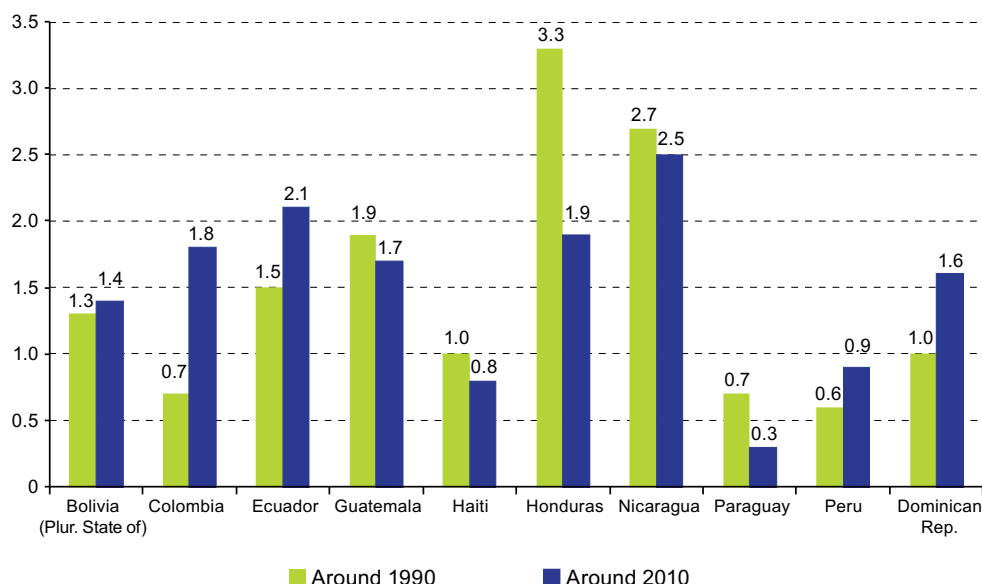
Becoming mothers under the age of 15 has profound effects on girls' health (UNICEF, 2014), well-being, education and right to live their childhood and develop fully in all areas of life. The lack of statistical data on early motherhood goes hand in hand with invisibility owing to social stigma and concealment. The scant information available shows that in 2010, roughly 60,000 girls between the ages of 10 and 14 were mothers in Latin America (Rodríguez, 2014a). These data should be treated with caution, as families surveyed during the census may have underreported cases. This creates an obligation upon States to improve measurements in relation to this age group, which is not included in standard demographic and health surveys. Moreover, many censuses actually exclude this younger age group from the questions on fertility. The concern about this phenomenon, however, is not a question of its scale, but rather the fact that each case represents a young girl in conditions of extreme vulnerability, exacerbated by the cause of the pregnancy —often abuse or rape— and by the circumstance of belonging to the most dispossessed or marginalized groups in society. Rather than the scale and trend of early motherhood, therefore, the priority must be prevention and the protection of those affected, given the enormous risk and obvious violation of rights to which they are exposed.

An analysis of adolescent motherhood in five of nine countries for which data are available —Brazil, Colombia, Costa Rica, Nicaragua and Panama— reveals that pregnancy rates exceed 20% in adolescent women between the ages of 15 and 19 who belong to indigenous groups or live in rural areas. In Brazil and Panama around 2010, one of three women between the ages of 15 and 19 in this segment were mothers (Céspedes and Robles, 2016).

Social inequality —related to the region's historically high reproductive inequality— takes on considerable proportions in the case of adolescent fertility, being even more evident in this age group than among young and adult women, probably because of barriers to access to contraception (see figure III.4) or difficulties in handling intimate-partner power relations and making decisions about contraception.

**Figure III.3**
**Latin America (9 countries): indigenous adolescents aged 15-19**
**who are mothers, around 2010**
*(Percentages)*
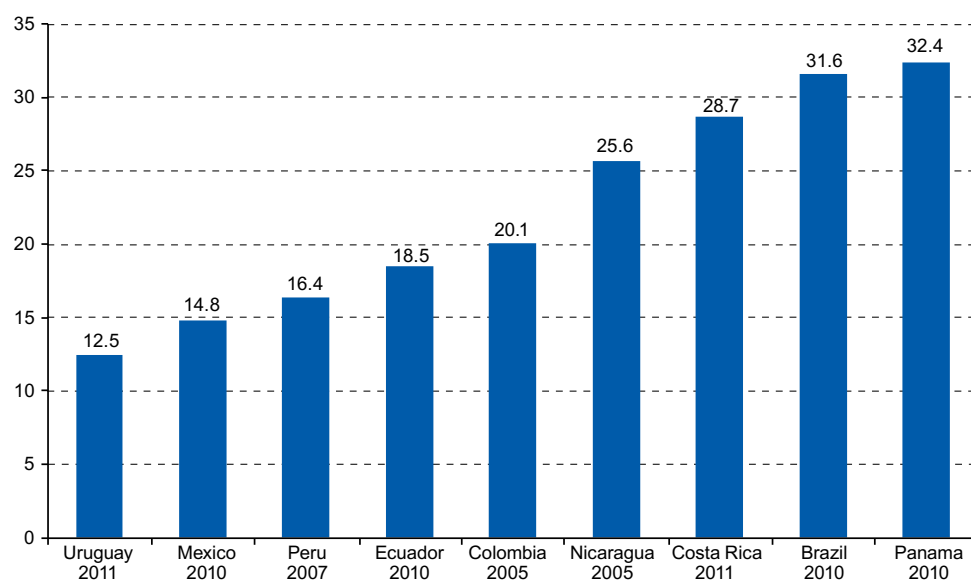


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), *Mujeres indígenas en América Latina: dinámicas demográficas y sociales en el marco de los derechos humanos*, Project Documents (LC/W.558), Santiago, 2012, table 13, p. 85.

**Figure III.4**
**Latin America (8 countries): adolescent females aged 15-19**
**with unmet family planning needs, around 2010**
*(Percentages)*
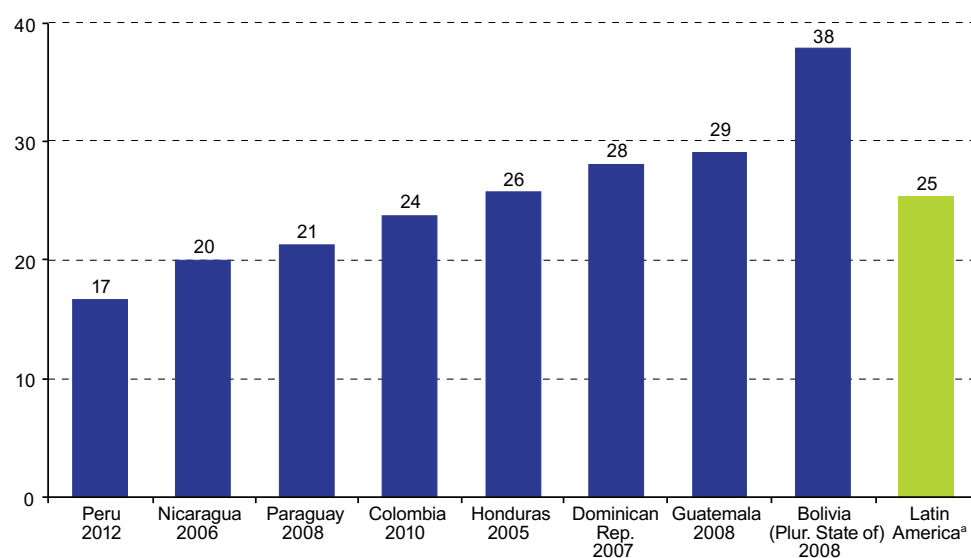


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of "STATcompiler: The DHS Program" [online] http://www.statcompiler.com [date of reference: December 2015].
a Simple average

With adolescent fertility, there are key intermediate variables linked to the beginning of sexual activity during adolescence,[9] the use of contraception and abortion. It has been well documented that sexual activity during adolescence has increased in the region and occurs outside of union. There is also evidence that the use of contraceptives among adolescents has increased (Rodríguez 2014b). There is no reliable information on abortion among adolescents in the region, although it undoubtedly occurs, probably under precarious conditions due to legal barriers (Rodríguez, 2016).

Public policies should prioritize the prevention of adolescent pregnancy, taking a multidimensional approach. The most basic step for public action in the region is timely and informed access to free, good-quality contraception, respecting the principle of confidentiality,[10] necessarily accompanied by comprehensive sexual education. Another key measure is discouraging early unions, which are frequent among the poor and marginalized, who continue to show high adolescent fertility rates. For this reason, legal, educational and training initiatives focused on encouraging later unions and preventing forced unions are important. Alongside such initiatives are measures to guarantee the right to a relevant and good-quality education, and the creation and expansion of places, opportunities, projects and pastimes for adolescents.

Guaranteeing young people access to voluntary family planning support helps keep them in the education system and thus avoids truncating their schooling and life-long income. Household or maternal responsibilities are the main reason given for non-attendance at school by young women aged 16-18 (17%). The narrowing of young mothers' job opportunities by a schooling cut short is a reality that occurs more commonly in poorer households, resulting in one of the most widely recognized cycles of intergenerational poverty reproduction. An analysis of adolescents who are mothers and those who are not shows education gaps ranging from 2.7 years in Haiti to 3 years in Colombia, the Dominican Republic and the Plurinational State of Bolivia, 4 years in Honduras and 5.1 years in Peru. Even more worrisome yet is the fact that these gaps appear to be widening, as average schooling levels among the youngest generations of women rise (Rico and Trucco, 2014).

Adolescent mothers continue to face barriers in making pregnancy and child-rearing compatible with school. The region's education authorities have produced at best weak responses to discrimination against young men and women in the case of early pregnancy. One of the measures needed to prevent adolescent fatherhood and motherhood is strengthening sexual education programmes in the public education system. Sexual education of a high standard should also be accompanied by universal, high-quality and timely policies on adolescent sexual and reproductive health that are relevant to them (Rico and Trucco, 2014). Access to male and female contraceptives should be guaranteed for all adolescents who decide to begin having sexual relations and prevent pregnancy. Achieving this will require examination the hidden curriculum in relation to sexuality, cultural norms and prejudices that oppose or deny the existence of the exercise of sexuality in adolescence.

The first step taken by most of the countries in the region to protect the right to education of adolescents who are pregnant or already mothers has been to pass laws that neutralize mechanisms of exclusion and discrimination in some educational establishments. Most have also introduced standards to keep adolescent mothers in the education system, so that they can continue their studies free of violence and discrimination (see table III.1).

One of the programmes to prevent school dropout and support adolescent mothers is the Back-to-School Teenage Parents' Programme launched in Saint Vincent and the Grenadines as a joint initiative between the Ministry of Education and the Gender Affairs Division of the Ministry of National Mobilization, Social Development, Family, Gender Affairs, Persons with Disabilities and Youth. While the Ministry of Education is responsible for classroom logistics, the Gender Affairs Division is responsible for providing training and moral and financial support for adolescent mothers and fathers.

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[9]  This intermediate variable is directly linked to unions, although the importance of the latter is decreasing as sexual activity outside of unions is increasing. However, unions during adolescence continue to be associated with pregnancy, hence the analysis should also factor them in.

[10]  See Montevideo Consensus on Population and Development, priority action B, agreement 12.

**Table III.1**
**Latin America: type of legislation in force related to education and pregnancy,**
**and adolescent mothers and fathers**

| Name | | Year |
|---|---|---|
| **Laws neutralizing academic exclusion and discriminatory practices** | | |
| Argentina | Law No. 25.584 | 2002 |
| Chile | General Education Law No. 20.370 | 2009 |
| Dominican Republic | Law No. 136-06: code for the protection of the rights of boys, girls and adolescents | 2003 |
| Ecuador | Constitution | 2008 |
| | Law No. 100: childhood and adolescence code | 2003 |
| Panama | Law No. 29 on ensuring the health and education of pregnant adolescents | 2002 |
| Paraguay | Law No. 4.084 on the protection of students during pregnancy and motherhood | 2010 |
| Peru | Law No. 29.600 on the reintegration of pregnant students into school | 2012 |
| Uruguay | General Education Law No. 18.437 | 2008 |
| Venezuela (Bolivarian Republic of) | Resolution No. 1.762 of the Ministry of Education and Sports | 1996 |
| **Laws prohibiting the imposition of disciplinary measures in educational institutions** | | |
| Argentina | Law 25.273 on the comprehensive protection of girls, boys and adolescents | 2005 |
| El Salvador | Law on the comprehensive protection of children and adolescents | 2009 |
| Venezuela (Bolivarian Republic of) | Law on the protection of children and adolescents | 1998 |
| **Laws creating regimes for exceptions or differential systems that allow, among other things, justified absences from school** | | |
| Argentina | Law No. 25.273 on the creation of a system of justified absence from school due to pregnancy | 2000 |
| Brazil | Law No. 6.202 allowing pregnant students to continue schooling at home | 1975 |
| Honduras | Decree No. 34: law on equal opportunities for women | 2000 |
| Jamaica | The Education Regulations | 1980 |
| Nicaragua | Regulations for secondary education, agreement No. 20-ALPPAS | 1983 |
| Panama | Law No. 29 guaranteeing health and education for pregnant adolescents | 2002 |
| Paraguay | Law No. 4.084 on the protection of students who are pregnant or mothers | 2010 |
| Uruguay | Resolution No. 1 of Act N034 of the Council of Secondary Education | 1999 |
| **Laws introducing policies and programmes to support adolescents in completing their education** | | |
| Colombia | Law No. 1.098: childhood and adolescence code | 2006 |
| Costa Rica | General Law No. 7.735 on the protection of adolescent mothers | 1997 |
| Mexico | General Education Law | 1993 |
| Panama | Law No. 29 guaranteeing health and education for pregnant adolescents | 2002 |
| Peru | Law No. 29.600 promoting pregnancy-related reintegration into school | 2012 |

**Source**: María Nieves Rico and Daniela Trucco, "Adolescentes: derecho a la educación y al bienestar futuro", *Políticas Sociales series*, No. 190 (LC/L.3791), Santiago, Economic Commission for Latin America and the Caribbean (ECLAC), March 2014.

**Box III.1**
**Early marriage**

In Latin America and the Caribbean, early unions and child or early marriages, where one or both partners are younger than 18, are linked to multiple barriers to the full exercise of sexual and reproductive rights and to the autonomy of girls, adolescent women and adult women. Child and early marriage is closely bound up with inequalities, gender norms and stereotypes and the invisibility of sexual violence in these types of arrangements.

Around 2010, 3.4% of adolescents aged 15-19 in 15 Latin American and Caribbean countries had entered their first union before the age of 15, and 25% of women between the ages of 20 and 24 had done so before the age of 18. In the Dominican Republic, 40% of adolescents had entered a conjugal union before the age of 18 and 10% before the age of 15 (UNICEF, 2015). Girls and adolescent women in rural areas, poor households and indigenous groups are the most vulnerable to early union.

**Latin America and the Caribbean (15 countries): women aged 15-19 who entered their first union before age 15 and women aged 20-24 who entered their first union before age 18, around 2010**
*(Percentages)*
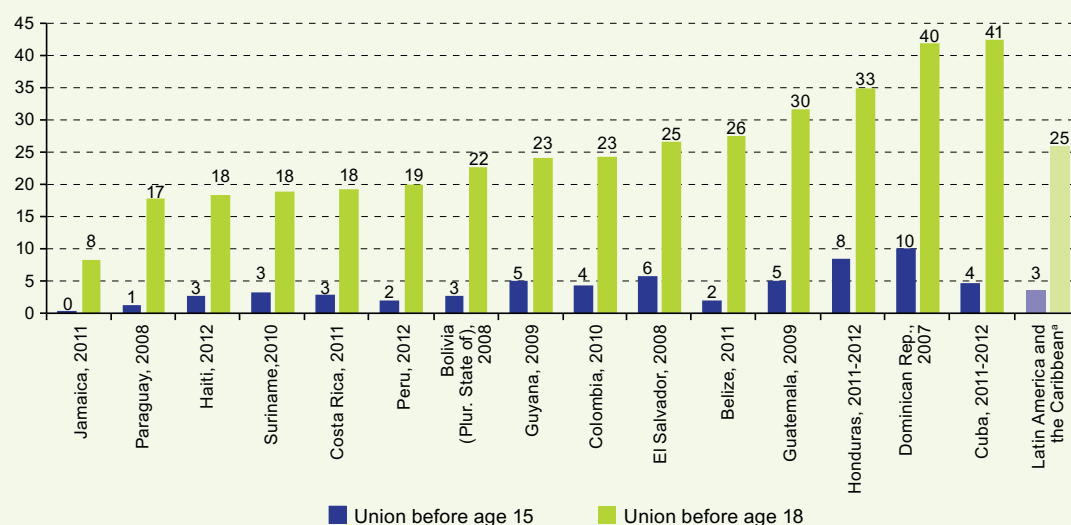


**Source**: United Nations Children's Fund (UNICEF), *Una aproximación a la situación de adolescentes y jóvenes en América Latina y el Caribe a partir de evidencia cuantitativa reciente,* Panama, 2015.
[a] Simple average of data examined.

The occurrence of child and early marriage is associated with a higher incidence of other phenomena, such as child and adolescent pregnancy, unpaid domestic and care work, and violence against women, which reveal young women's lack of physical autonomy and explain as well as drive factors that encourage their economic dependence from childhood and adolescence.

As regards the incidence of violence with respect to age, in all countries for which data are available, girls who entered their first union under the age of 15 report having been victims of violence more than those who did so at a later age. The difference in this figure between those who were under 15 and those who were 25 or older when they entered their first union was 16 percentage points in Colombia, 15 percentage points in Haiti and 11 percentage points in the Plurinational State of Bolivia (PAHO, 2014).

Despite the seriousness of the situation described, the regulation of early marriage is uneven in Latin America. Although most countries in the region have established a minimum age of 18 years for legally binding consent to marriage, some allow exceptions to the legal age for marriage in case of pregnancy (UNFPA, 2012). Decisive action is needed to eradicate child marriage and forced marriage, to strengthen policies and the protection of children's rights, particularly of girls in that situation, and to pass and enforce laws related to the minimum age of consent and marriage, as cited in target 5.3 under Sustainable Development Goal 5: "Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation" (United Nations, 2015c).

**Source**: Catalina Céspedes and Claudia Robles, "Niñas y adolescentes en América Latina y el Caribe: deudas de igualdad", *Asuntos de Género series*, No. 133 (LC/L.4173), Santiago, Economic Commission for Latin America and the Caribbean (ECLAC), June 2016.; United Nations Population Fund (UNFPA), *Análisis legislativo comparado sobre embarazo adolescente y matrimonio temprano*, Regional Office for Latin America and the Caribbean, 2012; United Nations Children's Fund (UNICEF), *Una aproximación a la situación de adolescentes y jóvenes en América Latina y el Caribe a partir de evidencia cuantitativa reciente,* Panama City, 2015; Gwendoline Peltier, "Violencia y salud sexual y reproductiva de las niñas y las adolescentes en América Latina: revisión de políticas", *Working Document*, 2015, unpublished; Pan American Health Organization (PAHO), *Violence Against Women in Latin America and the Caribbean: A Comparative Analysis of Population-Based Data from 12 Countries,* Washington, D.C., 2014.

## 2. The inclusion and empowerment of women with disabilities

Women with disabilities face double discrimination, as the negative stereotypes of women and of persons with disabilities combine and heighten each other. As a result, women with disabilities are perceived as sick, childlike, dependent, incompetent and asexual. Their opportunities for full participation in society are thus limited compared with those of women without disabilities and men with disabilities, leaving them particularly vulnerable and excluded.

In more than half the countries of Latin American and the Caribbean, the prevalence rate of disabilities is higher among women than among men (ECLAC, 2013b). The trend becomes more marked with age (see figure III.5); although disability in boys and girls between the ages of 0 and 4 is similar, the gap widens as they grow older. The feminization of disability with age stems from various factors: women have a longer life expectancy, which increases the likelihood of becoming disabled through accidents or chronic illness. Women also go through these stages of their lives in a more vulnerable economic position and with less access to social protection mechanisms. This raises the risk of any health problem becoming a disability owing to the lack of resources to pay for support services and of technical assistance to reduce the impact of the limitations that come with ageing.

**Figure III.5**
**Latin America and the Caribbean (35 countries): prevalence of disability by sex and age, around 2010**
*(Percentages)*
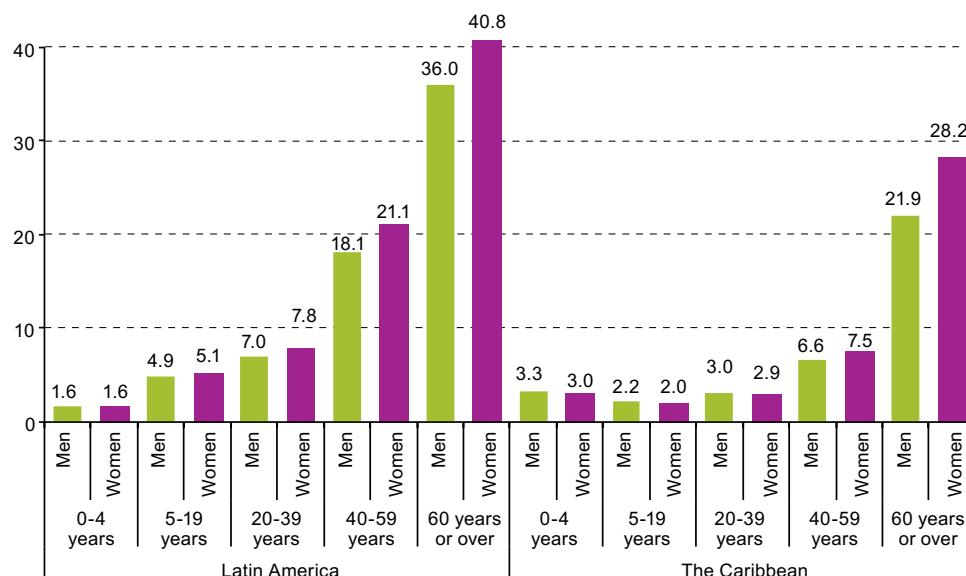


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of national censuses and household and disability surveys, for Latin America: Argentina (2010); Bolivarian Republic of Venezuela (2011); Brazil (2010); Chile (2002); Colombia (2010); Costa Rica (2011); Cuba (2012); Dominican Republic (2013);Ecuador (2010); Guatemala (2005); Haiti (2003); Honduras (2002); Mexico (2012); Panama (2010); Paraguay (2012); Peru (2012); Plurinational State of Bolivia (2012); and Uruguay (2011); for the Caribbean: Antigua and Barbuda (2001), Aruba (2010), Bahamas (2010), Barbados (2010), Belize (2010), Bermudas (2010), Curaçao (2011), Grenada (2001), Cayman Islands (2010), Turks and Caicos Islands (2012), British Virgin Islands (2001), Jamaica (2011), Montserrat (2011), Saint Lucia (2010), Saint Vincent and the Grenadines (2001), Suriname (2012) and Trinidad and Tobago (2011).

Although more older women are affected by disabilities than women in other age groups, the specific needs of girls with disabilities must not be overlooked, as better inclusion and integration can have lasting effects on their socioeconomic status and overall quality of life. In the region, fewer women with disabilities are present in school and in the workplace than men with disabilities or, obviously, women without disabilities.

Girls with disabilities see their access to education restricted not just by their gender and disability, but also by factors such as the nature of their disability, their family's socioeconomic status, their race and ethnicity, and where they live. Although these girls form a diverse group, they share a situation of invisibility, since they tend to be overlooked by efforts to achieve gender equity in education or movements lobbying for inclusive education. Their potential is also underestimated and their families have low expectations of them entering the labour market and forming their

own families, so sometimes see little use in investing resources, time and energy in sending them to school. This is a serious violation of their rights, as education is not just an entry point to full participation in society, in the productive and civic sense, but it also provides a space to acquire social skills, integrate into society and build self-esteem; it is also an opportunity for the wider community to learn about inclusion and respect for diversity.

Owing to their limited inclusion in the education system during childhood and adolescence, women with disabilities are less academically qualified than men in the same situation. For all the types of disabilities examined, [11] more women than men completed just 0-3 years of schooling and fewer women than men completed tertiary education. This is significant, as completing the secondary school cycle is the minimum requirement for remaining out of poverty in most countries in the region (ECLAC, 2010c). The data reveal the difference in academic achievement by persons with disabilities from one country to another in the region, as well as in the achievements of persons with different types of disabilities within the same country. In Panama for example, while 24% of women with impaired vision complete tertiary education, only 4.7% of women with communication disabilities and 2.7% of women with impaired cognition reach the same level of attainment.

A direct result of limited educational achievement in this population group is their significant disadvantage upon entering the job market, which is shown in figure III.6 in comparison with men with disabilities, and which is also much higher than that of women without disabilities.

**Figure III.6**
**Latin America (8 countries): economically active persons with disabilities,**
**by sex, around 2010**
*(Percentages)*
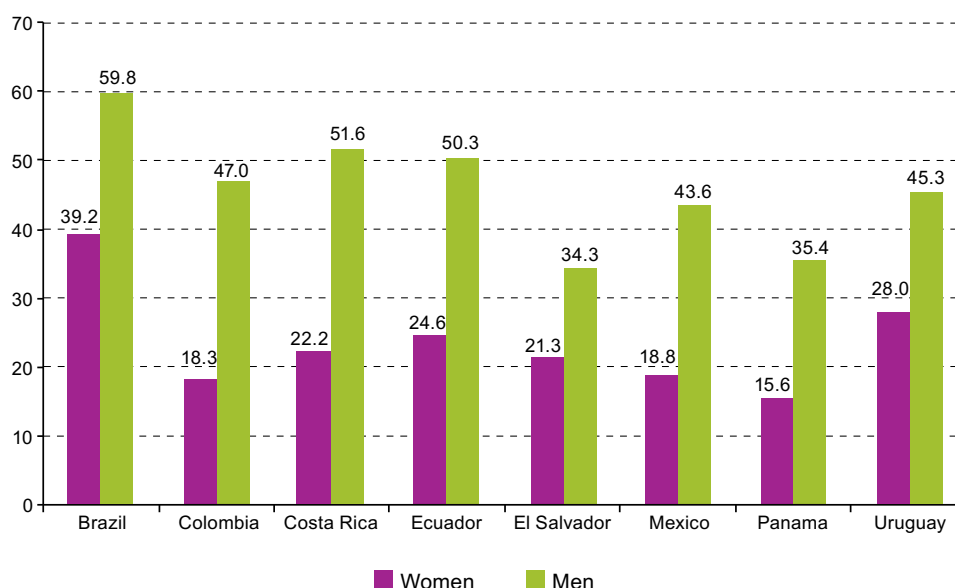
There is a stark difference in economic participation between men and women with disabilities, with the figures seen for men more than double those for women in five of the eight countries for which data are available. The pattern of fewer job opportunities for women with disabilities stems not just from their limited academic qualifications, but also from the multiple types of discrimination that they face. This has obvious effects on their ability to generate their own income and on their vulnerability to poverty.

Urgent action is needed to introduce policies to boost the inclusion, autonomy and empowerment of women and girls with disabilities and to guarantee their rights. Various international agreements already include provisions

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[11]   Impaired vision, hearing, speech, cognition and mental functions; difficulty walking, climbing stairs and moving, and with self-care.

for the rights of this group. Article 6 of the United Nations Convention on the Rights of Persons with Disabilities clearly states the need to take measures to ensure equal conditions and the exercise and enjoyment of all human rights and fundamental freedoms for women with disabilities. Article 7 of the same Convention refers to the needs of girls with disabilities, which are also mentioned in articles 2 and 23 of the Convention on the Rights of the Child. Lastly, although the Convention on the Elimination of All Forms of Discrimination against Women does not explicitly mention women with disabilities, it contains general provisions on non-discrimination and equality of opportunities for men and women.

Many Latin American and Caribbean countries have ratified these conventions. Nonetheless, despite the changes in policy frameworks relating to the human rights of persons, especially women, with disabilities, the impact of combined gender and disability stereotypes has not received adequate attention. The current situation calls for an urgent response: comprehensive action to tackle the daily problems and invisibility of women with disabilities requires public policies implemented in an integrated manner in order to effect real change.[12] Although persons with disabilities are explicitly mentioned in some targets of the recently adopted Agenda for Sustainable Development, concrete action is needed to make women with disabilities visible to policy action and to build fairer and more inclusive societies.

The autonomy of women and persons with disabilities in general involves not only carrying out day-to-day tasks, but also the independence and freedom to make decisions on their own and be responsible for the consequences. This implies that policies on disability should be grounded in human-rights with a gender-based and deliberative approach geared towards maximizing the competences and skills of persons with disabilities, so that they can determine their own future, live in freedom and dignity, and been seen and heard in the practice of citizenship, and so be subjects of their own destiny.

## 3. Women are more vulnerable to extreme events

Climate change is a global phenomenon with implications for the entire development agenda. Its negative effects can be catastrophic, mainly for the poor or those without income, among whom women are overrepresented in Latin America and the Caribbean. The Brasilia Consensus recognizes that "despite the measures taken to predict, prevent or minimize their causes and mitigate their adverse consequences, climate change and natural disasters can have a negative impact on productive development, time use by women, especially in rural areas, and their access to employment" (ECLAC, 2010d). This all the more true when these events affect health and food security, especially in the poorest countries of the region and in small island developing States (ECLAC, 2016a).

Women face significantly greater risks and effects in extreme events such as floods, hurricanes and earthquakes, in which they are more likely to lose their lives than men (see figure III.7). In the past decade, studies carried out by the United Nations system inter-agency gender group in Mexico revealed that women and children were 14 times more likely to die during emergencies or disasters than men (2008).

At the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, held in Brasilia, the governments agreed "to implement systems of management of natural and anthropic risks with a gender, race and ethnic focus for addressing the causes and consequences of natural disasters and the differential impacts that such disasters and climate change have on women, focusing especially on the recovery of sustainable livelihoods, the administration of refuges and shelters, sexual and reproductive health, the prevention of sexual and gender-based violence and the elimination of obstacles to women's rapid integration or reintegration in the formal employment sector, due to their role in the economic and social reconstruction process" (ECLAC, 2010d) and "to ensure that women are not victims or at risk of any type of violence in situations arising from natural and climate disasters and that the humanitarian assistance provided in such cases takes into account women's needs, in order to avoid the double victimization of women" (ECLAC, 2010d).

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[12] The collection and analysis of accurate, reliable and periodic data on persons with disabilities that can be disaggregated by age and gender are also indispensable.

**Figure III.7**
**Latin America and the Caribbean (33 countries): deaths by type of injury,
age group and gender, 2010**
*(Percentages)*
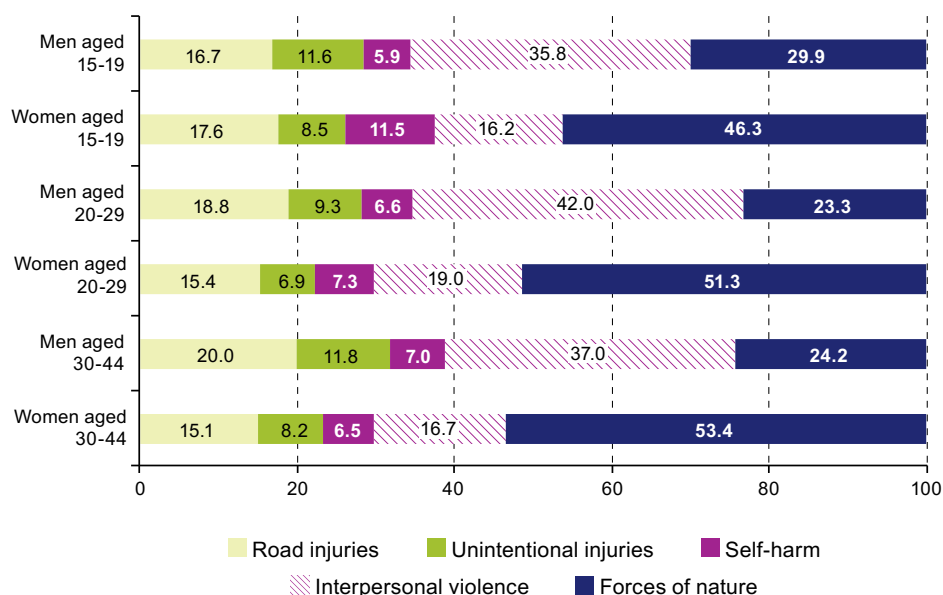


Source: Institute for Health Metrics and Evaluation [online] http://vizhub.healthdata.org/gbd-compare.

An ongoing challenge is the full inclusion of economic development in the discussion on climate change, particularly in the case of the small island developing States (ECLAC, 2016a), as the available data show that women are more vulnerable. The Caribbean Disaster Emergency Management Agency has recognized the need to incorporate the gender perspective into its disaster risk management strategies. To this end, gender mainstreaming was included as one of the three cross-cutting themes in the Regional Comprehensive Disaster Management Strategy between 2007 and 2012. Following consultations with its various bodies, including the Working Group on Gender, it became clear that the gender perspective needed to be better integrated into national and sectoral disaster-management plans (CDEMA, 2014).

# B.    The right to a life free of violence

Latin America and the Caribbean is one of the regions to have made most progress in building a legal framework to eliminate violence against women, although there are still significant challenges to wiping out this scourge. In the past 20 years, thanks to the strong impetus from the adoption of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), legislation has been enacted and criminal and civil codes have been amended in an effort to eradicate gender violence, and actions have been taken to support victims during judicial proceedings. Since 2007, some countries have further developed this initial approach and some have passed "second-generation" laws that build and expand upon earlier legislation, take into account different forms of violence (including physical, psychological, sexual, economic or property, obstetric, symbolic and media), take women's age, sexual diversity, ethnicity and race into consideration, and provide for comprehensive care for victims, including protective measures and consequences for failure to comply (ECLAC, 2015g).

While major efforts have been made to improve the legal and rights culture in cases of gender-based violence, programmes are needed that will provide women with greater protection and facilitate their social and family reintegration. It is therefore vital to improve data on violence against women in various spheres and in its various

forms, and to expand awareness-raising campaigns to help bring about a cultural change whereby any form of gender-based violence is punished and no type is justified on any grounds.

This work is crucial to changing perceptions and attitudes towards violence against women at the social, cultural and institutional levels. According to the second measurement conducted under the study on social and institutional tolerance of gender-based violence in Colombia,[13] one in three men still believes that practices expressing control over women's health and autonomy are justified, especially regarding decisions on the use of condoms. The same proportion of men said that women should not complain about being struck if they enter relationships with violent men, and that they would not consider violence important if it were inflicted by a stranger. Meanwhile, the results of the study indicate that 1 in 10 victims of violence justifies their treatment to some extent. All responses to this type of survey show an underlying resistance to change rooted in cultural, social and individual mechanisms that sustain violence against women: what makes violence a form of oppression is less the specific acts, although these are often absolutely horrific, and more the social context that makes it possible and even acceptable. What makes violence a social injustice, and not just a morally unsound individual action, is its systematic nature, the fact that it is a social practice (Young, 2000, page 107).

The persistence of violence against women and of gender-based violence clearly shows that the problem cannot be eradicated by decree. Follow-up of the implementation of international agreements and national legislation, as well as the monitoring of action and the information being produced, show that legislation alone is not enough. A broader approach needs to be taken to violence against women, considering it carefully in connection with expressions of a hate culture and crime in the region and the world. Educational and communicational devices involved in the shaping of younger generations are another sphere in which action is needed. More heed must be paid to what has been said and written about "modifying social and cultural patterns of conduct of men and women, including the development of formal and informal educational programmes appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women" (OAS, 1994).

Even beyond these considerations, analysis of violence against women must consider its intersectionality, with a view to widening the focus and examining the status of women not as fragmented individuals but as people with distinct characteristics that reflect their diversity. In addressing violence against women, highlighting their plurality and diversity makes it possible to evaluate and understand the multiple manifestations of violence produced by patriarchal social structures. In the analysis of violence against women, particularly the events preceding and following feminicide, "we need to bear in mind that the violence affecting women is determined not only by their sexual condition and gender, but also by economic, cultural, age, race, idiomatic, cosmogonic/religious and phenotypical differences, and it affects them throughout their lives" (OHCHR/UN-Women, 2014, p. 43).

Women's diversity and the different types of violence they experience call for better public policy solutions for ending violence, especially since —despite all the strategies pursued and the coordination efforts at the national and international levels, as well as the social and legal progress achieved— problems of sexual tourism, sexual exploitation of minors, femicides or feminicides and other forms of violence show little sign of abating regardless of the body of laws and strategies in place. Despite all these measures, what we see is a legal contract being inexorably infiltrated by the moral status quo, vulnerable to the patriarchal tradition on which it rests and with which it is in constant tension (Segato, 2003); it is no longer simply matter of a gap between the aim and the outcomes of laws, but of a whole array of symbolic mechanisms acting across all institutions, including the family and the community.

## 1. Violence in the public arena

Many studies carried out in the region over the past 20 years and more show the scale of violence against women in the domestic or family environment. With a view to moving forward in the analysis of gender violence, this section looks at violence in the public domain, on the basis of the identification and characterization of different types of violence and the spheres in which it occurs (Gherardi, 2012): sexual harassment at work, violence or sexual harassment in

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[13] See the final report [online] http://www.equidadmujer.gov.co/ejes/Documents/Segunda-medicion-estudio-tolerancia-violencias-contra-mujeres.pdf.

the street and in public transportation, and human trafficking. It also examines the phenomena of violence inflicted by the State on women in prisons and in the case of obstetric violence, and expressions of violence against women with disabilities and migrant women. Further, the perspective is widened to include violence towards sexual diversity, as in the case of homophobia and transphobia in schools.

Femicide or feminicide, the most radical expression of violence against women, is a violation of human rights that occurs in two settings: in relationships (intimate-partner feminicide), and in the street or other public spaces in situations of conflict or prevalence of crime.

### (a) Sexual harassment in the workplace

Discrimination in the workplace through abuse and harassment of female employees has led countries to adopt legislation on this issue, but market and political forces do not always consider it a determining factor in the quality of work. In spite of numerous definitions, both theoretical and legal, sexual harassment at work is a form of gender violence that affects women's dignity, as it is non-reciprocal sexual conduct that is offensive to those who are subjected to it, and it creates asymmetrical relationships of power and violence in the workplace.

Sexual violence at work causes victims to experience psychological problems such as depression, lack of motivation, trouble concentrating and low self-esteem, as well as physical problems including sleep disturbances, headaches and stomach aches; other effects may be work-related stress, absenteeism and decreased productivity. In addition, sexual violence undermines working conditions, making the work setting a hostile environment for individuals and staff as a whole.

In the Bolivarian Republic of Venezuela, Chile and El Salvador, there are national regulations on minimum required work conditions that explicitly punish sexual harassment in the workplace. Colombia, Costa Rica and Uruguay have specific laws for the prevention of sexual violence within working relations, and in the last two countries, in student-teacher situations as well. Mexico's General Law on women's access to a life free of violence includes a chapter which refers specifically to violence in the workplace and at school, defining sexual harassment as the exercise of power in a relationship of real subordination of the victim by an aggressor in the work or school environments. The only country in Latin America to sanction harassment at work in the penal code is Ecuador, which added an article providing punishment of sexual harassment in the work or academic environments during its most recent reform.[14]

In the Caribbean, Haiti and Saint Lucia have incorporated workplace sexual harassment into their penal codes. Belize has specific regulations on sexual harassment which include the workplace. Guyana's law on the prevention of discrimination addresses sexual harassment in the chapter on discrimination in the work environment. Lastly, in the Cayman Islands, there are specific regulations on gender equality that include harassment in the workplace.

### (b) Public transport and the street are public places, women's bodies are not

> [...] provide access to safe, affordable, accessible and sustainable transport systems
> for all ... with special attention to the needs of ... women
> (United Nations, 2015c, Goal 11, target 11.2)

In Latin America, men and women experience very different levels of freedom when walking down the street or using public transport. Women face more threats, linked to the fear of rape or kidnapping, together with other forms of daily violence as expressed in the form of belittling, suggestive or threatening words, sounds or comments, brushing up or touching and outright physical abuse that make them feel less safe on the street, outside the household.

Women's entry into the public sphere represents progress in terms of their autonomy. However, they have had to develop strategies to be able to move around the city and exert ownership of it, whether at night or during the day. For example, women make decisions on how to dress and where to go in order to avoid excessive risk, and they change their daily routines more frequently than men, varying routes and schedules, avoiding certain streets or neighbourhoods and choosing safer means of transport, not going out alone at night and steering clear of certain areas for fear of being attacked (Rainero, 2009). This is more than a barrier to enjoyment of the public space; it is a restriction of access and a heavy constraint on opportunities for individual development and freedom of movement, and beyond the fear of

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[14] See Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

violent theft or assault lies the fear of rape or kidnapping. This is in addition to the daily exposure to violence in the form of gender-specific wolf-whistling, catcalling, purposely brushing up and physical abuse.

Various social organizations have tackled this phenomenon in Latin America and thus raised awareness of one of the most downplayed and accepted forms of violence against women, which infringes their right to safety, limits their enjoyment of public spaces and hinders their autonomy.

The main victims of harassment in public spaces are girls and young women. In Lima, 9 in 10 women aged 18-29 have suffered street harassment (2013 figures). In Bogota (2014) and Mexico City (2016), 6 in 10 women have experienced some form of sexual aggression on public transport. And in Chile, 5 in 10 women aged 20-29 say they have experienced sexual harassment on the street (ECLAC, 2015h).

In March 2015, Peru became the first country to enact a law to prevent and punish sexual harassment in public spaces. The law aims to protect the dignity, freedom, free movement and right to physical and moral integrity of children, adolescents and women (Government of Peru, 2015a).

In Argentina and Paraguay, laws currently under parliamentary review are designed to sanction street harassment and bring about cultural change with regard to verbal sexual harassment, photograph or video capture, intimidating approaches and non-contact aggression such as exhibitionism, masturbation and stalking. A similar bill was adopted by the Chamber of Deputies in Chile in April 2016 and is awaiting adoption by the Senate. The initiative aims to punish those who commit sexual harassment in public spaces or places open to the public, with a jail sentence in the category ranging from 61 to 540 days.

The Mexico City government has been running a programme to ensure safety on public transport since 2007. It comprises a number of strategies to prevent, confront, address and punish sexual violence against women travelling on public transportation, as well as in adjacent public spaces. It involves the collaboration of a large number of government departments and civic institutions, and has taken a gender-aware approach to coordinating efforts by public transport bodies and institutions responsible for public safety and justice, with the aim of guaranteeing safe, violence-free travel for women in Mexico City.

However, in light of the growing number of people travelling on public transport and the fact that the complaints filed were estimated at just 10% of actual cases in 2015, the Mexico City government and the National Institute for Women have begun strengthening the programme through training for police officers and public transport personnel on women's rights and on the initiative. There is also an online platform and a mobile phone application for filing and receiving complaints. Other suggestions include differentiated use of public transport and women-only routes patrolled by a larger number of police officers, especially during peak hours. In addition, transport institutions have contributed to campaigns to raise awareness of respect for women's dignity and rights, providing information for women on how to request support, whether they are travelling by metro, bus, light train, passenger transport network, trolleybus or via new transport companies (Mexico, 2016).

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**Box III.2**
**Cities without Violence against Women, Safe Cities for All**

A basic condition for creating a violence-free environment in cities is eliminating violence against women, empowering them and promoting their rights as citizens. The regional "Cities without violence against Women, Safe Cities for All" programme coordinated by the Brazil and the Southern Cone Office of the United Nations Development Fund for Women (now UN-Women), financed by the Spanish Agency for International Development Cooperation (AECID) and implemented by the Women and Habitat Network of Latin America and the Caribbean, carried out activities between 2006 and 2012 in Bogota, Rosario (Argentina) and Santiago. In 2008 it branched out to cities in Guatemala and El Salvador.

In November 2010, UN-Women launched the global initiative "Safe Cities and Safe Public Spaces", which aims to prevent and address harassment and other forms of sexual violence in the public setting. That same year, the "Safe Cities Free of Violence against Women and Girls" programme was launched in Quito. It contributed to the adoption of Metropolitan Ordinance 235, which established policies to eradicate gender-based violence in the Quito metropolitan district, considering article 3 of the Convention of Belém do Pará: "every woman has the right to a life free of violence in both the public and the private spheres".

In 2015, UN-Women began implementing the "Safe Cities and Safe Public Spaces for Women and Girls" programme in Mexico City, which is working with other key actors to develop a comprehensive and multisectoral programme targeting public transport. In 2016 it incorporated the city of Torreón (Coahuila), with an assessment of sexual violence and harassment in public spaces.

In addition to these cities, the global initiative is being implemented in Cuenca (Ecuador), Medellín (Colombia) and Tegucigalpa.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

### (c) Trafficking and smuggling of women, slavery in the twenty-first century

The trafficking of women has its origins in war, slavery, and the use of women as sex objects and to reproduce slave labour. Although modern-day slavery is not significantly different, the purposes it serves are more diverse, for example the marriage market, prostitution and sex tourism, entertainment for soldiers, low-paid domestic work and organ trafficking, among others. Throughout history, trafficking has been gender-biased as it specifically and disproportionately affects women; this is not only because most victims are female, but also because the types of exploitation to which they are subjected are more severe, and involve the invasion and exploitation of their bodies.

The United Nations defines human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs" (United Nations, 2000). It covers a wide range of crimes as well as less explicit methods such as abuse of the victims' position of vulnerability. Punishments are applicable to the different stages of trafficking: recruitment, transportation, harbouring or receipt and exploitation.

In Latin America and the Caribbean, as at the global level, trafficking is an extremely serious crime in light of its direct impact on a person's life and freedom. There are two main types: (i) internal trafficking, in which women are moved to other areas within their own country, and (ii) international trafficking, in which they are moved to another country. International trafficking caters to demand in the worldwide market and is directly linked to networks in the United States, Europe and Asia that manage operation and recruitment points in Latin America and the Caribbean. In the past few years, the role of Latin American countries has transformed from point of origin of human trafficking victims and modern slavery to transit and destination points.

Between 2007 and 2010, in 14 countries in the Americas —including the United States, Canada and some Caribbean countries— more than 6,000 people reported that they were victims of trafficking (1,500 per year on average). Of these, roughly 27% were minors, and most were women. Estimates indicate that for each victim of trafficking identified, 30 are not (UNODC, 2012). The number of reports suggests 45,000 victims per year in Latin America, but this figure could be much higher, on the basis of calculations made per country by some institutions and civil society organizations specializing in the subject (UNDP, 2013a, p. 79).

Around half of identified trafficking victims are adult women. Although this share has been declining significantly in recent years, it has been partly offset by the increasing detection of victims who are girls (UNODC, 2014, p. 10). In the Americas, according to the gender breakdown of detected victims of trafficking for forced labour between 2010 and 2012, 68% are men and 32% are women. By age, 31% of victims are children and 69% are adults (UNODC, 2014, pp. 10-11).

Most countries in the region have adopted the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention (Palermo Protocol).

Significant progress has been made in Latin America and the Caribbean as regards legislation on human trafficking and smuggling and almost all the countries identify it as a crime. Some have national plans to fight it and others have incorporated it into laws on violence against women. Most of these norms were adopted recently, mainly after 2010, and they include application of the Palermo Protocol (see table III.2).

There are also subregional initiatives, such as that of the Southern Common Market (MERCOSUR), which, under its Plan for Institution-building and Gender Mainstreaming, has conducted assessments of trafficking and carried out awareness-raising campaigns. The Central American Integration System (SICA) and the Council of Central American Ministers for Women's Affairs (COMMCA) are working on a project to prevent of all forms of violence against women, trafficking and femicide.

One example of public policy addressing this phenomenon is Mexico's Special Shelter for Comprehensive Care and Protection of Victims of Trafficking and Extreme Gender-based Violence, coordinated by the National Directorate for Centres for Comprehensive Care for Victims of Violence against Women and Trafficking of Persons. The Mexican Attorney General's Office operates the Complaints and Citizen Assistance Centre (CEDAC) in the areas under its purview. A Special Prosecutor's Office was also established to deal with violence against women and trafficking, which receives complaints concerning crimes within its jurisdiction and provides comprehensive services to victims (ECLAC, 2015a).

**Table III.2**
**Latin America and the Caribbean: national legislation on human trafficking and smuggling**

| Country | Regulation | Year |
|---|---|---|
| Countries that have included human trafficking and smuggling in their penal codes | | |
| Argentina | Law No. 26.842 | 2012 |
| Chile | Law No. 20.507 | 2011 |
| Colombia | Law No. 985 | 2005 |
| Grenada | Chapter 72A, articles No. 188-190 of the Criminal Code | 2012 |
| Guatemala | Decree No. 09 regulating the law against sexual violence, exploitation and human trafficking | 2009 |
| Peru | Law No. 28.950 | 2007 |
| Puerto Rico | Article No. 160 of the Penal Code | 2012 |
| Countries that have included human trafficking and smuggling in specific laws | | |
| Antigua and Barbuda | The Trafficking in Persons (Prevention) Act | 2010 |
| Barbados | Transnational Crime Bill, Part III (Trafficking and Smuggling of Persons) | 2011 |
| Bolivia (Plurinational State of) | Supreme Decree No. 1.486 regulating Law No. 263: Comprehensive Law against Human Trafficking and Smuggling | 2013/2012 |
| Brazil | Decree No. 7.901 | 2013 |
| Brazil | Decree No. 6.347 | 2008 |
| Cayman Islands | Law No. 13 The Trafficking in Persons (Prevention and Suppression) Act | 2007 |
| Costa Rica | Law No. 9.095 | 2012 |
| Dominican Republic | Law No. 137 | 2003 |
| Ecuador | Decree No. 1.981 | 2004 |
| El Salvador | Decree No. 824 regulating the special law against human trafficking | 2014 |
| Guyana | Combating Trafficking in Persons Act | 2005 |
| Haiti | Law against Human Trafficking | 2014 |
| Honduras | Decree No. 59 regulating the law against human trafficking | 2012 |
| Jamaica | Trafficking in Persons (Prevention, Suppression and Punishment) Act | 2007/Reform2013 |
| Mexico | Comprehensive law for the prevention, punishment and eradication of crimes in human trafficking | 2012 |
| Nicaragua | Law No. 896 | 2015 |
| Panama | Law No. 79 | 2011 |
| Paraguay | Law No. 4.788 | 2012 |
| Uruguay | Articles No. 78-81 of Law No. 18.250 | 2008 |
| Venezuela (Bolivarian Republic of) | Articles No. 15, 55 and 56 of the Organization act on women's right to a life free of violence | 2007 |
| | Articles No. 41-42 of the Organization act on organized crime and financing of terrorism | 2005 |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

## 2. Violence in the institutional setting

### (a) Women in custody, intersecting sentences

Studies on prisons and persons deprived of liberty in Latin America and the Caribbean from a gender perspective, as well as specific studies on women's prisons and their conditions, have revealed gender-based discrimination and inequality. Despite widely accepted international regulations that recognize the specific needs and rights of women prisoners, these studies show that prisons continue to function without taking these regulations into account.

Women prisoners face a triple sentence: the actual prison sentence, social condemnation and economic exclusion. They are also subjected to social and gender stigmatization for not fulfilling their maternal roles, even more so when children are born and live in prison or are placed in public foster care. The penitentiary system should provide women with particular sexual and reproductive health care, spaces and opportunities to maintain ties with their children, specific attention for those who have been victims of gender-based and sexual violence, and rehabilitation and social reintegration programmes that provide them with opportunities once they have completed their sentences. It should overcome sexism and break the circle of inequality and gender subordination at its roots. In this respect, efforts are urgently needed to resolve the current state of affairs, whereby women's prisons are usually small improvised buildings equipped with fewer facilities than male prisons and limited space for educational, cultural or recreational activities, or are old, overcrowded buildings (Rodríguez, 2009).

**Box III.3**
**The Bangkok Rules**

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial measures for Women Offenders (Bangkok Rules) were adopted in December 2010 by the General Assembly. The text contains 70 rules that specifically address the problems and needs of women in prison. They indicate that non-custodial measures should be adopted, especially for mothers, since they are usually responsible for caring for their children. The rules highlight the need to foster the maintenance of family relationships and house women in prisons close to their homes. They propose tools for providing comprehensive care to women in prison, taking into account their history, the circumstances of the offence, and mental health problems that could stem from prior situations of abuse, exacerbated by incarceration.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of United Nations, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (A/RES/65/229), New York, 2011.

At the international level, the United Nations has stressed the need to improve conditions for women offenders and prisoners in various contexts, for example in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules, adopted in 2010).

Analysis of the data on women's crimes show that most offenders have been criminalized and incarcerated for minor offences linked to the production, trafficking and sale of drugs within international drug organizations. The most common crimes leading to women's incarceration are international trafficking as "mules" and the smuggling of small quantities of drugs, often in body cavities, into prisons for consumption by their partners and for trafficking within prisons.

The number of women in prison for drug-related offences in the region almost doubled between 2006 and 2011, from 40,000 to 74,000 (IDPC, 2014, p. 1). An estimated average of around 70% of women in prison in the Americas —many of them heads of household— are there for non-violent microtrafficking offences (IACW/OAS, 2014, p. 25) (see table III.3).

**Table III.3**
**Latin America (8 countries): women incarcerated for drug-related offences,**
**relative to the total prison population, most recent data available**
*(Percentages)*

| Country | Year | Women incarcerated relative to the total prison population (men and women) | Women incarcerated for drug-related offences |
|---|---|---|---|
| Argentina | 2012 | - | 65.0 |
| Bolivia (Plurinational State of) | 2013 | 13 | 48.0 |
| Brazil | 2011 | 6.6 | 53.9 |
| Chile[a] | 2012 | 12.2 | 68.8 |
| Colombia | 2012-2013 | ... | 80.0 |
| Costa Rica[b] | 2012 | ... | 65.0 |
| Ecuador[c] | 2008 | ... | 80.0 |
| Mexico[d] | 2012 | ... | 80.0 |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Inter-American Commission of Women (IACW) of the Organization of American States (OAS), *Women and Drugs in the Americas: A policy working paper* (OEA/Ser.L/II.6.13), Washington, D.C., 2014.
[a] Total number of women on remand for drug-related crimes.
[b] Women incarcerated in the Buen Pastor Institutional Centre.
[c] Census information on inmates; percentag e of women convicted of or charged with drug-related offences.
[d] Information gathered from eight detention centres.

In accordance with international commitments regarding prisoners, governments must prepare assessments and records on women prisoners from a gender and human rights perspective, which take into account day-to-day conditions, family ties, childcare and maintenance of family relationships. They must keep records on the educational and professional reintegration programmes provided for inmates, as well as on the presence of female prison personnel and the physical conditions of imprisonment. These studies must also provide information on access to health care in general and to reproductive and mental health care in particular, especially for pregnant or breastfeeding women and women with physical limitations, due to either disabilities or old age.

Governments must implement programmes that address gender inequality, including by housing female inmates separately from male prisoners, creating conditions that allow them to maintain constant ties with their families, ensuring that supervision and searches are conducted by female personnel, providing resources for pregnant women or nursing mothers, and giving special consideration to women who are heads of household. From a human rights perspective, they must guarantee that children who live with their mothers in prison are able to develop according to their needs and live in positive surroundings. They must also create the appropriate conditions for women when they leave prison and reintegrate into their families and communities, with special attention to situations of violence against women on probation. For this reason, there should be consistent programmes for women that prevent gender-based violence, particularly when re-establishing relationships with their partners.

### (b) Obstetric violence

> Every woman has the right to the highest attainable standard of health, which includes
> the right to dignified, respectful health care throughout pregnancy and childbirth,
> as well as the right to be free from violence and discrimination (WHO, 2014)

Guaranteeing universal access to safe, acceptable and good-quality sexual and reproductive health care, especially access to contraceptives and maternal health care, is a key prerequisite for the reduction of maternal mortality.

Control over women's sexual and reproductive rights is a means through which male dominance and women's subordination are maintained,[15] and is a form of discrimination that, when it involves the action of public or private health-care providers, may constitute perpetration of institutional violence against women.

Obstetric violence, associated with the natural processes of pregnancy and childbirth, sends a powerful message of female subordination through motherhood. Subordination is no longer confined to the private setting (in violent intimate relationships) or at work (horizontal and vertical discrimination, the pay gap, greater exposure to sexual harassment), but can also be inflicted by health-care institutions and operators during the delivery of care. Nonetheless, obstetric violence is associated not only with childbirth, but can extend to other aspects of sexual and reproductive rights, such as contraception, family planning, abortion and menopause.

Obstetric violence was first recognized in the Bolivarian Republic of Venezuela with the passing of legislation on women's right to a life free of violence (Law 38.668, 2007), which was followed by other comprehensive protection laws that included this form of violence. This is the case in Argentina with Law 26.485 on comprehensive protection to prevent, punish and eradicate violence against women in the context of their interpersonal relationships (2009), which also specifically addresses obstetric violence.

In July 2012, the Office of the United Nations High Commissioner for Human Rights (OHCHR) published *Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality*. This document, composed from a social justice (and not medical) perspective, laid the groundwork for a human rights-based approach to preventing maternal mortality and obstetric violence.

These technical guidelines aim to empower women and their families when they seek medical attention from health-care providers, and to hold States accountable for human rights violations committed in the provision of obstetric care. Patients should be able to file criminal complaints for actions that may be unlawful, and also to pursue administrative measures (punitive as well as remedial) that could also result in economic compensation.

The World Health Organization (WHO) issued its declaration on the prevention and elimination of disrespect and abuse during facility-based childbirth as recently as 2014. It recognizes that when women suffer from disrespectful and offensive treatment during childbirth, this not only violates their human rights, but also their rights to life, health, bodily integrity and freedom from discrimination. The statement calls for greater action, dialogue, research and advocacy on this important public health and human rights issue (WHO, 2014).

Many countries of the region have made strides in adapting their legal and regulatory frameworks in this field (see table III.4). Some have incorporated measures into laws on comprehensive protection from all forms of violence (Argentina, Bolivarian Republic of Venezuela, Mexico and Panama), while others have adopted standards at a lower administrative level which are nevertheless just as important in regulating health-care services; for example, Costa Rica has included a directive in its social security guidelines.

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[15]  See the report of the Secretary-General (United Nations, 2006).

**Table III.4**
**Latin America: national regulations on obstetric violence**

| Country | Regulation | Year |
|---|---|---|
| **Countries with laws on comprehensive protection of women** | | |
| Argentina | Law on comprehensive protection to prevent, punish and eradicate violence against women in the context of their interpersonal relations | 2009 |
| Bolivia (Plurinational State of) | Comprehensive law guaranteeing women a life free of violence | 2013 |
| Panama | Law No. 82 classifying femicide and violence against women | 2013 |
| Venezuela (Bolivarian Republic of) | Law on women's right to a life free of violence | 2007 (reformed in 2014) |
| **Countries with specific legislation, protocols or health-care guidelines** | | |
| Argentina | National Law No. 25.929 on the rights of parents and children during childbirth | 2004 |
| Brazil | Law No. 11.108 on assistance during childbirth Resolution 36 of the National Health Surveillance Agency | 2005 2008 |
| Colombia | Clinical practice guide of the Ministry of Health and Social Protection | 2013 |
| Costa Rica | Guide on comprehensive care for women and children from the prenatal to postnatal periods General law on health care, article 12 | 2009 1974 |
| Ecuador | Organization act on health | 2006 |
| Mexico | General law on women's access to a life free of violence Official regulation NOM-007-SSA2-1993 on care for women during pregnancy, childbirth and the postnatal period and for newborns | 2007 1993 |
| Puerto Rico | Law on assistance during childbirth and the postnatal period | 2006 |
| Uruguay | Law No. 18.426 on defence of the right to sexual and reproductive health | 2008 |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

## 3. Multiple forms of discrimination against women

### (a) Sexual violence against women with disabilities

Isolation and power asymmetries (including heavy dependence, economic and otherwise) between women with disabilities and their partners, families or caregivers leave these women especially vulnerable to violence and limits their ability to escape abusive situations. In turn, however, domestic violence can cause physical or mental disability in women. Although data on this phenomenon is scant, the first Specialized National Disability Survey in Peru in 2012 indicated that of 16,662 women with disabilities, more than 10,800 had become disabled due to domestic violence. There is also evidence that women with disabilities are more likely to be victims of violence, regardless of the type (direct, through physical, emotional or sexual abuse, or indirect, through abandonment).[16] According to 2012 data, women with disabilities are twice as likely to experience domestic violence and other forms of gender-based and sexual violence as non-disabled women; they experience abuse over a longer period of time and sustain more severe injuries as a result (Ortoleva and Lewis, 2012).

In the region, the results of two Demographic and Health Surveys (DHS) regarding disability and violence shed light on this phenomenon (see figure III.8). In Colombia, women with disabilities are more exposed to different forms of violence inflicted by their partners —shoving, beating, violence involving weapons and forced sex— than women without disabilities. In the Dominican Republic, women with disabilities are shoved more often by their partners than those with no disabilities.

Disability itself, depending on the type and severity, can prevent women from defending themselves, escaping or alerting others. These women also continue to be overlooked by prevention programmes, and as a result are denied the tools needed to recognize and address violence. For example, girls and young women with some form of disability have been almost entirely excluded from sexual and reproductive health programmes as they are incorrectly believed to be sexually inactive (UNICEF, 2013). Moreover, they may be unaware of the mechanisms in place to file complaints, as services and information on gender-based violence are not always accessible to persons with disabilities. And even if they do manage to file a complaint, the authorities and community or family members may fail to respond appropriately, given the stereotypes mentioned previously (Wehmeyer and Rousso, 2006).

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[16] Perhaps the most extreme form of gender-based violence towards women with disabilities is forced sterilization, which is not only a serious violation of their sexual and reproductive rights, but also of their dignity, freedom and autonomy (CEREMI, 2013).

**Figure III.8**
**Colombia and the Dominican Republic: women aged 15 to 49, with and without disabilities,**
**who reported violence around 2010**
*(Percentages)*
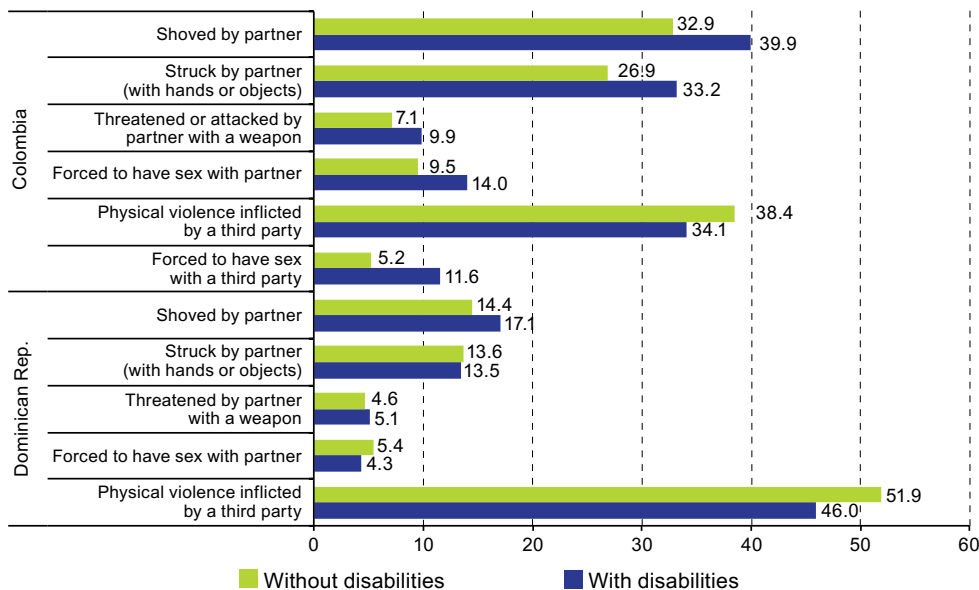


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Demographic and Health Surveys for Colombia (2010) and the Dominican Republic (2013).

As long as women with disabilities suffer from discrimination owing to the rejection of differences, prejudice, ignorance, poverty, social isolation and a lack of services and support, they cannot exercise their rights and live fully. The outcome is not just a negative social and economic impact on those affected and on their families; preventing these women from realizing their full creative and productive potential signifies heavy costs and losses for society as a whole.

### (b) Violence and migrant women

> Fleeing is an ordeal in its own right, and for most women,
> the journey to safety is a journey through hell
> (UNHCR, 2015, p. 2)

Migrant women are made more vulnerable by heightened violence during the journey, integration or even deportation. In Latin America and the Caribbean, violence during migration has worsened in the last decade, with the notable example of Central American migrants' experiences as they travel through the Northern Triangle of Central America (El Salvador, Guatemala and Honduras) and Mexico. As well as the mixed flows[17] comprising trafficking victims, smuggled migrants, asylum seekers and irregular migrants, there are now flows of unaccompanied minors, adding another equally or yet more worrying facet to the situation (UNHCR, 2015). The reality of Central American women migrants now amounts to a humanitarian crisis, owing to the escalation in violence against them and their extreme vulnerability. This presents an alarming paradox insofar as these women migrate in search of better lives, driven by hopes for new opportunities and the urgent need to find their partners, children, parents, siblings and other relatives who have disappeared along migratory routes. In their search, many migrant women face extortion, kidnapping, homicide, disappearance, assault and rape —in many cases inflicted by criminal armed groups— in what has built up into an alarming situation of threat and infringement of rights.

In August 2015, UNHCR conducted interviews with 160 women who had arrived in the United States since October 2013: 63 from El Salvador, 30 from Guatemala, 30 from Honduras, and 37 from Mexico. Each had been screened by the Government of the United States and had either been granted asylum or found to have a credible fear

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[17] The International Organization for Migration (IOM, 2009) defines mixed flows as complex population movements including refugees, asylum seekers, economic migrants and other migrants.

of persecution if returned to her home country. Eighty-five per cent of the women described living in neighbourhoods under the control of criminal armed groups. All the women stated that police and other state law enforcement authorities were not able to provide sufficient protection from attacks, sexual assaults, rapes or threats. Sixty-four per cent of the women described being the targets of direct threats and attacks by members of criminal armed groups as at least one of the primary reasons for their flight. Ten per cent of the women interviewed stated that the police or other authorities were the direct source of their harm in their home countries. Fifty-eight per cent of women in the Northern Triangle countries said they had been assaulted and sexually abused (UNHCR, 2015).

Underlying the risks that migrant women face are social constructs that characterize women as subordinate and dependent, basically on men; they can therefore be subjected to abuse, mistreatment and aggression, in order to satisfy the attackers directly or to help them exploit or mistreat others, as occurs in the attacks against migrant women at their destination point or during their journey (Rojas, 2016).

Although migrants make up only a small percentage of the people affected by organized crime, along with unaccompanied minors, women migrants are the most vulnerable. This occurs because they lack effective national and international protection; in addition to being forced from their homes by violence, they are driven to migrate under irregular conditions and blend in with economic migrants (making it difficult to make legitimate asylum requests), all the while facing enormous hardships that are further multiplied by deportation (CIDEHUM, 2012).

Although data are incomplete, the testimonies collected are overwhelming. They reveal a common thread in the escalation of violence against women and girls. Several women from the Northern Triangle mentioned that they took contraceptives before travelling in order to reduce the possibility of becoming pregnant if there were raped during flight. According to the UNHCR report, "despite precautions, many women reported that coyotes sexually or physically abused them during transit" (2015, p. 6).

### (c) Violence against sexually diverse women

One of the limitations of the research into violence towards lesbian, gay, bisexual, transgender, transsexual, intersex and intergender persons (LGBTTII) is the lack of statistics and official reports on the subject. At a time when the analysis of gender-based violence and discrimination against women is part of the fight for rights, the concept of gender identity is being widened to those at intersections of identities: those who are transgender, transsexual or intersex. The fight against gender-based violence should therefore address the different types of discrimination and violence they experience, especially when various sources show an increase in violence towards this population segment in various settings.

In countries where there are regulations that allow individuals to file reports on homophobic or transphobic assault, public safety officers are not always adequately prepared or trained to deal with these cases, which results in underreporting and triggers responses that can in themselves be forms of discrimination and secondary victimization. Violence and discrimination occur in all public and private entities. For example, violence within the education system is physical and psychological, and victims often drop out of school early, finding no personnel in the system with the expertise to support them.

Studies carried out by civil society organizations help to identify and quantify the violence experienced by members of the LGBTTII community. In a 2012 survey conducted in Mexico City, lesbians reported being excluded and mistreated by family members (CLAM, 2012, p. 55). Another survey carried out in Córdoba (Argentina) showed that lesbians experienced discrimination particularly at school, in their neighbourhoods, at church and in the family setting (Iosa and others, 2012, p. 48). The results of this survey also indicate that lesbians and bisexual persons experience more sexual violence than gay men, reflecting the typical phenomenon of gender-based violence (Iosa and others, 2012, p. 54).

According to a report by the Joint United Nations Programme on HIV/AIDS and the Inter-American Commission of Women of the Organization of American States, discrimination associated with gender identity also puts at risk the life and safety of transsexual persons, who are victims of physical and sexual violence and hate crimes. Roughly 80% of murders of transgender persons worldwide occurred in Latin America. The perpetrators of these crimes are rarely brought to trial. The impunity that has allowed the violation of rights of activists and other transgender women is not only due to general impunity in various Latin American countries, but is motivated to a large extent by transphobia (UNAIDS/IACW-OAS, p. 25).

On 30 June 2016, the United Nations Human Rights Council adopted resolution 32/2, on protection against violence and discrimination based on sexual orientation and gender identity, presented by Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Uruguay, and resulting in the appointment of an independent expert. It is based on two previous resolutions adopted by the Council in 2011 and 2014.

Antidiscrimination laws have emerged in the region following specific or general cases of violence against members of the LGBTTII community. One of the highest-profile cases in Chile was the torture and murder of Daniel Zamudio in Santiago in 2012. This homophobic crime raised awareness of the issue among the political class, resulting in the adoption that same year of antidiscrimination Law No. 20.609, commonly referred to as the Zamudio law. It aims to create a legal mechanism to effectively apply the rule of law to arbitrary discriminatory acts, particularly those based on factors such as gender, sexual orientation and gender identity.

Transgender persons often face violence, unemployment and poverty owing to ignorance and prejudice. This type of stigma and discrimination exposes transgender women to greater risk of HIV infection (UNAIDS, 2016). Nine countries in the region have made progress in gender-identity legislation that regulates sex and name changes for transsexual persons, and defines a legal framework to allocate health-care resources for sex-change operations. The Plurinational State of Bolivia has passed a law on gender identity (Law 807/2016) that is at the forefront of legislation in the region. Gender identity laws also formally recognize the identity of transsexual persons in Argentina (2012), Uruguay (2009) and Mexico (2015). Brazil (2010), Colombia (2015), Cuba (2008), Ecuador (2016) and Panama (2006) have also adopted regulations which are less comprehensive, but range from the right to State-funded sex reassignment surgery to name and sex changes in civil registries.

**Box III.4**
**Homophobia and transphobia in schools**

Homophobic and transphobic violence in schools refers to harassment and assault by peers due to homophobia or transphobia. It does not affect only students who are homosexual, bisexual, transgender, transsexual, intersexual or intergender (LGBTTII). In a broader sense, it affects the entire academic community, from victims to attackers, transforming school into an unsafe environment, hurting academic performance and diminishing human rights and peer relationships.

Despite the efforts made in Latin America to widen access for children and young people to relevant and good-quality education in spaces that encourage coexistence, homophobic and transphobic violence is a deeply embedded behavioural pattern. Although Argentina, Chile, Colombia, El Salvador, Peru and Uruguay have established clear and comprehensive policies on school coexistence and violence in the education system, it is worrying that almost none of these policies (in Chile, Colombia, El Salvador and Peru) mention sexual violence, homophobia or transphobia.

In Argentina, there is specific mention of discrimination and harassment based on sexual orientation and gender identity in the federal guidelines for academic intervention in complex situations relating to academic life. In Uruguay, the 2014 General Education Law refers specifically to non-discrimination based on sexual orientation and the National Sexual Education Programme includes a comprehensive education policy on fighting homophobic and transphobic violence and discrimination, which applies to the entire academic system.

Curricular reform and improvements in the quality of education should incorporate specific recommendations for dealing with homophobic and transphobic violence from a human-rights perspective into academic plans and programmes, and into instruments related to coexistence in schools. States should make strides in developing studies on this issue, raising awareness and producing proposals to incorporate the subject into teacher training on principles and anti-discriminatory behaviour. Similarly, there should be meetings and training spaces for media professionals to implement initiatives to complement the comprehensive education of young people and also of the general public.

Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of United Nations Educational, Scientific and Cultural Organization (UNESCO), *La violencia homofóbica y transfóbica en el ámbito escolar: hacia centros educativos inclusivos y seguros en América Latina*, Santiago, UNESCO Regional Office for Education in Latin America and the Caribbean, 2015.

## C.    The most dramatic and extreme form of violence: femicide

A significant regional development in recent years is the adoption of laws or criminal code reforms in 16 countries, which codify the murder of women as femicide or feminicide (a separate crime from others already covered in criminal legislation), or qualify gender as an aggravating factor in a murder.[18] The latest countries to pass femicide laws are Brazil (March 2015) and Colombia (July 2015). This testifies to the concern in the region about this grave and extreme expression of violence against women (see box III.5).

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[18]    Femicide or feminicide is the violent death of women based on gender, whether it occurs within the family, a domestic partnership, or any other interpersonal relationship; in the community, by any person, or when it is perpetrated or tolerated by the State or its agents, by action or omission (IACW/OAS, 2008).

**Table III.5**
**Latin America: 16 countries that classify femicide or feminicide**
**and gender-based aggravated homicide**

| Country | Name of regulation | Year | Criminal offence |
|---|---|---|---|
| Argentina | Law No. 26.791 | 2012 | Aggravated homicide |
| Bolivia (Plurinational State of) | Law No. 348 | 2013 | Feminicide |
| Brazil | Law No. 13.104 | 2015 | Feminicide |
| Chile | Law No. 20.480 | 2010 | Femicide |
| Colombia | Rosa Elvira Cely Law | 2015 | Feminicide |
| Costa Rica | Law No. 8.589 | 2007 | Feminicide |
| Dominican Republic | Law No. 779 | 2012 | Femicide |
| Ecuador | Organic Comprehensive Penal Code | 2014 | Femicide |
| El Salvador | Decree No. 520 | 2010 | Feminicide |
| Guatemala | Decree No. 22-2008 | 2008 | Femicide |
| Honduras | Decree No. 23-2013 | 2013 | Femicide |
| Mexico | Decree to reform and enhance different measures of the Federal Penal Code, of the General Law on women's access to a life free of violence, of the Organization Act on Federal Public Administration and of the Organization Act of the Office of the Attorney General of the Republic | 2012 | Feminicide |
| Nicaragua | Law No. 779 | 2012 | Femicide |
| Panama | Law No. 82 | 2013 | Femicide |
| Peru | Law No. 30.068 | 2013 | Feminicide |
| Venezuela (Bolivarian Republic of) | Law reforming the Organization Act on women's right to a life free of violence | 2014 | Femicide |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

Legislation on femicide or feminicide is clearly a big step forward in women's rights. However, the Follow-Up Mechanism of the Convention of Belém do Pará (MESECVI) of the Organization of American States (OAS) warns of the need for the justice system to ensure that this crime and the aggravating circumstances are punished.

Support for penal reform is closely associated with the need for better tools to punish femicide or feminicide and to overcome the problem of widespread impunity that thwarts not just victims' rights to reparation but also the rule of law in a democratic society. The decision to classify femicide (in any of its forms) as a crime does not guarantee progress in research or in the collection of specific administrative records regarding this form of extreme violence against women. As a result, methods such as those proposed by the *Latin American Model Protocol for the investigation of gender-related killing of women* (femicide/feminicide) (OHCHR/UN-Women, 2014) play a significant role in overcoming the limitations of ordinary procedures and obstacles to justice.

Administrative records that document the fulfilment of rights and public authorities' response to violence against women are strategically important as they contribute to the planning and evaluation of the services provided. In the region, inter-agency efforts and the collection of specific records have enabled major progress by documenting phenomena such as femicide, identifying the type of health care being provided to abused women and launching programmes to provide them with medical, dental and other types of care.

**Box III.5**
**Feminicide under the microscope: register of feminicide and attempted feminicide**
**of the Public Prosecutor's Office in Peru**

One notable example of the improvement in administrative records in the region is the work of the Public Prosecutor's Office of Peru, which in 2009 created a register of feminicide and attempted feminicide that records the deaths of women in cases of intimate and non-intimate feminicide, hence providing official national figures. This register has allowed authorities to improve the investigative process and has given rise to a proposal for a predictive model for the prevention of feminicide. This has allowed authorities to move beyond the register to crime analysis; to widen the scope of investigation to prior domestic violence complaints and protective measures for victims; and to provide predictive analysis and early warnings to authorities.

The objectives are to record 100% of feminicides and attempted feminicides in Peru; to develop a predictive model to help avoid feminicide; and to evaluate the impact of the register and its contribution to reducing the number of women's deaths due to feminicide.

The predictive model has been used to provide follow-up for women who have filed more than four complaints of domestic violence or feminicide attempts, who are assigned a risk score that generates an alert to the Public Prosecutor's Office. Between 2009 and 2015, 183 women were determined to be at risk of feminicide. The authorities made house calls that confirmed 46% of the women were at high risk, and triggered an alert for prevention mechanisms.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information provided by the Public Prosecutor's Office of Peru, Crime Observatory, 2016.

In 2014 the Supreme Court of Justice in Argentina created a National Register of Feminicides with data entered for 2014 and 2015. This instrument allows the country to fulfil its international obligations and to produce data that can be used to design public policies focusing on the effective prevention of these crimes.

According to the official figures reported by the countries of the region to the Gender Equality Observatory for Latin America and the Caribbean of ECLAC, 1,903 women from 17 countries were victims of femicide or feminicide in 2014. This figure is a stark wake-up call for authorities, which must continue and step up their efforts to end this scourge. On top of the challenge of implementing concrete prevention, assistance, protection and reparation measures to end femicide, they must contend with a lack of data (see figure III.9).

**Figure III.9**
**Latin America (15 countries): femicides or feminicides, 2014**
*(Absolute numbers and rates per 100,000 women)*
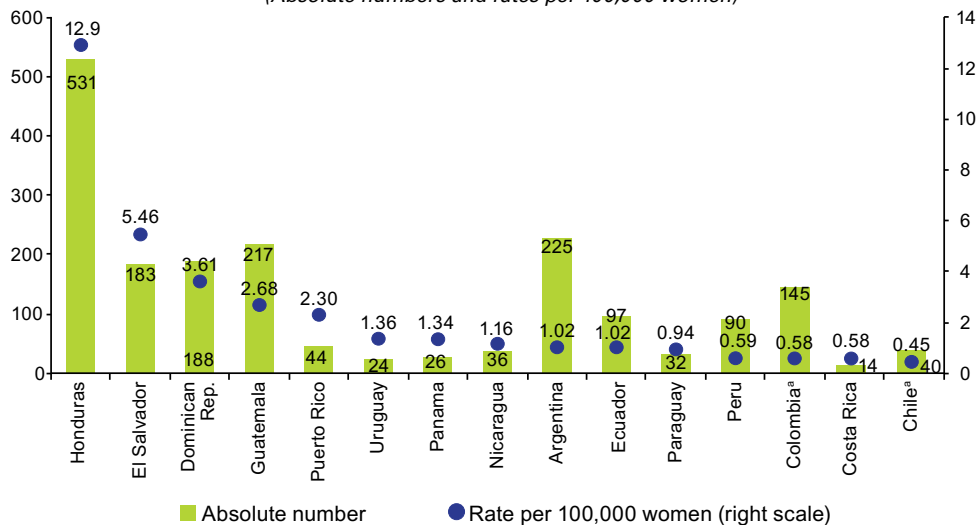


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.
[a] Colombia and Chile record information only on cases of intimate femicide.

**Figure III.10**
**The Caribbean (8 countries): women's deaths at the hands of their current or former intimate partners (intimate femicide), most recent data available**
*(Absolute numbers and rates per 100,000 women)*
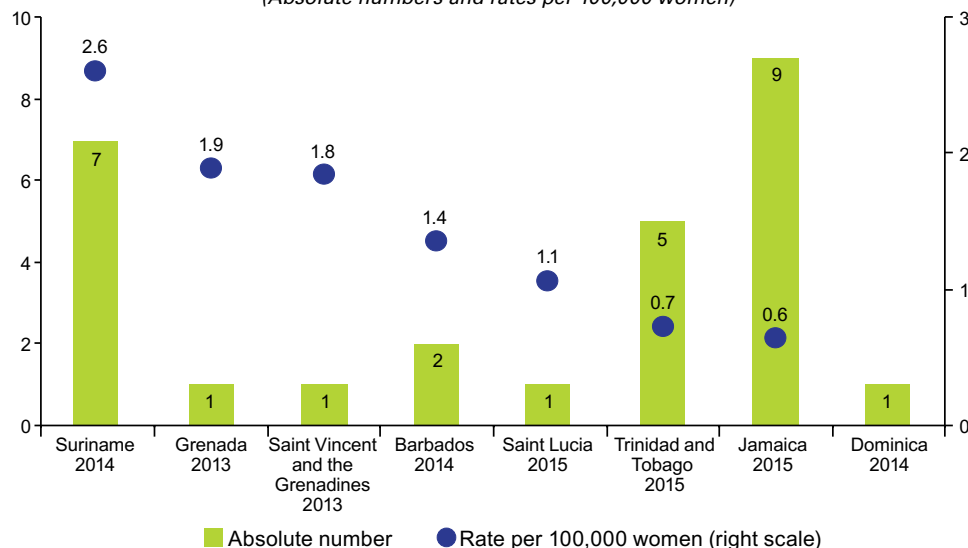


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.

In the English- and Dutch-speaking Caribbean countries, data are available only for intimate-partner femicide, or women's deaths at the hands of their current or former intimate partners (see figure III.10).[19] The most recent data shows that of the eight countries for which figures are available,[20] the highest rate was recorded in Suriname (2.6 per 100,000 women), which is the only country with data on both intimate and non-intimate femicide. It is hoped that Caribbean countries can improve their administrative records of violence against women and provide disaggregated data on this phenomenon and its characteristics in the short term.

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**Box III.6**
**Building the femicide indicator**

The measurement of femicide or feminicide began in 2009, following discussions on intimate feminicide at the Meeting of Technical Experts on Gender Statistics for the Analysis of Indicators for the Gender Equality Observatory of Latin America and the Caribbean (Aguascalientes, Mexico, October 2008), and at the forty-second meeting of the Presiding Officers of the Regional Conference on Women in Latin America and the Caribbean (Santiago, December 2008). During the latter, the ministers and other authorities present called for the prioritization and collection of information on women's deaths at the hands of their current or former intimate partners (intimate feminicide) given the lack of classification of femicide or feminicide in most countries in the region. The following recommendations were made:

- Machineries for the advancement of women: to explore the state of play as regards information in their country and raise awareness in institutions that generate administrative records in this area, with a view to ensuring that information is produced for the indicator.
- National statistical institutes: to generate a single form to identify the presumed authors of wilful homicides of women, in health-care, police and judicial systems; form inter-agency partnerships or agreements between producers of records and statistical institutes; and include health records as an input for the indicator.

At the technical meeting in Aguascalientes in 2008, specialists in statistics and gender studies from national statistics institutes and national mechanisms for the advancement of women agreed to begin compiling data starting with the annual number of homicides committed by current or former intimate partners. In 2014, they presented progress reports on this measurement system at the fifteenth Meeting on Gender Statistics in Aguascalientes, and the participants called on the Gender Equality Observatory for Latin America and the Caribbean of ECLAC to move forward in building a femicide or feminicide indicator.

Each year, the Gender Equality Observatory asks governments for data on women's deaths at the hands of their current or former intimate partners. From the outset, it requested that the mechanisms for the advancement of women, public prosecutors and other institutions in charge of official data provide the "total number of female homicides" and the "number of femicides, feminicides or homicides due to gender-based violence", which allowed it to build a femicide or feminicide indicator with data up until 2015. This was possible since fourteen Latin American countries and three Caribbean countries[a] had data on femicide or feminicide at 31 December 2014.

The data collected on femicide or feminicide by the Gender Equality Observatory is contained in the ECLAC CEPALSTAT database and is available for public consultation or analysis. It is divided into three indicators:

(i) Number of femicides or feminicides.
(ii) Rate of femicide or feminicide per 100,000 women (total number of gender-based homicides of women aged 15 and over, per year. Depending on the different national laws, it is referred to as femicide, feminicide, or aggravated homicide due to gender).
(iii) Women's deaths at the hands of their former or current intimate partners (absolute numbers and rates).

The Gender Equality Observatory also provides technical assistance to build records on femicide or feminicide (according to national legislation) in fulfilment of the Brasilia Consensus adopted at the eleventh session of the Regional Conference of Women in Latin America and the Caribbean (2010).

**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] http://oig.cepal.org/en.
[a] Argentina, Barbados, Chile, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Suriname and Uruguay.

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Gender-based violence, especially femicide, is a major challenge on the development agenda. It requires the expansion and improvement of data sources and the compilation of records that help identify its different characteristics and manifestations. Progress must be made in classifying femicide and beginning a discussion that moves beyond the number of homicides to include suicides stemming from this crime and, in some countries, it should be incorporated into the records of total homicide cases and their disaggregation by gender. This is further complicated in countries where armed conflict or higher levels of organized crime lead to lethal violence against women that is hard to classify and includes larger number of cases with unidentified causes.

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[19] Five Caribbean countries did not submit any data for 2014 although they had for previous years (Grenada, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago).
[20] Barbados, Dominica, Grenada, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago.

# D. The economy and violence, a hidden link

Gender-based violence is a sociocultural expression of discrimination and subordination affecting women owing to their gender, and of dominant gender relationships. Like other social problems, it has economic implications for women and their families, as well as for the State and the community; hence its economic implications should be recognized during the decision-making process. Estimates of the cost of violence against women show how it affects the economy in terms of costs, investments and losses. Just like urban violence or public unrest, it can hinder socioeconomic development and bring about negative externalities, such as losses stemming from weaker tourist flows or inflation. The economic impact of violence against women is measurable and proves that society's growth also depends on women being able to exercise their rights and autonomy. For this reason, sustainable development with equality cannot be achieved without recognizing the link between gender-based violence and the economy.

The violation of women's rights to physical autonomy affects their economic independence in a number of areas. For instance, it weakens the ability to generate personal income, decreases productivity, increases work absenteeism, contributes to poverty (out-of-pocket spending, intergenerational transmission) and hinders asset ownership. Against this backdrop, women's lack of physical autonomy and control over their own bodies are obstacles to their achievement of economic independence.

In some countries, public policies are taking the role of the State in the eradication of violence against women to new levels. Although there is still a gap between the de jure and de facto situations, policies are beginning to address other areas besides prevention and support for victims, such as the importance of penalties and of acknowledging the State's responsibility for reparations where it failed to protect or guarantee the right to live a life free of violence. However, there is still no comprehensive public response to gender-based violence. This is mainly because political resolve is weak and, when it is stronger, public policies deal with legislative and legal aspects but fail to address social factors effectively (Rodríguez Enríquez and Pautassi, 2016b). This is exacerbated by limited budgets and coordination difficulties between the institutions involved.

Determining the economic value of violence against women is one of the major pending issues in measuring the impact of this phenomenon on women and society as a whole. In light of the individual economic expense, the cost of public policies and the impact of gender-based violence on public and private institutions, governments need to do more than gather facts and implement legislative reforms; they must capture all responses to gender violence across the country.[21]

Various studies show that identifying the direct, indirect and intangible costs of violence for victims reveals the complex process whereby it damages lives and undermines opportunities at different stages of development (Buvinic, Morrison and Shifter, 1999; SERNAM, 2010, p. 40; GIZ, 2013, 2014, 2015a and 2015b). These studies all show that the greatest costs are incurred in health care, including mental health, emergency or trauma surgery, reconstructive surgery and rehabilitation. Although this is the sector for which it is easiest to obtain data on the costs related to sexual, physical and psychological violence, not all countries have access to estimates at the different levels of the health-care system. This makes it difficult to allocate adequate public health-care budget resources and to determine how resources are distributed in this sector, and therefore to take decisions and propose solutions.

Another area in which the cost of violence against women is unknown or underestimated is fulfilling rights to justice, for example providing legal services and covering the expenses of prisons and police and forensics investigations. Here, underestimation stems from institutions not making the distinction between violence against women and violence against other family members; there is no breakdown of costs by the type of crime committed; administrative records on cases of violence against women are inadequate and the different types and characteristics of violence and of murderers are not categorized (SERNAM, 2010).

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[21] Studies carried out by the Inter-American Development Bank (IDB) divide the costs of violence into four categories: (i) direct costs: spending on psychological assistance and medical treatments, services provided by the policies, legal costs, lodging and shelter for women and children, social services; (ii) non-monetary costs: increases in morbidity and mortality as a result of suicide or homicide, dependence on drugs and alcohol, and depressive disorders; (iii) economic multiplier effects: lower participation of women in the work force, reduced productivity at work and lower earnings; and (iv) social multiplier effects: intergenerational impact, erosion of social capital, reduced quality of life, reduced participation (Buvinic, Morrison and Shifter, 1999).

A study carried out in Chile to evaluate the cost of intrafamily violence against women for the justice and security sector estimated this at 59% of the total resources provided by the public institutions responsible for intrafamily violence in areas of care, protection, punishment and prevention. The legal and public safety departments involved include the Public Prosecutor's Office, the judiciary, the legal aid agency, the Public Defender's Office, the registry office, the forensic medical service, the penitentiary system, the national police force, the investigative police force, the Ministry of the Interior and Public Safety and the National Drug Control Council (SERNAM, 2010). The figure of 59% reflects the progress made in litigation and punishment, with much higher spending on the justice sector's actions than on health, education or the national machinery for the advancement of women focused on providing shelters or other solutions. Nonetheless, spending is underestimated in all sectors owing to the invisibility of rights fulfilment in terms of preventing or protecting women from violence.

In many cases indirect costs can easily outstrip direct costs (Buvinic, Morrison and Shifter, 1999); for instance, those related to violence during pregnancy and the effects on unborn children, or health problems that shorten women's working lives.

The direct economic impact on women is more difficult to quantify, as the loss of working days, wages, working capacity and the effect on opportunities to earn more, participate in training or obtain promotions also directly determine women's ability to increase their income in the medium and long terms. There are also direct economic effects for employers, both private and public, owing to reduced working time, rotation and re-training, for example, as well as for national economies, which curtail the possibilities of expanding rights in a broader manner.

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**Box III.7**
**The costs for women micro-business owners who experience violence**

Studies carried out in Ecuador and Peru show that the chain reaction of intimate-partner violence against women causes physical and emotional damage that, in turn, results in the inability to work and in out-of-pocket expenses, ultimately leading to loss of income and capital.

In Ecuador, 51.1% of women micro-business owners said they had experienced violence at the hands of their partners or former partners. The greatest damage was physical and emotional (85%). These women lost 54 working days and US$ 70 in income per year, as well as US$ 205 in out-of-pocket costs to repair damage. Overall, losses totalled US$ 120 million per year (US$ 33 million spent to repair damage and a US$ 87 million in forgone income, i.e. the opportunity cost). In the same sample group of 4,000 women micro-business owners, 40 lost more than 100% of their annual income due to missed working days.

In terms of loss of capital owing to intimate-partner violence, each female victim incurred annual out-of-pocket spending of US$ 185, which added up to US$ 22.922 billion per year, or 9% of total income generated by female victims of violence in the last year.

For women micro-business owners in Ecuador who experienced physical violence, 69% incurred significant unexpected health-care costs, which directly affected the amount of capital their businesses lost. For 8% of micro-business owners, out-of-pocket spending exceeded 100% of annual income.

In terms of the number of working days lost, 19 of 100 women micro-business owners missed at least one day of work in order to file a complaint for violence inflicted by their intimate partner. About 38% missed work in order to seek social support, and 12% to seek medical attention or care. Missing work results in significant opportunity costs as it curbs income generation.

Meanwhile, in Peru, 71.2% of micro-business owners experienced gender-based violence, and 71% suffered from physical and emotional damage. Each one lost more than 47 working days per year and spent US$ 1,200 per year, generating losses of US$ 9,130 per woman or 28.3% of the average value added of micro-businesses run by women in Peru. At the national level, this represented a loss of almost US$ 2.5 billion, or 1.21% of GDP (US$ 239 million spent on damage and US$ 2.178 billion in opportunity costs).

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Arístides Vara-Horna, *Los costos de la violencia contra las mujeres en las microempresas formales peruanas. Una estimación de su impacto económico*, Lima, Universidad de San Martín de Porres (USMP)/German Agency for International Cooperation (GIZ), 2015; and *Los costos invisibles de la violencia contra las mujeres para las microempresas ecuatorianas*, Quito, GIZ, 2013.

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Lastly, explicit and clearly defined budgetary resources are required for the implementation of public policies to prevent, manage and remedy the consequences of violence against women. At the same time, it is important to consider the (avoidable) socioeconomic costs and implications of the failure to execute strategies, policies and programmes that address the different manifestations of this type of violence. From an economic standpoint, ending gender violence would generate savings for society as a whole.

Analysis of the socioeconomic consequences of failure to adopt specific preventative measures to end violence against women —or the "cost of omission"— can show how much it costs not to have policies to address inequality. In this framework, it shows the implications of not responding to the violation of women's rights to physical autonomy, in particular.

Calculating the cost of omission means turning a spotlight, among other things, on the lack of time available to wage workers to deal with all of the consequences of this form of violence (for example, legal proceedings, medical treatment, work transfers and house-hunting). It also includes the estimated fiscal cost of measures such as providing leave for wage workers to complete all the procedures involved, and the provision of services, such as priority access to health care (Gonzalez Vélez, 2016).

## 1. Financing of policies guarantees the exercise of rights

Insofar as individual rights are public goods, their defence and protection requires public financing, meaning through taxes. In this respect, "the quality and extent of rights protection depends on private expenditures as well as on public outlays" (Holmes and Sunstein, 2011). For women subjected to gender-based violence, in addition to estimating social and non-monetary costs, budgetary costs must be taken into account. Not just the cost of care or individual services, but the government's overall spending in response to each case. Although the direct responses are by sector, as noted earlier, a complex array of State actions lie behind each complaint or health-care delivery all along the route taken by female gender-violence victims in their need for public services, and all these actions must be linked up and work in concert. From this standpoint, the cost of each service must be examined not in a linear fashion, but as part of a network of responses through other services, and therefore as part of a complex whole.

Analysis of the public budgets of 24 countries in the region shows that 95% allocate resources to gender equality policies. Nevertheless, from the perspective of making policies addressing violence against women visible in the budget, only eight countries have specific allocations for this item (Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, El Salvador, Guatemala, Mexico and Peru). In national reports on the Follow-up Mechanism to the Belém do Pará Convention,[22] four more countries submitted background information on the allocation of resources to fight violence against women in the national budget for 2014 (Barbados, Costa Rica, Ecuador and Paraguay). These countries reported that they had budgets to fund specialized services, such as women's police stations, and to train their staff (Ecuador, El Salvador, Mexico and Panama). Argentina, Brazil and Chile also reported that they had set aside budgetary funds for campaigns on the prevention of violence against women.

Identifying categories for the institutionalization of gender equality mechanisms, policies to fight violence against women and earmarked spending are clearly in keeping with gender-mainstreaming strategies that seek to influence broader planning. Along with substantive progress in Brazil, Mexico and Peru in 2014 and 2015, the available data show that spending on policies for gender equality and violence against women has increased. This is the case in Brazil and Mexico, where these trends go hand in hand with specific strategies identified in the public budget. In Mexico, the budget for "outlays for equality between men and women" for 2015 grew 8.8% compared with the year-earlier period, while funds for the eradication of violence, the second priority, corresponded to 5.5% of total expenditure on gender equality, meaning that it is still a small budget item within the overall gender equality policy framework.

For the other countries mentioned, gender equality policies have shown little change in funding and new strategies have generally replaced previous initiatives. In Uruguay's 2015 budget, allocations were disaggregated into different strategies to implement the policy on violence prevention, and focused on a wide range of sectoral institutions; there were also allocations for civil society organizations, such as the Uruguayan Network against Domestic Violence.

Some countries provide information on financing in their regular reports to the Committee on the Elimination of Discrimination against Women, although often without quantitative data or details. Several English-speaking Caribbean countries highlighted their strategies, factored into the 2014-2015 budget. Specifically, the Bahamas set aside public funds to build a shelter for women with children and received funding from international organizations to fight gender-based violence, a funding mechanism common to various countries in the region (UNHCR, 2014).

The incorporation of gender into public budgets in the region provides important lessons for machineries for the advancement of women and has created significant capacity in these entities. Nonetheless, stronger capacity-building is hampered by gaps in the information as to the amount and national percentage allocated each year to prevention, assistance, punishment or reparation.

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[22]  See [online] http://www.oas.org/en/mesecvi/NationalReports.asp.

An analysis of spending on public safety by ministries of justice or internal affairs reveals that there are generally no specific items on violence against women. In terms of health, few countries provide data on health-care coverage for violence against women that can be identified easily at different levels, and there are still problems extracting the information. It is also difficult to compare information on coverage with that on spending, which is an obstacle to establishing timely and relevant assistance programmes.

The limited spending on policies to prevent violence against women shows the hurdles to implementing wide-reaching legislation on violence against women and the commitments made by States when they ratified the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention of Belém do Pará. The allocated budget is clearly not enough to prevent femicide, sexual violence, sexual harassment or other forms of gender-based violence. There is no direct correlation between major legislative progress and spending, so there is still work to be done on the adequate protection and fulfilment of rights.

Some of the main challenges in achieving gender equality, in terms of the economic valuation of violence against women, are: the need to draw up an inventory of the strategies used in budgetary design and follow-up, the importance of increasing resources in an integrated manner, the creation and strengthening of accountability systems for allocated spending and funding of policies to prevent violence against women, and the continuation of efforts to improve planning, follow-up, evaluation and accountability exercises, as well as the progress in proposals to estimate the fiscal and socioeconomic cost of policies on violence against women.

## 2. Reparation policies for violence against women[23]

Estimating the fiscal cost of policies to prevent or provide reparation for violence against women is not just a theoretical exercise. It is crucial for raising ethical questions during budget discussions; for example, in arguing that improving reparation policies can in some cases have a limited impact on the public purse yet be instrumental in bringing about the cultural shift needed to end the scourge of gender-based violence, in addition to guaranteeing fulfilment of rights for women.

Part of the discussion is that estimates of the economic costs of a social problem are always risky, and that they must be handled with caution as they do not always cover all aspects of the problem. Estimating the cost of the problem (which is likely high) and the cost of solving it (which is likely lower in relative terms) could be a good strategy in the face of the impossibility theorem used by most public policymakers in citing the lack of resources as a constraint on policy financing; however, this should not eclipse the main justification for such policies. Regardless of the economic cost of the problem, or the cost of solving it, the issue deserves attention and a robust public response (Rodriguez and Pautassi, 2016b).

As noted earlier, the cost of violence can be understood in at least two ways: the economic cost of addressing the problem and the socioeconomic cost of doing nothing. In the first instance —the fiscal cost— the type of intervention must be defined (to prevent or repair the damage, punish the perpetrators, or eradicate the problem) as well as the population that requires assistance, and the methods the authorities should use. In the second instance —the socioeconomic cost— the assumption is that violence generates economic losses that can be estimated; however, this requires various clarifications, as discussed later.

Recognizing that violence generates economic losses does not mean overlooking the fact that it also inflicts damage that cannot be measured in monetary terms. Economic loss is just another element, not the main problem (Rodríguez and Pautassi, 2016b). Monetary losses stemming from violence affect individuals (for example the loss of income owing to absence from work, spending on health to repair physical damage resulting from violence, the cost of providing care for the people normally cared for by the victims and legal costs). But they also affect society as a whole, for example through the loss of economic value that victims —as part of the work force— are unable to create, the cost of health care when it is publicly funded, the fiscal cost of reparation policies and the cost to the legal system which handles cases.

Estimating the socioeconomic costs of violence is complex and in many cases adequate information to prepare accurate forecasts is lacking (information on incidence and as a result the number of victims). Moreover, establishing these costs means adopting many assumptions. For this reason, they should be treated as more or less robust approaches (as the case may be) that can be reproduced or fine-tuned by the various countries. Three programmes currently being discussed in Argentina were selected for analysis, with estimates of the public investment needed to implement them.

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[23]   This section is based on Rodríguez Enríquez and Pautassi (2016b).

### (a) Fiscal cost of paid leave for victims of domestic violence

Women who have been victims of gender-based violence and are left in a state of emotional shock after violent episodes need time to recuperate. In the case for wage-earning women, the direct health impacts —such as fatigue, chronic stress, depression or physical pain from injuries— can result in tardiness, absenteeism, reduced productivity and conflict at work. The direct economic effects of absenteeism are related to the loss of wages on one hand, and on the other hand, out-of-pocket spending on medication or trips to seek medical attention or attend legal proceedings and other appointments. As a result, guaranteeing women who are victims of gender-based violence paid leave to maintain their income is essential so that they can benefit from recovery processes as a right, avoid heightened tension stemming from the fear of losing their job, and be allowed time to process complaints or receive rehabilitation treatment.

Box III.8 outlines estimates of the fiscal cost of implementing a paid leave policy for victims of violence, using as a base the programme implemented by the City of Buenos Aires, which includes 20 days of paid leave. The paid leave is a period during which the person may be absent from work but receive the corresponding wages for those days. It is financed by the employer (in this case, the government of the City of Buenos Aires). In exercises which propose extending this type of leave to other sectors (all waged women, including in the private sector), it is assumed that the measure will be publicly funded (as with maternity leave, which is financed by social security resources).

In order to estimate the fiscal efforts needed to carry out this initiative, the following basic parameters were established: the number of victims of violence against women and the wage to be maintained during leave.

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**Box III.8**
**Estimate of the fiscal cost of paid leave for women who are victims of domestic violence in Argentina based on the pilot programme**

The information required for these estimates is as follows:

**Number of employees in the government of the City of Buenos Aires**
According to data from the Ministry of Modernization of the City of Buenos Aires, in 2015 there were 133,937 employees, of whom 50.7%, or 67,876 were women.

**Incidence of violence against women among employees of the City of Buenos Aires**
According to the Ministry of Social Development, 22.3% of women in Buenos Aires said that they were victims of physical violence inflicted by their current or previous partners at some point. Of this total, 61.8% said that they suffered from violence (once, sometimes or often) in the past 12 months. Therefore, the incidence of violence against women living in the City of Buenos Aires in the past 12 months is estimated at 13.8%. Applying this percentage to female employees of the City of Buenos Aires, 9,367 women were entitled to paid leave owing to domestic violence.

**Wage to be maintained during leave**
The estimate is based on the Permanent Households Survey (EPH) conducted by the National Institute of Statistics and Censuses (INDEC), which provides information on the average wage reported by women living in Buenos Aires and employed in the public sector, and on records from the Argentine Integrated Social Security System (SIPA). The information from SIPA is adjusted by the EPH weighting to yield the average wage of public sector workers. This was calculated at 14,893 Argentine pesos.

**Estimated fiscal cost of covering total employees of the City of Buenos Aires**
The estimated fiscal cost of this type of leave is calculated based on the number of workers who are entitled to it, the wage that they receive and the length of time that they would receive it. For the 20-day leave, the daily wage is calculated (dividing the monthly wage into 25 working days) and then multiplied by 20.

The following formula is applied:
Fiscal cost = number of domestic violence victims x ((average wage / 25) x 20).
The fiscal cost thus calculated comes to:
Fiscal cost for the government of the City of Buenos Aires = 9,367 x ((14,893 / 25) x 20) = 111,600,850.39 Argentine pesos.[a]
This amount represents 0.13% of the city government's total budget for 2015. It is equivalent to 2.8% of the total budget of the Ministry of Social Development of the City of Buenos Aires and 11.3% of the current budget for the Programa Ciudadanía Porteña, which is the main income transfer programme for households in this jurisdiction.

**Estimated fiscal cost of covering total public sector employees in Argentina**
Extending the programme to public sector employees nationwide, using the wage estimated for SIPA as a reference and adjusting for the EPH weighting —14,893 Argentine pesos— and applying the corresponding formula, yields a fiscal cost equivalent to just over 414 million Argentine pesos.
Fiscal cost for national public service = 34,781 x ((14,893 / 25) x 20) = 414,391,077 Argentine pesos.[b]
This fiscal effort is equivalent to 0.04% of the total national administration budget for 2015. It is equivalent to 0.31% of spending on personnel, and represents 0.60% of the annual budget of the Ministry of Social Development, or 0.78% of the annual budget for non-contributory pensions.

**Estimated fiscal cost considering total formally employed female workers**
The fiscal cost of formally employed female workers = 494,592 x ((9,863 / 25) x 20) = 3,902,528,716.80 Argentine pesos.[c]
This is equivalent to 0.07% of GDP for 2015, and 15.7% of the annual budget for the Universal Child Allowance.[d]

**Source**: Corina Rodríguez Enríquez and Laura Pautassi, "Violencia contra las mujeres y políticas públicas Implicancias fiscales y socioeconómicas", Asuntos de Género series, No. 137 (LC/L.4213), Santiago, Economic Commission for Latin America and the Caribbean (ECLAC), 2016.
[a] Equivalent to US$ 8,316,009 (using the exchange rate given by the Central Bank of Argentina on 18 December 2015).
[b] Equivalent to US$ 30,878,619 (using the exchange rate given by the Central Bank of Argentina on 18 December 2015).
[c] Equivalent to US$ 290,799,457 (using the exchange rate given by the Central Bank of Argentina on 18 December 2015).
[d] This is a conditional transfer programme targeting the children of unemployed persons, those working in the informal sector with income equal to or lower than the minimum wage, those covered by the simplified income tax regime, domestic workers and seasonal workers during the off-season, and persons who benefit from the following plans: Argentina Trabaja, Manos a la Obra, Ellas Hacen, Programa de Trabajo Autogestionado, Jóvenes con Más y mejor Trabajo, Programa Promover la igualdad de Oportunidades y Seguro de Capacitación y Empleo. It is for children under the age of 18, up to a maximum of five children, with priority given to children with disabilities, who must provide proof of annual school attendance and health checks.

### (b) Maintenance payments for children of femicide victims

In cases of femicide, children experience a triple tragedy: the death of their mother, the disappearance of their father due to incarceration, suicide or flight, and the absence of income to survive, even when they live with other family members. In some cases, this is compounded with minors being forced to live with the attacker or on their own, or having to seek income and give up their studies.

The complex causes of violence against women, especially femicide, require intersectoral approaches, especially in cases where the murdered women have left children behind. It is therefore important to formulate budgets that estimate the monetary dimension, or fiscal cost, of implementing some specific and innovative measures that are currently under consideration, such as maintenance payments for minors whose mothers were victims of femicide.

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**Box III.9**
**Estimated cost of measures for children of femicide victims**

In order to estimate the cost of this proposal, the number of beneficiaries and the amount allocated to them are required.

In 2005, the National Supreme Court of Argentina presented the National Femicide Registry, which collected data on the number of femicides in the country in 2014.[a] On the basis of this methodology, which collects data input into an interactive online registration system for each jurisdiction, 225 women were murdered in 2014. At least 144 children lost their mothers, but the exercise was unable to determine the number of children of 130 of the murdered women (CSJN, 2015, p. 12).[b] From now on, as long as there are no other official sources, the Supreme Court Registry is the official source of data on femicide.

If maintenance payments are extended to these 144 children, the fiscal cost of the measure, considering the benefit as the equivalent of the minimum retirement pension in effect since March 2016 (4,959 Argentine pesos per month), would amount to 8,569,152 Argentine pesos per year.[c] This is equivalent to 0.03% of the annual budget for the Universal Child Allowance.[d]

If, given the difficulty in identifying children of the victims, the number of children was estimated on the basis of the average number of children per household in Argentina in the 2010 census (which is 1.3) the 225 victims would have left behind 293 children. In this case, the fiscal cost of the measure, again based on the minimum retirement pension, would be equivalent to 17,435,844 Argentine pesos per year.[e] This amount is equivalent to 0.07% of the annual budget for the Universal Child Allowance.

**Source**: Corina Rodríguez Enríquez and Laura Pautassi, "Violencia contra las mujeres y políticas públicas Implicancias fiscales y socioeconómicas", Asuntos de Género series , No. 137 (LC/L.4213), Santiago, Economic Commission for Latin America and the Caribbean (ECLAC), 2016; and Supreme Court of Justice of Argentina (CSJN), *Datos estadísticos del Poder Judicial sobre femicidios 2014*, Buenos Aires, November 2014 [online] http://www.ovd.gov.ar/ovd//archivos/2015/femicidios_2014.pdf.
[a] The register was published on 25 November 2015 and can be found at http://www.csjn.gov.ar/om/index.jsp.
[b] This information was unavailable as some provinces did not submit data.
[c] Equivalent to US$ 582,935 (using the exchange rate given by the Central Bank of Argentina on 31 March 2016).
[d] This is a conditional transfer programme targeting the children of unemployed persons, those working in the informal sector with income equal to or lower than the minimum wage, those covered by the simplified income tax regime, domestic workers and seasonal workers during the off season, and persons who benefit from the following plans: Argentina Trabaja, Manos a la Obra, Ellas Hacen, Programa de Trabajo Autogestionado, Jóvenes con Más y mejor Trabajo, Programa Promover la igualdad de Oportunidades y Seguro de Capacitación y Empleo. It is for children under the age of 18, up to a maximum of five children, with priority given to children with disabilities, who must provide proof of annual school attendance and health checks.
[e] Equivalent to US$ 1,186,112 (using the exchange rate given by the Central Bank of Argentina on 31 March 2016).

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### (c) Socioeconomic policies: the Ellas Hacen programme

Women suffering from violence find that one of the main obstacles to removing themselves from the situation is the lack of economic autonomy, which is also the principal hurdle to moving out of the home shared with the attacker without jeopardizing the maintenance of their children. For this reason, alternatives that help women generate their own income should be included in the comprehensive response needed to generate factors of protection In Argentina, the *Ellas Hacen* programme is a cash transfer scheme, which has recently added a category specifically for socially vulnerable women who are victims of violence. The fiscal effort entailed by this programme is estimated below.

The programme was a component of the *Argentina Trabaja* national employment plan (Resolution MDS 2176/13), an initiative of the Ministry for Social Development. It was intended to cater to women with children under the age of 18 or with disabilities, who received the Universal Child Allowance under the National Social Security Administration and were out of work, socially vulnerable or victims of gender-based violence.

The first report on the programme for 2014, and the only one so far with data on the number of beneficiaries, shows that 98,876 women were signed up at the start, of which 20%, or 19,775 said they were victims of violence. The amount received by beneficiaries of the *Ellas Hacen* programme in 2015 in exchange for their participation in seven-hour work days in cooperatives was 2,600 Argentine pesos (Ministry of Social Development of Argentina, 2014).

The fiscal effort to support the programme's beneficiaries, women who are victims of violence, is estimated at 617 million pesos, which is equivalent to US$ 42 million (based on the exchange rate given by the Central Bank of Argentina on

31 March 2016). This amount represents 0.6% of the total budget of the Ministry of Social Development, and is equivalent to 2.3% of the annual budget for the Universal Child Allowance, an amount that appears to be moderate and manageable.

Implementing the policies whose fiscal costs have been estimated here requires a political commitment from governments to eradicate violence against women. It is therefore important to mention certain points that should guide the allocation of resources to finance these policies. First, funding should be progressive and be considered part of fiscal redistribution mechanisms. Second, allocation should be accompanied by some mechanism to guarantee stable financing, to protect this type of measure in times of fiscal austerity. Third, funding should not be simply reallocated from other areas; as far as possible other policies should not be left without resources in order to finance this one. Instead, the necessary resources should be generated. Fourth, redistribution is possible in countries in the region where the tax burden is still moderate or low. Lastly, the generation of additional resources is possible and critical, especially considering the amount of resources lost (or forgone) by governments of the region due to various tax evasion and avoidance mechanisms.

## 3. State defunding and new financial controls for closing equality gaps

Shedding light on the links between tax evasion and avoidance mechanisms and the ways in which they defund public policies opens up a new field of analysis, showing how channels can be created to close the gap in the financing of equality policies and more concretely, gender equality policies.

True sustainable development with gender equality requires strengthening the link between the economy and violence against women in the analyses, assessments and, above all, proposals for public policies. This would provide the countries of the region with tools that would help them to fulfil their obligations and prioritize budgets in order to provide comprehensive and coordinated responses in prevention, assistance and reparation for the violence experienced by many women in the region. Public investment in the eradication of violence against women is thus a pillar of progress towards the achievement of sustainable development.

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**Box III.10**

**Illicit financial flows and trafficking of women and children**

Illicit financial flows refer to money or capital that is illegally earned, transferred and/or used and moved across borders. The three main sources are tax evasion, manipulation of transfer prices and the laundering of money from illegal activities such as the trafficking of women and children.

As in other regions of the world, illicit financial flows from Latin America and the Caribbean far exceed financial inflows. It is estimated that between 2004 and 2013, Latin America and the Caribbean lost US$ 1.4 billion in illicit financial flows. Of this total, 88% corresponds to trade misinvoicing (abuse of transfer pricing and under- or over-invoicing) and 12% stems from acts of crime and corruption. Estimates of illicit financial flows do not normally cover human trafficking or smuggling, although it is one of the main sources.

Hence, the figures outlined in relation to human trafficking are modest estimates. According to the International Labour Organization (ILO, 2005) roughly 2.45 million men, women and children are victims of trafficking, and the illegal gains from this activity are estimated at about US$ 32 billion per year.

Illicit financial flows have specific implications for gender equality and women's rights. On one hand, the fact that they represent money leaving the region is detrimental to the possibility of closing the gap in financing of public policies contributing to women's autonomy and gender equality. On the other hand, they have a negative impact on progressive tax systems, which disproportionately affects women.

The opaque areas of financial secrecy and global facilitator networks allow illicit financial flows from human trafficking, which affects mainly women and girls (49% of victims are women,

21% are girls, 18% are men and 12% are boys, overall). Money-laundering techniques used in the trafficking or smuggling of women are similar to those used in other crimes, and to the tax evasion and avoidance strategies used by international companies. Some of the mechanisms employed to place assets from human trafficking are exploitation of the formal and informal banking system, the use of legal structures (trust funds, shell companies) domiciled locally or offshore, the blending of funds from trafficking with those from legitimate businesses, the use of import-export companies to divert earnings, and the use of companies registered in different countries and accounts registered under those companies.

Trafficking and smuggling of women, especially for labour exploitation, also involves the activities of international companies. The women employed in small production units that provide services to international companies form the first link in a global wealth chain, as participants in the production of goods that are then sold by companies around the world.

Controlling illicit financial flows would be one way of increasing government tax receipts significantly and allocating sufficient resources to equality policies and the protection of women's rights and autonomy. Hence, in the most unequal region in the world, fighting illicit financial flows is key to plugging the gap in funding for gender equality, reducing horizontal and vertical inequality and helping to eradicate the trafficking and smuggling of women. Even in the current context of economic slowdown and adjustment, there is room to expand the fiscal space, by widening the scope of progressive tax systems, increasing tax pressure on the highest-earning sectors and fighting illegal financial flows.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Nicole Bidegain Ponte, Verónica Grondona and Corina Rodríguez Enríquez, "The role of secret financial jurisdictions in undermining gender justice and women's human rights", 2016, forthcoming and "Curbing illicit financial flows and dismantling secrecy jurisdictions to advance women's human rights", 2016 [online] http://www.taxjustice.net/wp-content/uploads/2013/04/IFF_Gender-Grondona_Bidegain_Rodriguez.pdf.

# Women's share in political power and autonomy in decision-making processes

## Introduction

Gender relations are marked by an unequal distribution and exercise of power, which is reflected in many different ways in both the public and the private sectors. In our societies, the public sphere and the exercise of power and public office have been construed symbolically as masculine. The consequences of this historical legacy can still be felt, despite the efforts and progress women have made in breaking down stereotypes and dominant paradigms of female subjectivity that distance them from aspirations to power or to influential, leadership roles.

In order for women to build autonomy and determine their own life paths as active agents of progress on the economic, political and social fronts, democracy must be deepened and made more meaningful in our societies, such that citizenship is recognized as a value and redeeming it becomes an imperative.

As the concepts of State, market, community and family and the relationships between them are being redefined, "[t]he State cannot reflect the common good unless all people, men and women, have a public voice, representation and bargaining power" (ECLAC, 2012b, p. 20). Thus, women's participation in public decision-making processes is an expression and logical consequence of citizenship in the broad sense, which requires taking into consideration the experiences and needs of the whole population when defining various aspects of public life. These discussions range from analysis of the social situation to outlining matters of public interest, possible public policy options, priority and urgent issues, and the allocation of resources, among other aspects of the development model to which a society aspires.

To define and implement public actions in the face of complex challenges, such as those arising from the integrated vision of sustainable development and gender equality, we must move beyond a sectoral approach and the productive-reproductive dichotomy, and consider peoples' diverse situations, in order to ensure that no one is left behind. Issues traditionally considered to be private matters, such as gender violence, care-giving and domestic work, have become more visible and are increasingly regarded as topics that should be legitimately addressed by governments and society, as core issues that must be resolved if progress is to made on both economic development with equality and the exercise of human rights. This illustrates that it is not only fair that women should contribute to development-related decisions —it is also indispensable for achieving substantive progress. In fact, the lack of significant participation by women in the exercise of power carries a cost. Inequality, poverty and persistent discrimination —all of which particularly affect women— hamper development, curb economic growth, impair well-being and undermine democracy. It is fair to say that women's active participation in decision-making in the region is a good indicator of the quality and effectiveness of democracy.

Women's decision-making autonomy must be considered from an intersectional perspective that recognizes women's plural identities and affords insight into the difficulties that women —in their specificity and diversity— face in accessing decision-making posts. Thus, when looking at the progress made in recent years in women's access to positions of power in the region (such as the proportion of women elected to national parliaments), part of the analysis must be whether that progress meets women's needs and demands and whether it reflects the pluricultural and multi-ethnic nature of many of the countries of the region. In the same vein, it should be borne in mind that the State and policies are not neutral, rather they reflect and reproduce the values, norms and biases that prevail in wider society, including what is understood by "feminine" and "masculine" (Batthyány and Montaño, 2012, p. 21).

# A.   Women's political participation in Latin America and the Caribbean

Politically speaking, the Latin American and Caribbean region has been relatively stable in recent decades, particularly compared to the twentieth century, during much of which authoritarian regimes or dictatorships were interspersed with fragile and polarized interludes of democracy. This most recent democratic period in the region, despite varied political circumstances and trajectories, has been the longest period of continuous stability since the countries gained independence and became nation States. As positive as this may be, there are nevertheless significant challenges with the quality of democracy, one of which is the equal participation of women in decision-making and the inclusion of their interests and needs in public policies.

Despite the progress made and the valuable effects of affirmative action taken to increase and ensure the presence of women in decision-making posts in Latin America, their levels of participation in public decision-making processes —whether within the executive or legislative branches or the Supreme Courts— are, on average, less than 30%, which is still far from properly representing half of the population.

**Figure IV.1**
**Latin America: regional averages of participation in decision-making positions, 2014 or 2015[a]**
*(Percentages)*
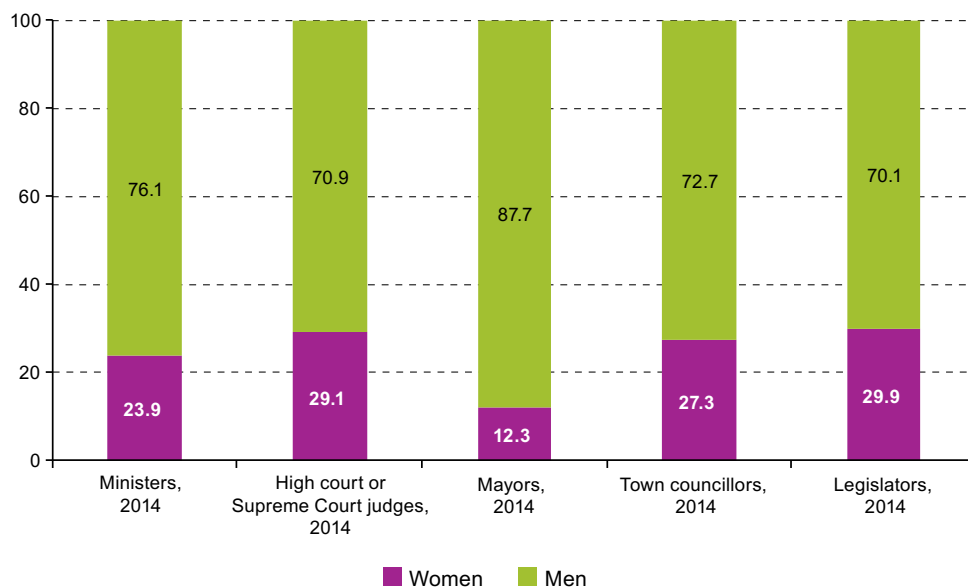


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean, on the basis of official sources.
[a] Latest data available.

In Latin America, the fact that the 30% representation ceiling remains unbroken, despite existing affirmative action policies and initiatives, indicates that new tools and strategies are needed in order to revisit the terms of women's participation in decision-making processes and spaces. The challenge is to move conceptually from a system of quotas or percentages —which effectively treats women as a minority and is conceptually conceived as bringing outsiders into a system of representation that does not actually change in essence— to a balanced understanding of population diversity as the basis for democracy to function.

Women's political participation varies between countries in the region, and across different groups of women within each country. The likelihood of gaining access to decision-making spaces (whether by election or appointment) is closely linked to an individual's specific situation. Women who experience different forms of discrimination face many additional barriers to such access: they have limited resources, fewer networks and, generally, less time available due to the care burden imposed upon them. In this context, the low levels of representation of Afro-descendent, indigenous and young women, among others, also means that the political agenda addresses their interests and needs only tangentially and with meagre resources, or indeed not at all.

# B.    Political will: women in ministerial cabinet positions

Analysis of data from recent decades shows that political participation gains are not necessarily sustained over time. The assessment carried out in 2014 as part of the 20-year review of the implementation of the Beijing Declaration and Platform for Action (Beijing+20) revealed an historic breakthrough in the executive branches in Latin America and the Caribbean: six Heads of State were women and 40% of the region's population were governed by women. However, by September 2016, there was only one country led by a woman, although there have been strong female presidential candidates (ECLAC, 2015a).

Unlike the results of popular elections, which are influenced by various factors, cabinet appointments are a direct expression of the political will of the President and the result of negotiations within the governing political parties. These appointments reveal how much progress has been made towards the goal of equal participation between men and women in the political system, which can be seen at all stages, from the election campaign, when drawing up manifesto pledges, to the selection of cabinet ministers and in subsequent reshuffles.

Cuba was the first country in the region to appoint a woman as minister or secretary of State (without a portfolio) in 1948. Since then, progress has been very slow. Analysis of ministerial cabinets in the last two terms of office reveals an overall positive trend with regard to women's participation, but with some exceptions: while their participation increased in 19 countries,[1] it decreased in 13 others.[2] Among the countries where women's participation rose, there were notable increases of more than 15 percentage points in Puerto Rico, Costa Rica, Chile and Grenada, which meant that the governments of the last three countries were composed of nearly equal numbers of women and men, with close to 40% of posts held by women. In Nicaragua, cabinets have been composed of a majority of women. The penultimate governments of Belize and Saint Lucia did not have a single woman in the cabinet, but this changed after the most recent elections, and all countries in the region now have at least one female minister.
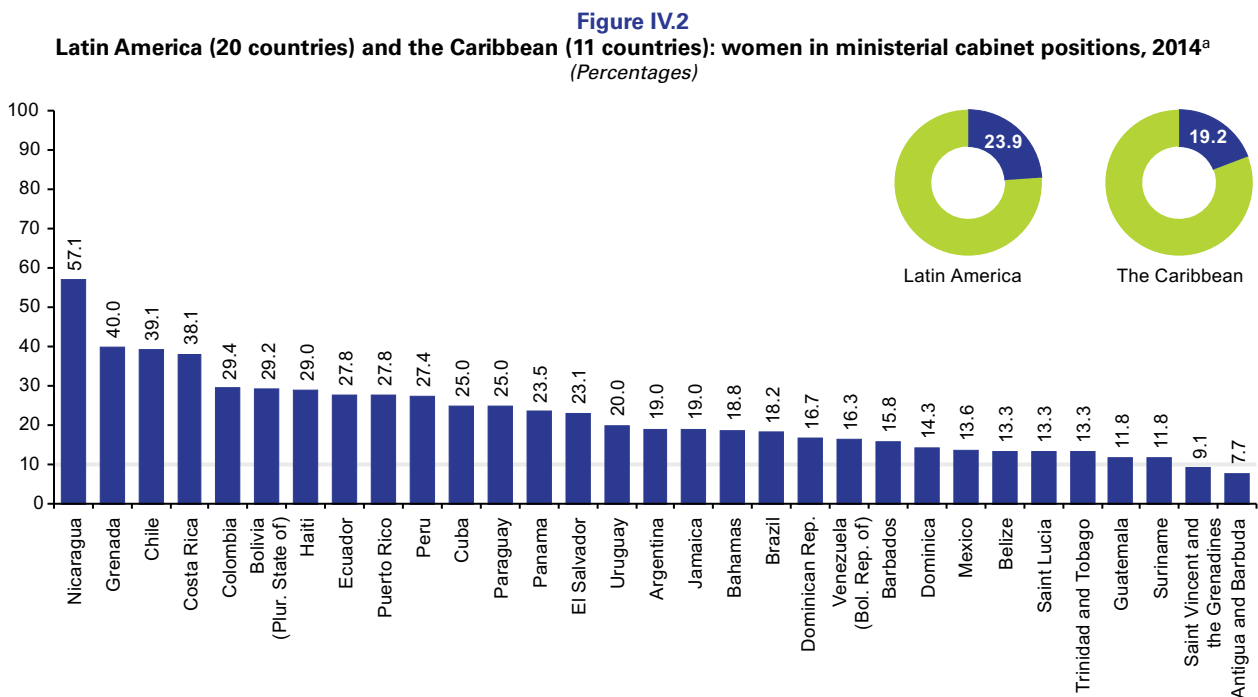
**Figure IV.2**
**Latin America (20 countries) and the Caribbean (11 countries): women in ministerial cabinet positions, 2014[a]**
*(Percentages)*



**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean, on the basis of official sources.
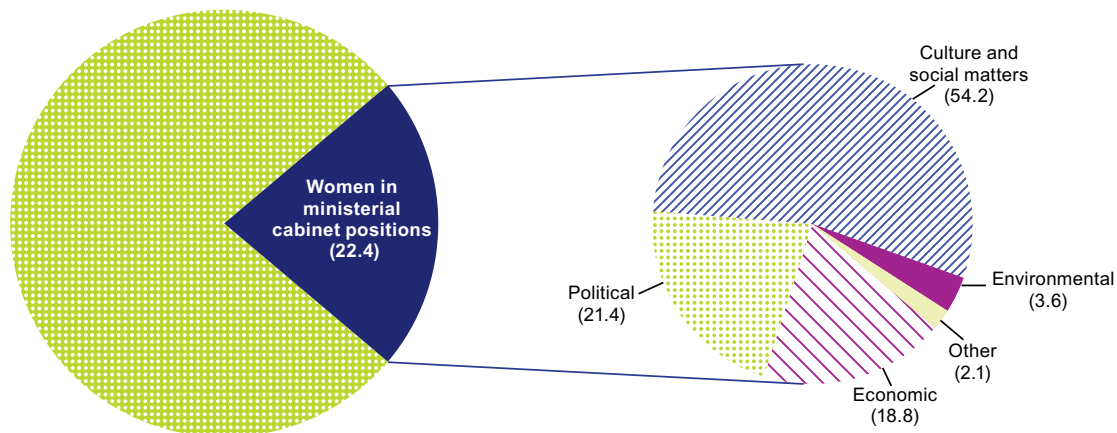[a] Most recent term of office for which data are available.

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[1]    Countries where the percentage of women in ministerial cabinet positions in the last two terms of office increased (in ascending order, by the total number of women in the cabinet): Belize, Saint Lucia, Dominica, Barbados, Dominican Republic, Brazil, Bahamas, Jamaica, Uruguay, El Salvador, Panama, Cuba, Puerto Rico, Haiti, Colombia, Costa Rica, Chile, Grenada and Nicaragua.

[2]    Countries where the percentage of women in ministerial cabinet positions in the last two terms of office decreased (in ascending order, by the total number of women in the cabinet): Antigua and Barbuda, Saint Vincent and the Grenadines, Honduras, Guatemala, Suriname, Trinidad and Tobago, Mexico, Bolivarian Republic of Venezuela, Argentina, Paraguay, Peru, Ecuador and Plurinational State of Bolivia.

Around the world, women continue to be given ministerial portfolios in social areas, rather than economic and industrial briefs (UN-Women, 2014). The region has tended to follow the same trend, but it has bucked it in some areas: since 2002, nine Latin American countries (in chronological order: Chile, Colombia, Uruguay, Argentina, Ecuador, Nicaragua, Plurinational State of Ecuador and Paraguay) and three Caribbean countries (Bahamas, Belize and Jamaica) have had female ministers of defence, and most of the region's countries have had female ministers for foreign affairs. Women currently head the ministries for foreign affairs in six Latin American countries (Argentina, Colombia, Honduras, Mexico, Panama and Plurinational State of Bolivia) and four Caribbean countries (Barbados, Dominica, Jamaica and Suriname). A very important decision-making office in the foreign affairs arena is the position of permanent representative to the United Nations: currently female ambassadors of five Latin American countries (Colombia, Costa Rica, Ecuador, Honduras and Panama) and three Caribbean countries (Belize, Saint Lucia and Saint Vincent and the Grenadines) hold this office. Women's participation in the international relations of the region's countries could help to strengthen cooperation within the framework of the regional agenda on gender and the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

Female ministers of defence and foreign affairs have left their mark on the region, including progress with regard to public policies relating to peace: three countries (Argentina in 2015, Chile in 2009 and 2015, and Paraguay in 2015) have developed national action plans to implement Security Council resolution 1325 (2000) on women and peace and security. These plans are part of a new phase in the process of gender mainstreaming in less traditional areas of public policy and underscore the need to bring together sectors and professions to build an integrated approach to public policy design and implementation, which will require the development of specific capabilities.[3]

**Figure IV.3**
**Latin America and the Caribbean:[a] women in ministerial cabinets
and the distribution of their portfolios, 2014[b]**
*(Percentages)*



**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean, on the basis of official sources.
[a] Simple average for 31 countries.
[b] Most recent term of office for which data is available.

Another significant point is that the public institutions (institutes, services, departments or commissions) dealing with issues related to indigenous and Afro-descendent populations have very few indigenous or Afro-descendent women in positions of responsibility or involved in decision-making. This is inconsistent with the leadership that these women exercise in the community networks and groups and civil society organizations that represent their interests. In short: indigenous and Afro-descendent women raise matters of public concern, which are then tackled by other women and by men (ECLAC, 2015e).

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[3] ECLAC has developed, in collaboration with the United Nations Population Fund (UNFPA), a regional training manual to build these capacities (Benavente, Donadio and Villalobos, 2016).

# C. Expression of popular will in elections: parliaments and local authorities

In academic studies, in the media and even in public opinion, women's contribution to democracy has been valued more under a rationale of political equality than of governance, since the latter requires the groups represented to have real power (Montaño, 1998). In other words, there may be more women in public life, but they are often not parties to the power-sharing agreements into which political parties, business associations, the armed forces and religious institutions have entered. Elections are therefore an important source of power, giving women a voice, representation and space to promote an agenda of their own that includes women's interests and needs and their vision for development and society. Women in the region won the right to vote between 1929 (Ecuador) and 1961 (Paraguay), but even today, in the twenty-first century, they are still unable to enjoy fully the right to be elected.

## 1. Parliaments: slow progress towards the representation of women

Since the first step was taken by Argentina in the 1990s, the introduction of quota or parity laws in the countries of the region (16 in Latin America and 2 in the Caribbean) has significantly increased women's participation. Other countries, such as Cuba, have also attained high levels of female participation without adopting specific affirmative action measures.

Increasing female participation using statutory quotas or parity laws has not been an easy path. The first such laws had to be amended on various occasions and led to constitutional reforms in some countries, because the lack of effective sanctions allowed political systems to develop various ways to avoid complying with them. Despite these efforts and the accumulated experience, obstacles to full compliance remain. In Argentina, the first country in the world to adopt statutory quotas, the Latin American Justice and Gender Team (ELA) found that, 25 years after its enactment, various political parties and electoral fronts and alliances are still disregarding the law, because the electoral authority has failed to ensure full and effective compliance. In national elections in 2015, 10% of the lists for various provinces approved by the electoral authority failed to comply with the female quota (ELA, 2016). Reports on other countries of the region reveal similar situations, with some parties preferring to pay a fine or accept a penalty over giving women a platform, or even developing creative approaches to avoid compliance with the law, such as dressing men up as women.

**Figure IV.4**
**Latin America (20 countries) and the Caribbean (13 countries): women holding seats in national legislative bodies, single or lower house, 2015**
*(Percentages)*
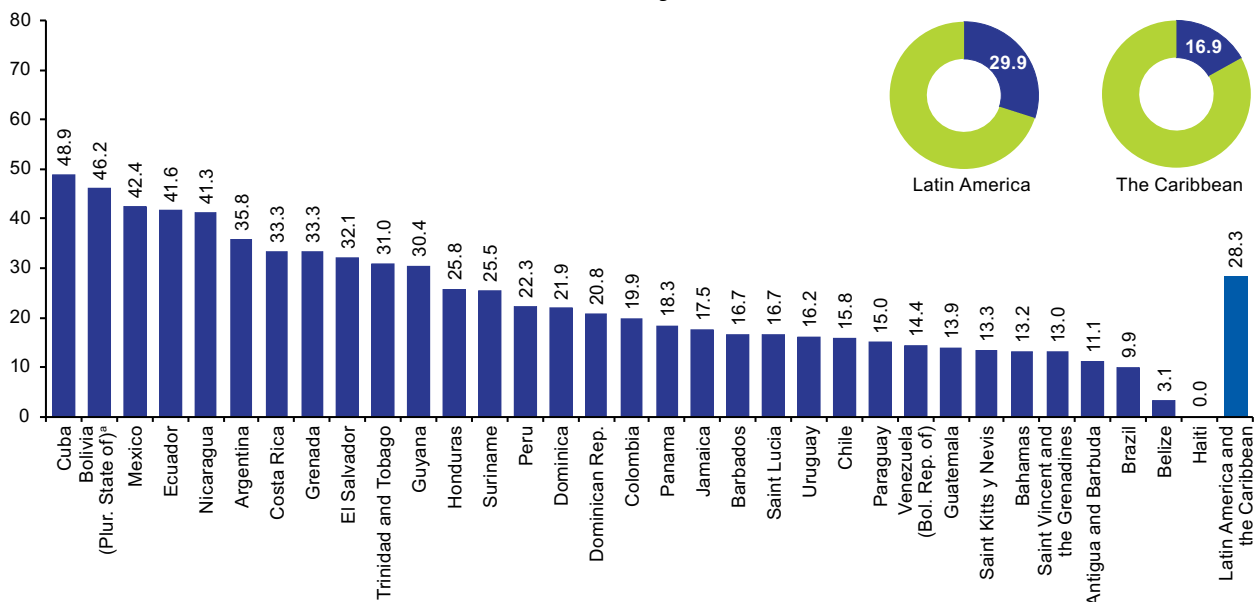


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean, on the basis of official sources.

Despite the obstacles, the results of parliamentary elections held in 2015 confirmed that the region is still a world leader with regard to the number of seats held by women in legislative bodies (IPU, 2016), with an average of 28.3%; although, according to data from the Gender Equality Observatory for Latin America and the Caribbean, women's political participation in parliaments in the Caribbean is lower (16.9% on average). In those same elections, the largest increase in the world in the number of female representatives in a lower or single chamber occurred in Suriname, with a jump of 15.7 percentage points, thanks to the high number of female candidates who stood and were well placed on electoral lists (IPU, 2016).

Overall, the results of these elections are positive, albeit nuanced: they reveal significant progress in four countries, setbacks in three and less than one point of variation in three others. Meanwhile, Haiti still has no women in congress.

In most Caribbean countries, the last two elections saw more women gain seats in the higher chamber, to which members are appointed (unlike the lower chambers to which members are elected). A positive interpretation of this disparity is governments' desire to improve women's representation in parliament.

Progress has been limited with regard to the number of women appointed speaker of the house, consistently with previous terms in which greater numbers of female legislators were not automatically reflected in the number in positions of authority in parliament. While in the Caribbean, women hold the position of speaker of the senate or the higher chamber in Antigua and Barbuda, Bahamas and Barbados, the only country in the Latin American grouping where this is the case is the Dominican Republic.

In addition to the influence that electoral systems and the rules of parliamentary electoral authorities have on the composition of parliaments, those countries that have female speakers of lower or single chambers (Ecuador, El Salvador, Plurinational State of Bolivia and Trinidad and Tobago) (IPU, 2016) also have high numbers of congresswomen, which shows that having more women in politics provides a springboard to positions of leadership and proves the need for a critical mass of women, rather than just individual success stories. Indeed, none of the countries that have female speakers of the house today have low rates of female representation.

While female participation in general is limited, the gap is seen to be much wider when the diversity of female parliamentarians is considered. For example, the number of Afro-descendent women in parliaments (lower or single chambers) is minimal. The 2014 data for seven Latin American countries, including those with the largest Afro-descendent populations (Bolivarian Republic of Venezuela, Brazil, Colombia, Costa Rica, Ecuador, Peru and Uruguay), range from absolutely no Afro-descendent women parliamentarians (Colombia, Costa Rica and Uruguay) to a maximum of just 3.65% of members (Ecuador) (Htun, 2014). In Brazil, where Afro-descendent women make up close to 25% of the population (IPEA, 2011), they comprise only 1.36% of legislators, i.e. 7 out of 513 (Htun, 2014). In the Bolivarian Republic of Venezuela, where Afro-descendent women account for 25.6% of the total population, only one Afro-descendent woman was elected to parliament in 2013. Unlike in Caribbean countries, where Afro-descendent persons are part of the political elites, racial and ethnic discrimination and inequality are major barriers to participation in Latin America.

## 2. Municipalities, resisting change

Compared to the progress made with regard to elected office at the national level, women's participation in local government has advanced at a slower pace and the results have been limited. On average, the number of female mayors is less than half the number of women ministers, parliamentarians and high court judges. This is cause for concern; according to UNDP, "[t]he preponderance of males in executive offices (municipal and intermediate level) permits men to participate decisively in the design and instrumentation of public policies and enjoy greater access to the resources derived from political power. This is problematic given that subnational elected positions have gained unprecedented levels of political and fiscal authority within the region" (UNDP, 2013b, p. 68).

The percentage of female mayors has increased less than the percentage of women in public office at the national level: in most countries (19) less than 15% of mayors are women and the regional average is only 12.3%. Nicaragua, where 40.1% of mayors are women, is the only country with a representation rate over 30%, the proportion that is usually considered to constitute a critical mass capable of producing change. Another three countries (Cuba, Jamaica and Suriname) are approaching this threshold, with rates above 25%.
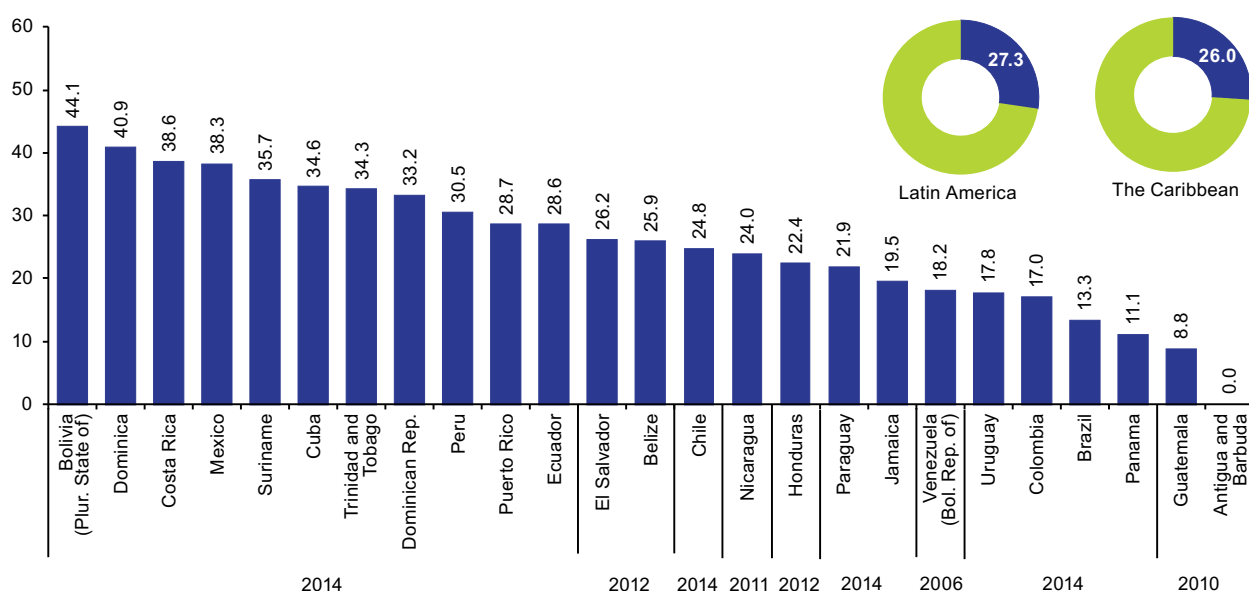
**Figure IV.5**
**Latin America (20 countries) and the Caribbean (6 countries): elected mayors who are women, 2014[a]**
*(Percentages)*
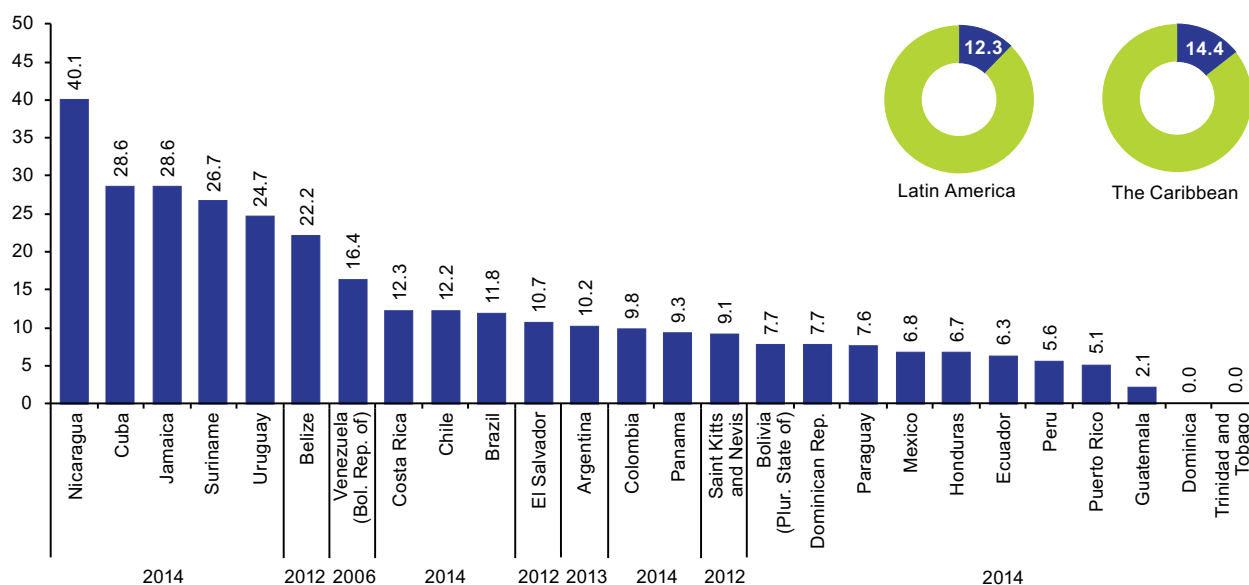
[a] Or latest available data.

**Figure IV.6**
**Latin America (19 countries) and the Caribbean (6 countries): elected city councillors who are women, 2014[a]**
*(Percentages)*

[a] Or latest available data.

With regard to female councillors, the regional average has increased from 19.8% in 2002 to 27.3% in 2014, similar to the percentage of women in public office at the national level. In nine countries, more than 30% of councillors are women, and in just four they accounted for less than 15%. The marked difference between the number of female

mayors and female councillors is a reflection of the different rules for selecting mayors and municipal councillors, and is further evidence of the need for proportional representation in order to move towards a gender balance. In addition, there is no sign of fluid transitions occurring from the position of councillor to mayor, indicating that it is not an automatic progression and that women face specific barriers in this regard.

By 2015, 15 countries had adopted quotas for women's representation or introduced parity for elected local or municipal offices into the constitution. Numbers of female councillors and women in the national legislature in those countries have increased significantly compared to the period before statutory quotas or parity laws were introduced. Of the countries with quotas, Peru, the Dominican Republic, Mexico, Costa Rica and the Plurinational State of Bolivia have passed the 30% threshold for councillors. These results show that there are more women councillors in countries where electoral quotas are in place.

There appears to be no link between the number of female mayors and female councillors elected in each country. Apart from Cuba and Suriname, none of the countries with more female mayors than the regional average have a critical mass of female councillors (more than 30%). Of the other seven countries with a high number of female councillors, only Costa Rica has attained the regional average of female mayors; in the others, between 0% and 8% of mayors are women.

Local development is not neutral; it can promote or undermine equality and the enjoyment of rights. Urban development policies offer an opportunity to strengthen gender equality and thus contribute to a more egalitarian development of cities. In the face of sustainable development challenges, it is important to make the most of local governments' proximity to citizens' needs and demands and thus their ability to produce quicker and more effective responses.

## 3. Eligibility and political harassment: two barriers to overcome

Elections create specific circumstances and barriers for women that must be examined in order to understand better the workings of the political system within which electoral processes unfold, and which women aspire to join.

### (a) Eligibility

While it is important to analyse data on women's political participation as an outcome of a prior process, it is even more important to have a clear understanding of their real chances of electoral success compared to men. The eligibility rate, or success rate as the Inter-Parliamentary Union (IPU) terms it, reveals whether the same proportion of men and women are elected as were registered as candidates or whether men tend to be elected in greater numbers than women.

This indicator has some limitations, as it can make different situations appear similar: countries with few female candidates who perform relatively well have the same eligibility rate as countries where the same percentage of women are elected but from a bigger pool of female candidates. So, despite having the same eligibility rate for female candidates, the number of women elected, which is the final outcome, would actually be very different. Yet the indicator is still illustrative, despite these limitations. According to data from the Gender Equality Observatory for Latin America and the Caribbean, the regional average female eligibility rate in the most recent elections was 1 in 10, while the average male eligibility rate was 1 in 5, i.e. twice the female rate. By disaggregating the data by country and comparing the male and female rates, it becomes clear that, while different realities exist within Latin America, the disadvantages that women face persist.

### (b) Political harassment

In Latin America and the Caribbean, achieving parity in access to political decision-making spaces has been a difficult road for women. Today, there are laws that provide an accountability framework, but formidable obstacles remain that were, until very recently, completely invisible. One of them is political harassment, which, like other forms of violence against women, threatens the achievement of equality and women's autonomy: without gender parity in decision-making spaces at all levels, there is no question of gender equality or deepening democracy. This was the opinion expressed by the ministers and senior officials of machineries for the advancement of women at the sessions of the Regional Conference on Women in Latin America and the Caribbean held in Quito (2007) and Santo Domingo (2013), where they agreed to adopt legislative measures and institutional reforms to prevent, punish

and eradicate political and administrative harassment of women who are elected or appointed to decision-making positions at the national and local levels, and in political parties and movements.

Regional experience shows that the nature and severity of political harassment of women varies, ranging from assigning women to unwinnable districts, to failing to provide material or human support, and attacks or threats during campaign periods. In the case of elected women, it may entail being assigned to commissions or areas of minor importance, with little or no budget; discriminatory treatment by the media; greater demand for accountability compared with their peers; and intimidation, threats or physical violence against them or their families, which in extreme cases can include rape or murder (ECLAC, 2015j). Harassment is a major, unresolved obstacle. Presently, only four countries in the region are examining bills to combat harassment and political violence (Costa Rica, Ecuador, Mexico and Peru), while the Plurinational State of Bolivia is the only country in Latin America and the Caribbean that has passed a law (Law No. 243 of 2012) prohibiting political harassment and violence against women. Despite the Law, between 2010 and 2014, 272 complaints of violence against councillors were lodged in 170 municipalities in the Plurinational State of Bolivia (ACOBOL, 2014).

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**Box IV.1**
**An example to be followed: Law No. 243 of the Plurinational State of Bolivia**

Law No. 243 against political harassment and violence, adopted on 28 May 2012 by the Plurinational State of Bolivia, defines political harassment as "an act or set of acts of pressure, persecution, harassment or intimidation committed by a person or group of persons, directly or through third parties, against women who are candidates for, elected or appointed to or holders of public or political office, or against their families, aimed at inducing or forcing them to commit, against their will, an act or omission in the performance of their functions or in the exercise of their rights, in order to impair, delay, prevent or restrict the performance of functions inherent to their office". Political violence is defined as "acts, behaviour and/or threats of physical, psychological or sexual violence committed by one person or a group of persons, directly or through third parties, against women who are candidates for, elected or appointed to or holders of public or political office, or against their families, in order to impair, delay, prevent or restrict

the performance of their office or to induce or force them to commit, against their will, an act or omission in the performance of their functions or in the exercise of their rights".

In August 2016, the Association of Bolivian Councilwomen signed an agreement with the Supreme Electoral Tribunal that includes the following initiatives to promote the principle of parity democracy and the exercise of women's political rights:
- Provide information and training on women's political participation and political harassment and violence, with input from female municipal leaders.
- Draft and circulate new legislation with a view to ensuring the full enjoyment of women's political rights.
- Systematize and monitor cases of political harassment and violence against municipal authorities.
- Provide information and raise public awareness in order to defend women's political rights.

**Source**: Association of Bolivian Councilwomen (ACOBOL), "TSE y ACOBOL acuerdan fortalecer la democracia paritaria y la lucha contra el acoso y violencia política", 9 August 2016 [online] http://www.acobol.org.bo/site/index.php/noticias/256-tse-y-acobol-acuerdan-fortalecer-la-democracia-paritaria-y-la-lucha-contra-el-acoso-y-violencia-politica.

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In addition, as part of the obligations under the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), the competent national authorities of the Follow-up Mechanism to the Belém do Pará Convention adopted the Declaration on Political Harassment and Violence against Women at the sixth Conference of the States Parties to the Convention of Belém do Pará, in Lima, on 15 October 2015. This Declaration draws attention to the many manifestations of harassment and violence suffered by women in politics, and calls for these crimes to be prevented, addressed and punished (OAS, 2015). To this end, it includes proposals for public policies and steps to be taken by political parties, the media and electoral institutions, among others.

# D.  How to break the glass ceiling in elected office

The low level of women's involvement in government and public policy decision-making processes is a deficit that not only affects women who are active in political parties, but also undermines the quality of democracy and governance, which is the link between citizens and their representatives.

Gender inequality is a structural component of poverty and exclusion in Latin America, so sustainable development cannot be achieved without addressing the critical obstacles that are preventing the elimination of gender discrimination.

Female parliamentarians in Latin American countries have facilitated, either individually or collectively (even across party lines), the discussion of bills that address matters of priority for women and gender equality, such as reforms to combat gender violence, affirmative action measures for women's political participation and statutory penalties for sexual harassment (Escobar-Lemmon and Taylor-Robinson, 2014).

Beyond the contributions that women make to politics, the whole democratic political system must be rethought and linked to a people-centred development model, based on equal rights.

With regard to elected offices, which are governed differently from appointed positions in the executive or judicial branches or other sectors, new proposals are needed to break the glass ceiling, accelerate the pace of change and transform the political system. In this, parity democracy is the goal and public funding, the instrument.

## 1. From quotas to parity democracy

Various factors have contributed to the progress made in women's political participation in recent decades: the work of women's movements; initiatives undertaken by women within political parties and cross-cutting networks; and the role of States in complying with relevant international and regional commitments (such as the Convention on the Elimination of All Forms of Discrimination against Women), mainly through legal reforms.

Women played influential roles during the loss and restoration of democracy in many countries of the region in the 1970s and 1980s, and this had an impact on the regional agenda on gender equality, particularly as regards political participation. However, structural barriers and a patriarchal culture persist, the consequences of which include unequal access for women to various public spheres. When starting points are different, women cannot compete on equal terms. In the light of this problem, quotas are a form of affirmative action that acknowledges inequality and the need for temporary measures to accelerate progress in women's political participation. Latin America has been a pioneer in establishing agreements and regulatory frameworks in this area: it has more countries with statutory quotas for parliamentary elections than any other region IDEA/IACW, 2013). Quotas higher than 40% have particularly positive effects on the electoral system (UN-Women, 2015).

In this context, the regional debate has widened and identified a broader goal than merely increasing the number of congresswomen: parity. The Quito Consensus (2007) recognizes "that parity is one of the key driving forces of democracy, that its aim is to achieve equality in the exercise of power, in decision-making, in mechanisms of social and political participation and representation, in diverse types of family relations, and in social, economic, political and cultural relations, and that it constitutes a goal for the eradication of women's structural exclusion". Under this Consensus, the countries of the region agreed "[t]o adopt all necessary affirmative action measures and mechanisms, including the necessary legislative reforms and budgetary allocations, to ensure the full participation of women in public office and in political representative positions with a view to achieving parity in the institutional structure of the State (executive, legislative and judicial branches, as well as special and autonomous regimes) and at the national and local levels as an objective for Latin American and Caribbean democracies".

Unlike quotas, parity is not a temporary measure, but a goal, a permanent governing principle of political activity (Ferreira, 2015). In this sense, parity redefines the concept of political power as a space that must be shared equally between men and women, and consequently has an impact on election results as soon as it is introduced, unlike quotas, which affect only electoral lists (IDEA/IACW, 2013, p. 23).

In the region, the goal of parity is enshrined in the legal systems of Costa Rica, Ecuador, Honduras, Nicaragua, Mexico, Panama and the Plurinational State of Bolivia, (UN-Women, 2015).

Parity, as a principle, goes beyond the balanced representation of men and women in a democratic system; it seeks to achieve transformative gender equality goals. In short, it aims to democratize gender relations (ELA, 2016). While acknowledging the need for quantitative representation, the concept of parity goes further to address an issue that has already been raised during discussions about minorities: "[t]he difference between minorities and majorities is not their size. A minority may be bigger than a majority. What defines the majority is a model you have to conform to: the average European adult male city-dweller. A minority, on the other hand, has no model, it is a becoming, a process" (Deleuze, 2005, p. 21).

The legal framework for advancing parity democracy adopted by the Latin American Parliament (PARLATINO) in 2015 is an important regional instrument. Article 3 of this framework states that parity democracy is understood to mean the model of democracy in which substantive equality and parity between men and women are the cornerstones of

change in a responsible and inclusive State. It goes beyond increasing the proportion of women, placing the democratic system at the centre of change (PARLATINO/UN-Women, 2015). It argues that parity democracy requires broad-based, nationwide policies of State covering the executive, legislative and judicial branches, as well as electoral bodies.

Politicians of all stripes must recognize the importance of women's equal participation in politics and undertake cross-cutting action in this regard, in order to ensure that progress continues regardless of changes of government. Women's networks and groups formed to address important issues for the advancement of women's rights (particularly political participation) have helped to bring about broad political agreements in the face of persistent discriminatory practices across the political spectrum. However, achieving parity is not the responsibility of women alone; given its implications for the workings of the democratic system and the proper representation of citizens, political parties and movements must all commit to this goal.

## 2. Public financing: an instrument for equality

We are currently witnessing a paradox between the spread of democracy and the increasing loss of legitimacy of some political institutions. The mobility and diversification of power mean that when women reach positions that appear to have decision-making power, that power is already elsewhere. New political rules must therefore be drawn up (Giddens, 1994).

Public financing of political parties and campaigns is a tool for addressing the persistently low political representation of women: the contest is made fairer by reducing the differences between parties and candidates that have considerable resources and those that have limited means, thus ensuring that money does not ultimately decide who holds power. This is of particular importance for women, as they tend to be less well-connected to networks that provide access to resources and they often have fewer time resources owing to the burden of care work, among other factors.

Public financing measures tend to focus on political campaigns, in an effort to secure funding for women's candidacies. While such measures do not ensure equal representation, they do afford women the opportunity to contest an election. Two types of mechanisms may be distinguished: incentives (used in Colombia and Haiti) that increase public financing for political parties that meet specific criteria —such as certain percentages of female candidates or elected members— and subsidies for parties to support the women's election campaigns; and sanctions (Colombia and Honduras), which reduce (sometimes to zero) public financing for parties that fail to meet specific requirements.

The effect of these measures depends on several factors, but the most important is how attractive the resources are to political parties. Where political parties are financed mainly from the private sector, incentives or sanctions will have little impact on women's political participation, as parties can raise just as much from private donations as they would get through public financing.

Unlike the aforementioned mechanisms, which focus on campaigns, there are others that concentrate on public financing for political parties' regular activities. By financing specific development and training activities, these complementary mechanisms (as used in Brazil, Colombia, Costa Rica, Mexico and Panama) seek to encourage more women to join political parties and hone their leadership skills, thus increasing their chances of contesting and winning elections. By encouraging women to participate in politics and fight elections, such measures help to prepare more women for public office. In the region, complementary mechanisms have had a positive impact in Costa Rica, where they have promoted women's leadership and helped get women into senior positions within parties, and in Mexico, where initial problems were corrected by the introduction of an audit and oversight system to ensure that resources for development and training activities for women were used properly, highlighting the need for adequate monitoring and sanctions systems to be incorporated into the regulations from the outset (UNDP, 2016).

With regard to the impact of public financing of electoral campaigns, consideration must be given to how campaigns fit into the political cycle, which starts with the primaries to win the nomination (a crucial step for female candidates) and culminates in reintegration into other activities after leaving office. The fact that public financing does not cover all these steps is highly prejudicial for most female politicians, as some political parties and systems are still very resistant to equal participation. Thus, the nature of public financing and how it works are not gender-neutral. Public financing may be awarded to parties or to candidates; it is more effective for women candidates to receive funding directly, as channelling it through parties can involve additional difficulties. Resources can also be provided either as reimbursements or in advance; women benefit less in the case of reimbursements because of the barriers they face to accessing resources in the first place. Conversely, the possibility of having financing before campaign spending is incurred boosts women's participation (Ferreira, 2015).

It is evident from examining the situation in countries around the world that the different mechanisms must complement each other, i.e. they must interact with each other and with other affirmative action measures, such as gender quotas, to promote women's political participation and ensure their eligibility (UNDP, 2016).

Additional benefits can be gained by adopting general transparency and accountability standards with regard to financing, both public and private, and by setting limits on campaign spending, with an effective oversight system, even though these measures are not specifically aimed at encouraging women's participation.

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**Box IV.2**
**Indigenous women: leaders and citizens**

In the light of the ethnic, territorial and gender gaps that affect them, indigenous women's organizations have focused on the need to acknowledge and tackle inequality in the exercise of political, social, economic and cultural rights. They see the issue of political rights in particular as crucial because it speaks to their needs as both women and as indigenous people, and also because it seeks a paradigm shift linked to their demands as rights holders (ECLAC, 2013e, p.105). In recent years, the indigenous women's movement has gathered momentum as its members have developed their organizational, communication, networking and resource mobilization skills. They have also become much more experienced in their dealings with State agencies, United Nations system bodies and international cooperation agencies (ECLAC, 2014c). Indigenous communities and new generations of indigenous women now have a valuable resource: the experience and lessons built up by women who have gained access to positions of power and whose influence has led to the setting of a more inclusive agenda.

Progress has been made recently in indigenous women's involvement in decision-making in the executive branch. Indigenous women have held cabinet positions in the Bolivarian Republic of Venezuela, Ecuador, Guatemala, Nicaragua and the Plurinational State of Bolivia, with portfolios including foreign affairs, justice, peace, culture, production development and the plural economy, and rural development and lands.

While legislative reforms in favour of women's representation in parliament (such as statutory quotas) have boosted formal political participation, these reforms have benefited mainly non-indigenous women from social classes with higher levels of formal education, with a much smaller impact on indigenous women. Indigenous women's movements have thus pushed for a specific quota for indigenous women both in mixed-gender indigenous peoples' organizations and in established government bodies. These quotas have, on occasion, lead to the creation of offices, secretariats or departments headed by women. Some countries in the region already have quotas for the participation of indigenous peoples, which make it more likely that indigenous women will be able to attain positions of power, even if it involves an arduous negotiation process within the indigenous peoples' organizations. In Peru, the "native quota", as it is called, covers native and campesino communities and indigenous peoples and requires that, in the regions or provinces where these peoples live, 15% or more of the representatives of political organizations must be from those communities, in accordance with the provisions of the National Elections Board (JNE). This affirmative action applies to subnational representative government bodies —regional and municipal councils— but not to the election of members of congress (ECLAC, 2013e).

The various indigenous representation policies adopted by the Plurinational Republic of Bolivia have borne fruit: in the period 2009-2015, 31.5% of parliamentarians were from indigenous communities and indigenous women accounted for 6.9% of parliamentarians (ECLAC, 2014d).

As indigenous peoples have begun to set up their own political parties in some countries, they have also started to gain power at the municipal level, developing alternative approaches to local politics and management: "[i]t has been documented that when indigenous women do attain leadership positions it tends to be in the poorest and most marginalized municipalities. In some cases these are communities subject to tension and conflict. Most are women with exceptional leadership skills and intergenerational family experience with the struggle. […] They are seen as an option for resolving conflicts and changing how policy is made" (ECLAC, 2014d, p.19).

However, despite the progress made with regard to recognition of rights, institutional frameworks and legislation, major challenges remain, as indigenous women are still largely unseen as subjects of differentiated policy. Most countries of the region still do not collect data on the living conditions of indigenous women and issues that particularly affect them, such as internal and international migration.

**Source:** Economic Commission for Latin America and the Caribbean (ECLAC), "Mujeres indígenas en América Latina: dinámicas demográficas y sociales en el marco de los derechos humanos", *Project Documents* (LC/W.558), Santiago, 2013; *Mujeres indígenas: nuevas protagonistas para nuevas políticas* (LC/L.3842), Santiago, 2014; *Guaranteeing indigenous peoples' rights in Latin America: progress in the past decade and remaining challenges. Summary* (LC/L.3893/Rev.1), Santiago, 2014.

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# E. The economic, knowledge-management and social communication spheres and their debt to women

The decision-making processes that govern the future of societies and power in countries go far beyond the public sphere and formal political representation. Undoubtedly, economic, trade and media decisions, among others, are crucial for gender equality, and women must be involved in these decisions in order to move towards sustainable development. Today, however, their participation is limited in both the public and private sectors. This situation is increasingly being questioned, particularly as different strategies have shed light on extreme cases of exclusion. Such

strategies include creating alliances with young male leaders who decline to take part in meeting and seminar panels made up solely of men.

Only 7 out of 18 Latin American countries have a woman on the boards of their central banks. While there are no official figures for the private sector, some studies indicate that women's participation on the boards of large companies is only around 8%, and that out of 72 companies, only 3 had a female executive director (Scuro and Bercovich, 2014). As a result, women's experiences and needs are not given sufficient consideration in decisions, making it difficult to close existing gender gaps. The private sector has an important role to play in advancing the sustainable development agenda. It is called upon to develop innovative approaches to resolve problems that are currently hampering further progress, such as improving women's participation in leadership roles and reducing the concentration of female workers in lower-income positions.

Despite the fact that women are entering the labour force and are employed in ever more sectors of the economy, this is not reflected in the number of women in decision-making positions in trade unions. Even in highly feminized professions, such as teaching and the health sector, trade union leaders tend to be men. This is perhaps why trade unions have not tackled problems such as the gender wage gap; discrimination against domestic workers and their differentiated employment regime; the need to reconcile family life and paid work; workplace harassment; and the division of care responsibilities. Very few national trade union umbrellas are led by women, with the notable exceptions of Barbados (President General of the Barbados Workers' Union), Chile (President of the Amalgamated Workers' Union (CUT)) and Panama (Secretary General of the General Confederation of Workers of Panama (CGTP)).

Small and medium-sized enterprises and cooperatives are another key area of economic development where women must be involved in decision-making to ensure that their interests and needs are taken into account in order to make the economy and the organization of labour more inclusive (UNDP, 2014, p.110). Some steps have already been taken in this direction. Women make up 51.9% of cooperative members in Chile, but 84% of cooperatives have no female board members (Office of the Undersecretary of State for the Economy and Small Enterprise, 2015). As a result, the Cooperatives Act (Law No. 20881 of 2016) has been amended to require that the gender composition of cooperative boards of directors reflect the proportion of men and women in the broader membership. Each cooperative's charter must specify how board membership will be weighted to comply with this legislation. However, the law states that failure to comply with these provisions will not affect the cooperative's activities. Based on past experience of affirmative action measures that lack real sanctions, this reduces the law's potential effectiveness. Other countries looking to develop legislation with similar objectives should bear this in mind.

In the field of knowledge management, even though women make up the majority of university students, this is not reflected in the make-up of university authorities. The few data available show that the number of female university deans and rectors is low —only 13.9% of rectors are women.[4] Examples of institutional gender equality policies within universities are also scarce, making it difficult to demonstrate the obstacles that female academics face during their careers, particularly regarding access to senior positions.

Many countries recognize that a better gender balance and diversity in science and research would increase their competitiveness in a globalized economy (UNESCO, 2015). This is important, given the role research plays in development, particularly when it comes to monitoring areas such as food security, health, water, energy and climate change. According to UNESCO data, Latin America and the Caribbean has, on average, one of the highest percentages of female researchers (44%). In fact, two Latin American countries have the highest proportions in the world: the Plurinational State of Bolivia (63%) and the Bolivarian Republic of Venezuela (56%). A number of other countries also fare well on this indicator —Argentina (53%), Paraguay (52%), Uruguay (49%), Brazil (48%) and Guatemala (45%). Women account for the majority of science graduates in several countries (Bolivarian Republic of Venezuela, Dominican Republic, Panama, and Trinidad and Tobago), and represent as much as 75% in Guatemala. However, at the same time, there are worrying trends, such as the decline in the number of female computer science graduates and the persistently low number of women undertaking engineering degrees, the vertical and horizontal segregation of female scientists, and the considerable disadvantages they face with regard to research funding, patent registrations and promotion to senior positions (UNESCO, 2015a).

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[4] According to the Union of Latin American and Caribbean Universities (UDUAL) and the Network of Macrouniversities of Latin America and the Caribbean, out of 187 rectors, only 26 are women.

This situation is mirrored in what is known as the fourth estate, the media, which plays a central role in setting the public agenda, raising awareness of various matters and social issues, promoting cultural changes for greater equality or reproducing stereotypes and legitimizing discriminatory practices. According to data available in the region, only 21.5% of executive and 30.5% of senior management positions were held by women, with wide variation among countries. In Chile, 8.6% of executive posts are held by women, while in Costa Rica the number has reached a critical mass of 37.5%. With regard to senior management posts, the figure varies between 21.4% in Argentina and 43.5% in the Bolivarian Republic of Venezuela (IWMF, 2011).

# F.    Women's collective action for equality, peace, democracy and development

A crucial factor in the progress made in the region has been the strategic and sustained actions of organized women's groups across the broad spectrum of feminist and women's emancipation movements. Civil society in Latin America and the Caribbean has been leading the way in this regard, though knowledge-creation, political participation, advocacy and global and regional activism. "For decades, women from social movements and institutional mechanisms in our region have advocated for effective State action to prevent discrimination in society. The fact that equality now guides government agendas is a triumph for which they can legitimately be considered to be responsible" (Bárcena, in Garrido, 2014).

In this same vein, it may be said that the unflagging efforts of the feminist movement is integral to the region's gender equality achievements and has a decisive impact on building a female political constituency that is opening up new discussions about the quality of democracy and questioning highly entrenched conventions that stem from a patriarchal culture.

Several feminist and women's organizations from Latin America and the Caribbean participated actively in the consultations and negotiations over more than three years that led to the 2030 Agenda for Sustainable Development. The Latin American feminist movement was involved in the process through two channels: firstly, various feminist organizations participated in one or more meetings of the High-Level Panel, thematic consultations held by United Nations agencies or national and regional consultations. On those occasions, the priorities of the Latin American feminist movement were considered without there being a coordinated position as such. Secondly, a joint approach was adopted with a view to reaching a solid regional position, at the meeting of the High-Level Panel in Guadalajara, Mexico. This was the point at which the Latin American feminist networks produced a common agenda that could be tied in with the post-2015 global processes (Joint Civil Society Organizations of Latin America and the Caribbean, 2014, p.19).

The main contributions of Latin American feminist networks included highlighting the importance of overcoming the reductionist approach of the Millennium Development Goals; supporting the establishment of a standalone goal and cross-cutting commitments on gender equality and women's rights under the three pillars of sustainable development; and promoting not only women's empowerment but also women's and girls' rights, including their sexual and reproductive rights. Moreover, organizations from the region warned that, however important, the 2030 Agenda should not detract from efforts to honour the commitments already undertaken by governments in the framework of the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform for Action, the Programme of Action of the International Conference on Population and Development (Cairo, 1994) and the consensuses of the Regional Conference on Women in Latin America and the Caribbean and the Montevideo Consensus on Population and Development; rather, these instruments should serve as a road map for achieving sustainable development with equality by 2030.

In the Caribbean, several civil society organizations have advocated and worked for the advancement of women, including the Network of NGOs of Trinidad and Tobago for the Advancement of Women, which, in recent years, has participated in multiple high-level forums on public policies and actions to promote gender equality and other aspects of social development. Similarly, the work of the Caribbean Association for Feminist Research and Action has had a powerful impact by training leaders who have made positive contributions at the national, regional and international levels.

The Caribbean Institute for Women in Leadership (CIWiL) has been a prominent initiative in this subregion. It was set up to train and support women in politics and decision-making in order to accelerate the transformation of politics and governance in the Caribbean. The Institute was founded in 2005, with the support of the Commonwealth Secretariat, women's organizations, political parties, the United Nations Development Fund for Women (UNIFEM) and the Caribbean Community (CARICOM). In 2011, CIWiL offered a training programme entitled "Advancing Transformational Leadership for Gender Justice in the Caribbean", for female politicians and potential leaders to develop their leadership and governance abilities. Over the years, CIWiL has continued to produce high-quality research, documentation, analysis and training on transformational female leadership, and to increase the number of women in politics and in leadership and decision-making positions at all levels in the Caribbean.

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**Box IV.3**
**Participation in peace processes: the case of Colombia**

Sustainable development and peace are intrinsically linked, which means that there can be no peace or real security if women do not live in safety, free from violence. The current threats to international peace and security have resulted in the largest number of displaced persons ever recorded. Situations of conflict and insecurity widen the already substantial gender gaps.

There is increasing evidence of the positive role played by greater gender equality in societies in reducing crime, violence and the likelihood of starting a war with neighbouring countries. In particular, women's participation in peace negotiation processes, mediation and post-conflict phases increased the changes of building a sustainable peace in the medium term. It is estimated that a peace agreement is 35% more likely to last at least 15 years if women participate in its creation (O'Reilly, 2015).

Colombia's armed conflict is the longest-running in the region. It has been unlike any other conflict in the region in its sheer magnitude, its grip across such large parts of the country and, in particular, its consequences and impacts for civilians. Among its many repercussions, the violence that has directly affected women stands out. In its report *¡Basta Ya! Colombia: memorias de guerra y dignidad (2013)*, the Historical Memory Group documented cases of forced displacement, sexual violence, rape, forced disappearance, murder, illegal recruitment and kidnapping. Since 1985, the armed conflict has left 6.2 million victims in its wake, more than half of them women (National Centre for Historical Memory, 2013).

It is estimated that nearly 500,000 women have been killed in the armed conflict, and that between 1995 and 2011 more than 2.7 million women were displaced, representing nearly 6% of the total population and more than half of all those displaced by the armed conflict. Close to 16% of the women who were forcibly displaced were also victims of sexual violence. Women from ethnic and Afro-Colombian communities suffered the worst victimization during the armed conflict in Colombia: of the 3,445 homicides of indigenous and Afro-Colombian persons, 65.5% of victims were women (UN-Women, 2016).

This conflict has left a mark on Colombian women, leading them to take on new roles in society, including active participation in the conflict (either as combatants in the rank-and-file of extralegal groups, or as activists or in the political and ideological sphere), or in peacebuilding in their communities through different mediums such as art and music. Women have been active social critics and engaged in social struggles, becoming spokespeople for or brokers of peace in their closest social spheres, be it their home, neighbourhood or community. In turn, they have been empowered, recognized as rights holders, lobbying and working in previously unknown areas, such as in politics lobbying for social justice and peacebuilding (Barros and Rojas, 2015).

The dialogue between the Government of Colombia and the Revolutionary Armed Forces of Colombia (FARC) officially began in 2013, and since then women's organizations have been involved in an effort to influence the substance of the discussions and agreements. A priority of the women's movements was to address sexual violence in the armed conflict, which was the main message of *La inviolabilidad del cuerpo de las mujeres hace la paz sostenible,* a proposal based on five keys for a differentiated treatment of sexual violence in agreements on the rights of victims in the peace process, under which sexual violence is excluded from the provisions on amnesty and pardon (Bedoya and others, 2016). Thanks to the efforts of these organizations, women were appointed as plenipotentiary delegates representing the Government of Colombia at the negotiating table in Havana, and a gender subcommittee was established, which led to gender mainstreaming in the areas of rural reform, political participation, illicit drugs and agreements concerning victims, in accordance with the analysis put forth by civil society in the statement "Las mujeres y el proceso de paz en Colombia", published by Articulación Feminista Marcosur in 2016.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of Marie O'Reilly, "Why women? Inclusive security and peaceful societies", *Inclusive Security*, 2015 [online] *https://www.inclusivesecurity.org/wp-content/uploads/2015/10/Why-Women-Brief-10.12.15.pdf*; Grupo de Memoria Histórica, *¡Basta ya! Colombia: memorias de guerra y dignidad. Informe general Grupo de Memoria Histórica, Bogota*, Centro Nacional de Memoria Histórica, 2013 [online] http://www.centrodememoriahistorica.gov.co/descargas/informes2013/bastaYa/basta-ya-colombia-memorias-de-guerra-y-dignidad-2016.pdf; United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), "Situación de los derechos de las mujeres en Colombia", 2016 [online] http://colombia.unwomen.org/es/onu-mujeres-en-colombia/las-mujeres-en-colombia; María Adelaida Barros and Natalia Rojas Mateus, "El rol de la mujer en el conflicto armado colombiano", Master's degree thesis in government and public policies, Universidad Externado de Colombia, 2015; Jineth Bedoya and others, *La inviolabilidad del cuerpo de las mujeres hace la paz sostenible. 5 claves para un tratamiento diferenciado de la violencia sexual en los acuerdos sobre los derechos de las víctimas en el proceso de paz, Bogota*, Corcas Editores, Corporación Humanas, Corporación Sisma Mujer, Red Nacional de Mujeres, 2016; "Las mujeres y el proceso de paz en Colombia", Articulación Feminista Marcosur, Bogota, July 2016 [online] http://www.mujeresdelsur-afm.org.uy/96-institucional/423-las-mujeres-y-el-proceso-de-paz-en-colombia.

While women's participation in formal decision-making has increased, representation is still not balanced between men and women; half of the population of Latin America and the Caribbean is not adequately reflected in the current participation structure. The obstacles are numerous and disparate and create a climate that fosters discriminatory practices, stereotypes, a culture of privilege, andocentric patterns and models in the exercise of power, limited access to networks, resources and time, and other barriers. All this entrenches systems that are resistant to change. In this context, the focus should be shifted to quantitatively increasing women's participation, which will allow some women to reach positions of power. Parity democracy is a transformative goal that targets not only representation, but also a change in the democratic system and its aims: it is not simply a question of integrating women into those sociopolitical structures created by men according to male traits and needs.

Parity democracy is closely linked to substantive equality (general recommendation No. 25 of the Committee on the Elimination of Discrimination against Women), the pursuit of which "calls for an effective strategy aimed at overcoming underrepresentation of women and a redistribution of resources and power between men and women". Thus, legal and administrative measures are not enough; outcomes must be reviewed to ensure that they close the gap between de jure and de facto equality. Here, the aim is to achieve the participation of women in all their diversity and afford them a real chance to access decision-making positions in environments structured to make this possible. Only thus can decision-making be made fully representative of society and drive social change towards equality. In this regard, consideration should be given to how citizenship is built and how excluded groups can access power. These are matters of concern not just for women in the region, but also for other population groups that suffer exclusion and are making their own demands for equality. It is time for a new gender covenant that encompasses the intersectionality in the realities of all women and men, and ensures that equal enjoyment of rights and freedoms go hand-in-hand with equality in decision-making.

# Towards innovative and effective policies on gender equality

## Introduction

The remarks made by Ban Ki-Moon, Secretary-General of the United Nations, on International Women's Day 2016 were both retrospective and propositional. He said that "We have shattered so many glass ceilings we created a carpet of shards. Now we are sweeping away the assumptions and biases of the past so women can advance across new frontiers."[1] The progress and lessons learned in Latin America and the Caribbean now warrant a new social and economic compact based on a multidimensional and integrating approach to development and the adoption of a vision that is both critical and transformative. In such a compact, equality and women's autonomy, active participation and decision-making power will be driven by collective action, long-term partnerships and public policymaking in democratic societies.

The time has come to lay down a milestone, to finally sweep away the unresolved discriminations and inequalities and the structural gaps that hinder the shift towards more inclusive societies and economies, by weighing the progress made on commitments enshrined in the region's gender agenda and looking towards those set by the targets of the Sustainable Development Goals. These challenges demand new, more innovative and effective public policy responses in addition to familiar ones, and implementing these will take engagement by all sectors of society and the State.

Democracy undoubtedly owes a historical debt to the women of Latin America and the Caribbean in terms of their aspiration to fully exercise citizenship and equality. Women continue to demand more and better political representation, better access to production resources and income, societal recognition of their contributions, redistribution of the time spent on domestic and care work, and more effective responses by State institutions to their needs and interests. They demand this in order to live with dignity and steer their own destinies. Equality and fulfilment of human rights are foundational principles of democracy and sustainable development, and women's exercise of rights and autonomy is a sure indicator of their consolidation.

It is time to forge a path away from the culture of privilege and discrimination, towards a culture of equality and rights, steered by progressive structural change in which equality and sustainability are common and universal governing principles. "Progressive structural change will depend on each society's choice between two paths: either a return to the old, unsustainable path, associated with an increasingly fierce conflict over distribution and social, institutional and political fragmentation; or a transition to a new development pattern, in which collective action and long-term compacts in democratic societies promote equality, transparency and participation" (ECLAC, 2016a, p.172). This challenge, with its civilizing, ambitious and visionary agenda, calls for moving from commitments to action, from the what to the how, in order to shape societies in which gender equality is a reality and the weave of democracy is tightened.

The implementation of the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals (SDGs), in particular Goal 5, "Achieve gender equality and empower all women and girls", confer a long-term vision and pose a greater challenge, given the interdependence of the Goals and the universal and indivisible nature of women's rights. Achieving all this will require a participatory, interdisciplinary and systemic approach to development, centred on equality and the eradication of poverty in the world's most unequal region, at a time when economic growth is stalling, monetary poverty reduction has slowed and indigence levels have risen (ECLAC, 2015c).

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[1]  See [online] http://www.cepal.org/en/articles/2016-international-womens-day-2016.

The imperative now is to design and implement coordinated action to enhance synergies, forging systemic links between follow-up to the commitments of the 2030 Agenda, the political and programmatic direction of the regional gender agenda, the agreements of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (Cairo, 1994), as well as the obligations assumed by States with the signature and ratification of the Convention on the Elimination of All forms of Discrimination Against Women and the Convention of Belém do Pará. Building up this articulation will need stronger political commitment from countries, and better coordination and cooperation between sectors, opening up channels between existing regional and global institutions. The participation of governments alongside diverse social stakeholders is crucial in this process, redeeming the principle of common but differentiated responsibilities between countries. "It is time to identify the right policies and instruments and put them in place. For this, institutions and collective effort will be crucial" (ECLACa, 2016, p.12). This being so, closing gender gaps and broadening the exercise of women's autonomy will take a great deal of boldness and new, fairer and more solidary partnerships within countries and at the regional and international levels, representing a challenge for the capacities of governments, especially in smaller States.

# A. High-quality, innovative policies as the cornerstone of an inclusive State

The Sustainable Development Goals and the regional agenda on gender pose major challenges in terms of crafting innovative, high-quality policies geared towards achieving equality as part of building and consolidating an inclusive State. The questions "What kind of State? What kind of equality?" asked by ECLAC at the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, held in Brasilia in 2010, (ECLAC, 2010a), remain relevant today. The major hurdle at present is to change the way public policy is created, by adopting new organizational and management practices or innovating with policy contents and aims in order to tackle the interconnected challenges of sustainable development, equality gaps and levels of intervention, not only to produce quantitative changes, but to bring about the substantive transformation of women's lives and the wider society (Bárcena, 2008).

Innovation by the State and those that govern it leads to new ideas that create value for the public sector (Bitrán, 2014). Such ideas must serve emerging needs and rights and be in tune with new economic, regulatory or political frameworks. Thus, innovation becomes an opportunity to rethink what has gone before, a tool demanding high standards of quality in public policy.[2] Here, quality refers to courses of action and flows of information about the policy measure's target population, such that individual measures can be aligned with the State's goals at the highest level, such as those of its ministries. Ultimately, this means treating gender equality plans as an integral part of sustainable development plans. Other factors affect quality too, such as the engagement of government agencies, civil society and other resources of various kinds in policy creation and implementation, as well as the consideration of institutional aspects, i.e. a sound apparatus capable of executing the proposed policies (Lahera, 2004). Here is where machineries for the advancement of women and the State's gender architecture are crucial.

The 2030 Agenda for Sustainable Development and the regional agenda on gender affairs challenge the countries to move in the direction of sustainable development. As such, the State must innovate in that same direction. Accordingly, public policy must be contemplated within new parameters and be held to higher standards of quality, since any change in the paradigm on which they are based will also alter the parameters defining what is good and desirable or bad and limiting in the policy. This presents an opportunity to guarantee women's rights and autonomy while advancing towards new policy formats and guidelines, and for States to assume the responsibility of including women's demands and gender equality as goals in the public agenda (Oszlak, 2011).

Experience demonstrates that public policy, often supposed to be neutral, is in fact blind to inequality between men and women, widening gender gaps and impeding women's development and autonomy. Gender equality is integral to sustainable development; without gender equality it is neither development nor sustainable. It must also be recalled that, although women in Latin America and the Caribbean have gained ground in terms of rights and participation in social, political and economic life, this progress is often threatened by setbacks linked to resurgent fundamentalism, economic crises and changes of government. Therefore, in addition to considering how to move

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[2]    See [online] http://www.cepal.org/es/comunicados/la-innovacion-publica-es-crucial-para-mejorar-la-calidad-de-vida-de-los-ciudadanos.

forward, steps must be taken to ensure that efforts already undertaken are sustainable and to safeguard against backsliding. Particular vigilance is called for in this regard in the region's current conditions.

In recent decades, gender policies have achieved wider visibility through the work of government machineries for the advancement of women, the feminist movement and the efforts of female investigators and academics, whose conceptual and methodological contributions to gender issues have been accompanied by a mounting body of evidence to support their arguments. All this has helped move gender issues from the social agenda onto the political and economic agenda, while facilitating progress towards enshrining equality as a desirable goal. This notwithstanding the fact that public debate rarely considers the many dimensions of women's realities, and that the political, economic and religious elites —predominantly men— often make unilateral decisions without considering more than half the population or taking into account the demographic, familial and cultural changes that occur inexorably on a daily basis in every country, meaning that they fail to make the connection between reforms made in the public domain and transformations unfolding in the private sphere.

However, as seen in previous chapters, today the region has better legal and institutional frameworks for tackling discrimination than it did decades ago. Agreement among the countries of Latin America and the Caribbean to promote gender equality and women's rights is reflected in the national reports on the application of the Beijing Declaration and Platform for Action (1995) and the outcome of the twenty-third special session of the General Assembly (2000) within the context of the twentieth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action (ECLAC, 2015a). Equal autonomy in the economic, physical and decision-making spheres and the links between them have developed jointly and in parallel with the creation and implementation of equal opportunity plans and policies. These are long, historical processes that have led to advances, though gaps in equality remain which have hindered the full realization of women's rights and autonomy.

Advances in formal equality matters are important and necessary, yet insufficient to achieve substantive equality; the objective of transforming societal organization and the structural conditions that underpin gender inequality demand public policies that go beyond equal opportunities and affirmative action, though by no means should these be discarded. On the long road to equality, existing policies —equal opportunity schemes aimed at tackling discrimination and non-recognition and affirmative action to help get women into positions they were traditionally denied in the public sphere, in order to achieve redistribution and participation on the basis of parity— must coexist with policies to bring about a cultural and structural shift in social and economic organization. To this end, only integrated, mainstreamed, active and statutory gender policies will broaden the State's institutional action around the goal of equality.

The interconnected challenges of today call for new levels of intervention, with constant rethinking, which in turn requires innovative programmes and more effective public policy. This involves greater resources, better analysis of baselines in order to support decision-making and higher quality standards throughout the policy execution cycle. The past decade has seen considerable progress in the development of an institutional framework for the formulation and implementation of gender equity policies. All the countries have acted on the assumption that the long-sought goal of gender equality can only be attained through a wide array of efforts and that they must therefore undertake an innovative institution-building process, achieve social and political consensuses, eliminate both de jure and de facto discrimination, show tremendous political will, engage in social dialogue, and make sustained efforts to secure resources in the areas that are most critical for overcoming discrimination and the strengthening of democracy.

Public policies to promote gender equity face the challenge of moving beyond the approaches underlying much of the State's work in this area in the past —welfarist, targeted, discretionary, short-term and short-sighted, built from a stereotypical and patriarchal perspective— to address the needs, interests and demands of rights-holders in all their diversity. Taking a human rights approach in policies and programmes means ensuring a high level of attainment in specific measures that can bring about real change, which in turn means embarking on collective construction processes aimed at systemically mainstreaming gender equality and making it an unmovable pillar of sustainable development. States must therefore adopt a multidimensional view and practice of development, combining aspects of democracy with those of governance and the capabilities to implement public policies (ECLAC, 2010a).

In summary, as upheld by the regional gender agenda, Latin America and the Caribbean need to forge a change of direction in gender equity policy and take a qualitative leap in policymaking for social innovation, by means of coordinated processes of social and institutional mainstreaming (ECLAC, 2004b). Therefore, it is important to understand

that the challenges are interconnected and that policy effectiveness is directly related to overcoming gaps in equality, putting achievements in autonomy and women's rights front and centre while emphasizing processes and levels of intervention to make sustainable development feasible.

In order to establish guidelines that will make innovative gender equity policies effective, the following points are crucial to ensuring sustainability: (i) an institutional architecture for gender equality made up of institutions and processes; (ii) equality-driven planning and development; and (iii) compacts and partnerships engaging an array of stakeholders and commitments with a common goal.

# B.   Institutional architecture for gender equality

Putting innovation-based public policies into practice entails making changes in organizational and functional structures, which may also mean marking out certain areas of the State apparatus for modernization. Innovation needs a climate of interaction among multiple agents, building cooperative partnerships among a variety of social stakeholders so that more diverse voices can be brought to bear on processes. Human, technical and financial resources must also be strengthened to support the implementation of new measures and the execution of the relevant policies. A broader and more complex State architecture for gender equality will therefore be needed to engender coordinated interaction by institutions and processes, and thus build efficient collective action (see diagram V.1). It is necessary to advance towards an institutional construct of gender equality that links up gender mainstreaming with broader political and institutional processes, with sights set on the 2030 Agenda and the regional agenda, in order to impact on all public stakeholders and work in unison.

**Diagram V.1**
**Institutional architecture for gender equality**
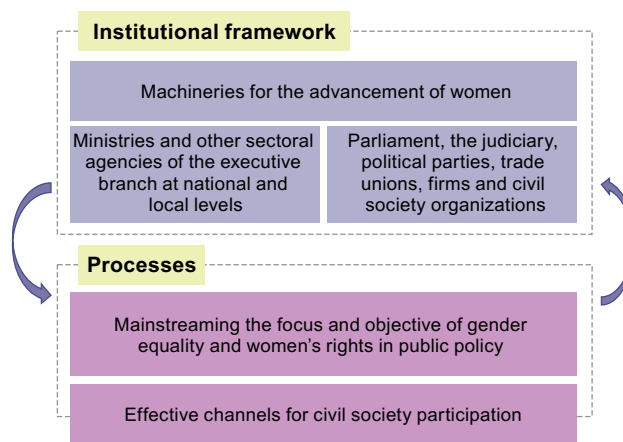


**Source**: Economic Commission for Latin America and the Caribbean (ECLAC).

This renewed and coordinated institutional architecture for gender equality, given its dynamic nature, must include at least the following as integrated components: (i) machineries for the advancement of women; (ii) ministries and other sectoral public agencies accountable to the executive branch at both national and local levels; (iii) parliaments, the judiciary, political parties, unions, companies and civil society organizations; (iv) processes geared towards mainstreaming of gender and women's rights in State activities linked to wider political and institutional processes; and (v) effective means of participation by civil society in order to accomplish these goals.

This approach will strengthen inter-agency, intersectoral and social organization and coordination capabilities, as structural transformation requires a new set of institutions and political coalitions to facilitate these changes at the global, regional, national and local levels. The commitment to expand and consolidate an institutional architecture for gender imposes a new relationship between State, market, society and family, within a framework of social dialogue

and citizen engagement. This in turn places an obligation on the State to lead the way in development strategies within the region's countries. By casting a critical eye on its historical performance, we should be able to define that role, give the State the proper tools and determine its precise place in conjunction with the market and the citizenry, achieving an optimum balance of this trilogy in the development dynamic (ECLAC, 2010e).

The proposal of an expanded and complex institutional architecture for gender equality is framed within uncertain scenarios and the awareness of tensions and of the distance between the ideal and the real possibility of it being embraced by States that still operate in centralized, hierarchical and sector-specific ways (Guzman, 2001), where the rationale of the political and administrative apparatus and the reality of negotiation sometimes force changes, reductions or simplifications in the objectives and proposals of the gender agenda.

## 1. Machineries for the advancement of women

By adopting the global and regional gender agenda arising from the conferences convened by the United Nations and the Regional Conference on Women in Latin America and the Caribbean, the Latin American and Caribbean countries have committed to promote gender equality and safeguard women's rights. This agenda is based on the actions and work of machineries for the advancement of women as part of the State apparatus. The performance and efficiency of these institutions hinges to a great extent on their hierarchical level within the executive branch, on their convening power and authority as interlocutors with other government agencies and with the civil society that gives them legitimacy, and on a dedicated budget line.

National machineries for the advancement of women are the State's central policy coordination bodies. Their main task is to provide support for mainstreaming the gender perspective in all policy areas and at all levels of government. Their focus has been on mainstreaming gender policy through the work of third parties (other ministries and public agencies) to transform public policy values and the behaviour of government. The establishment of these machineries, which have been called for since the Third World Conference on Women (Nairobi, 1985) and promoted in the commitments arising from the Fourth Conference (Beijing, 1995) has been uneven in the region. Their institutional level varies from one country to another and the progress made has been accompanied by setbacks too, often depending on changes in national administration. Some gender machineries have been established by law and others by presidential decree, giving them differing levels of political and social legitimacy. Analyses of these institutions indicate that their power to propose and develop public policy is closely related to their position in the executive branch and budgetary allocation. Since the 1990s, the proportion of machineries at a high level within the State has grown steadily.

The hierarchical level achieved by gender machineries affects mainstreaming policies that need the entire array of stakeholders to be implemented efficiently and successfully. The level of State at which policy is made is important not only because of its technical expertise, but also because its position in the State's organizational structure shapes the agency's ability to harness institutional and human resources by mainstreaming policies on two levels: first, by engaging different public agencies and, second, by contributing a thorough understanding of the issue in all its manifestations in the framework of efforts to achieve gender equality (ECLAC, 2015g). Therefore, position in the institutional hierarchy directly affects a machinery's negotiating power in terms of decision-making, paving the way to open alliances and optimizing a network of participants (legislators, parliamentarians and judges) all working towards a common goal.

By the classification used in the Gender Equality Observatory for Latin America and the Caribbean, there are three hierarchical levels for machineries for the advancement of women: high, intermediate and low. The highest level refers to the machineries that have ministerial status or whose head has ministerial rank. At intermediate level are entities attached to the Office of the President or whose head reports directly to the President (offices within the office of the president, secretariats, national institutes, council and other configurations). At the low level are those entities attached to a ministry (vice-ministries, under-secretariats, institutes, councils and suchlike). As of July 2016, in Latin America, 55% of the machineries for the advancement of women were at a high level with their head holding ministerial rank; 30% were at a low level, i.e. accountable to a ministry; and 15% were at an intermediate level, meaning they were attached to the Office of the President or reported directly to it. In the Caribbean, most machineries for the advancement of women (84.2%) are at a low level; only a few (10.5%) are at a high level; and fewer still (5.3%) are at an intermediate level (Benavente, 2016) (see figure V.1).

**Figure V.1**
**Level within government hierarchy of national machineries for the advancement of women, 2016**
*(Percentages)*

**A. Latin America**



Argentina
Bolivia (Plur. State of)
Brazil
El Salvador
Panama
Uruguay

30

55

Chile
Costa Rica
Cuba
Dominican Rep.
Guatemala
Honduras
Mexico
Nicaragua
Paraguay
Peru
Venezuela (Bol. Rep. of)

15

Colombia
Ecuador
Puerto Rico

■ Department or other entity reporting to a ministry
■ Ministry or head of machinery with ministerial standing
■ Entity attached or reporting directly to the Office of the President

**B. The Caribbean**



Haiti
Trinidad and Tobago

British Virgin Islands

11

5

84

Anguilla
Antigua and Barbuda
Aruba
Bahamas
Barbados
Belize
Dominica
Former Netherlands Antilles
Grenada
Guyana
Jamaica
Montserrat
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Suriname

■ Department or other entity reporting to a ministry
■ Ministry or head of machinery with ministerial standing
■ Machinery without ministerial standing reporting directly to the Prime Minister

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean, on the basis of official sources.

In relation to the mix of State entities, machineries for the advancement of women form part of an increasingly broad and dense institutional fabric. All the region's countries today have ministries, secretariats or institutes dedicated to the needs of different population groups, whether at national or local level, and which, organizationally speaking, have focal points or specialized units created to mainstream into their work aspects of gender equality and particular concern for women's status. In this framework, gender machineries have played a vital role in carrying forward the agenda on gender affairs and making equality targets part of sectoral goals. They have provided assessment, support, training and proposals for management models, demanding action and even transferring the limited resources at their disposal, for instance, to other municipalities and State entities. In summary, their biggest impact has been generating political will and transforming it into institutional structure geared towards substantive positive change in the development of pro-equality policies.

As a result, these machineries' ability to take on increasing guidance, regulatory and policymaking functions —which has to do with their hierarchy in the executive branch— is crucial. But, however legitimate they may be, they do not always have the key elements for performance and efficiency: the budget and the human and technical resources to formulate policies and see them through to implementation. Consolidating gender machineries —ensuring their long-term stability, safeguarding progress and preventing backsliding— is a constant challenge. This makes it important to reflect on the challenges of leveraging the achievements and advances in gender equality, while also opening up new arenas for discussion and innovation so that gender machineries can lay the groundwork for coordinated activity and virtuous partnerships with the political system and civil society, such that their work can guide policies on gender equality and women's rights.

Public policies on equality and the institutions that regulate them are a construct produced by the interaction of social, political, economic and cultural stakeholders in different historical contexts, whose outlooks are often different or even contradictory. Herein lies the importance of approaching mainstreaming as a coordinated process through which all the machineries of the State, civil society and the private sector operate under a rationale of unified collective action.

## 2. State-wide gender mainstreaming processes

In order to progress along a path of progressive structural change with equality front and centre, as proposed by ECLAC, the mainstreaming processes at the heart of the strategy must also take into account the intersections and interactions among the various inequalities. Although gender machineries have played an important part in mainstreaming the gender perspective in public policy, plans and programmes, and have helped to make gender equality and women's rights and autonomy part of sectoral goals, this must be understood as a simultaneously political and technical process cutting across all areas —political, economic and social— in order for coordinated mainstreaming to occur in practice.

The challenges of mainstreaming are many and necessitate going beyond the limitations of the traditional links drawn between women's status and, for example, health, education or family, childhood and care issues. New questions must be posed to challenge policies and oblige governments to broaden the scope of their actions. To make solid progress, it is vital to acknowledge that macroeconomic policy is not gender-neutral and that specific and transformative measures must be taken in fiscal, production and trade policies in order to drive gender equality. In this framework, the concept of the economy must be broadened to include the sustainability of life and, consequently, to acknowledge that unpaid domestic and care work are key contributors to countries' well-being and economic growth.

Governments must strengthen gender machineries and afford them higher status by increasing their resources and capacity to achieve wider mainstreaming of the gender perspective, particularly in economic policies. A sectoral dynamic persists in the countries whereby the social sphere is divided into subsegments and, to an even greater extent, separated from the economic sphere. This is coupled with a hierarchical structure which ranks the economic authorities above social institutions (ECLAC 2016a). It is crucial to overcome this dichotomy and dismantle the vertical integration between levels of government and in territorial structures in order to develop a sound and effective institutional architecture for gender equality.

Difficult though it may seem to imagine the total eradication of gender inequalities, the lesson learned from decades of work is that change is possible, though it is essential to learn from what has gone before and place gender mainstreaming at the heart of efforts to bring about a new era. Endeavouring to close gaps in equality is not a Utopian act, despite the fact that the prevailing differences are so ingrained in multiple mechanisms of discrimination and cultural reproduction that they are difficult —albeit not impossible— to overcome (ECLAC, 2014b).

For gender mainstreaming processes to be successful, they clearly need to have sustainable financing. A number of countries in the region have budgetary allocations for gender machineries, but equality policies need better, more secure financing for a new approach to development in which measures can have more impact and be sustainable over time.

In today's context, the region must take more sophisticated action to deal with the vices of the past and confront new challenges, to advance from targeted sectoral measures to committed strengthening of mainstreaming

processes. This calls for new ways of pro-equality policymaking, compacts and synergies among the various sectors and stakeholders to strengthen integrated approaches and support substantive change, on the basis of cumulative experience and lessons learned. The pressure for a qualitative leap is not only coming from outside institutions, in the form of demands on specific issues from the feminist movement and the broader women's movement, but is also being driven by the gaps between multiple public and private institutions, and the systemic interfaces where areas of the State, professional organizations, specialists and civil society organizations meet.

The processes of effectively mainstreaming a perspective of gender equality and women's rights calls for new reforms to legislative frameworks, the development of gender analysis skills and joint learning between an array of stakeholders, as well as the establishment of technical teams in ministries or the services that report to them. These steps must be accompanied by strategies that allow more innovation in policy implementation and coordination, and in ways of building the legitimacy of institutional machineries. Moreover, enhanced intersectoral coordination must be fostered, leading to gender-mainstreamed planning that includes territorial dimensions, in order to gauge the urgency and specific needs of measures at each level.

Implementing mainstreaming requires significant cultural change for people and institutions, as well as in the delivery of goods and services, because it affects institutional rationales and social practices. This means rethinking the way the State innovates in its work, organization and management, in order to build the focus on equality and rights fulfilment into the entire policy cycle. These institutional changes are neither simple nor automatic, and they require at least two triggers. One trigger occurs when the basic underlying assumptions of a value and belief system reach a crisis point, at which they can no longer interpret or resolve routine matters as they once did. This opens an opportunity to introduce new values and ways of doing things that offer better solutions to day-to-day dilemmas and practices. Another trigger is for the authorities to make gradual changes over time that prove, on the basis of new assumptions and values, to deal better with routine matters than the old method. This can happen only if the government is committed and willing to invest political, social, financial and human resources in the issue (Franco, 2016).

The process of mainstreaming gender throughout the State implies proactively and systemically assuming the integral character of discrimination and gender inequality and that building a culture of equality is the responsibility of all institutions and every individual. It is by means of the interaction between institutions and sectors that the institutional architecture for gender equality can take shape in a coordinated manner.

The turning point represented by the 2030 Agenda for Sustainable Development today offers the region the opportunity to put into practice a new approach to making policies of State on gender equality. Different strategies will be needed for taking on consolidated, change-resistant government sectors with heavy inertias that have ignored gender equality for decades or even centuries (such as those to do with employment), for mainstreaming issues that women themselves have placed on the public agenda and which concern them directly (such as violence and reproductive rights), or for mainstreaming women's rights in areas of public policy that have been carved out by the agenda-setting capacities of women themselves, but around which more stakeholders are now congregating, as is the case of caregiving.

Public policy is an important tool for building of new relations of equality. This being so, the issue of care —which, at least from a comprehensive and rights-based perspective, is new to the State— offers an opportunity to mainstream a public policy from its inception. This opportunity should be grasped as a matter of urgency, as it not only impacts the needs and services of a specific population (children, older persons, persons with disabilities or the chronically ill), but can also have major impacts in terms of dismantling of the sexual division of labour and creating changes for the better in the redistribution of time and general well-being. Care policies thus emerge as a political tool for change with which to leave behind sectoral and fragmented social policymaking. They should become a pillar of social protection and enable linkages between the different parts of the State, and between the State, the market, society and families, in order to create a new equation. It is to be hoped that both the established institutions in consolidated sectors, such as health and education, and new institutions now being formed in the countries will adopt gender equality mainstreaming as a guiding principle for the private and public spheres alike, taking into account the needs and demands for equality of both givers and receivers of care.

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**Box V.1**
**Care policies: an opportunity to mainstream gender equality from the outset**

In Latin America, the discussion on the social organization of care and the role of policies in this area has made headway in the public agenda thanks to the initial impetus from the women's movement and feminist economics, and, subsequently, the concerns of various stakeholders, academics, policymakers and governments about its impact on countries' social and economic dynamics (Marco and Rico, 2013). These contributions have helped to dismantle the assumption of caregiving as something inherently female and have gradually shifted it out of the realm of personal choice and private arrangements, and into the public arena as a subject of policy. It evolved from a concern centring around the cultural allocation of caregiving to women, time-use and the lack of economic autonomy, into part of the discussion on social protection and social policies and services. At the same time, interest in unpaid care work in households expanded to encompass paid caregivers, of whom 94.2% were women in 2010, with the majority employed as paid domestic workers and the rest in the health and education sectors (ECLAC, 2013b).

In addition to the construction of care as a public issue, realization has grown of its importance to countries' economies. Only the huge volume of domestic and care work being provided makes it possible for the economic system to keep working. As such, the care economy supports the structure of human society, adjusts tensions between different sectors of the economy and, as a result, forms the foundation of the economic edifice (Carrasco, 2009, p. 50). Attempts to allocate a value to unpaid domestic work, based on time-use surveys carried out in various countries in the region —such as El Salvador, Mexico and Peru— are intended to capture the economic role of care work in the national accounts.

Legislation on care in the region has become more standard and several countries now have specific policies on care. However, national programmes that directly or indirectly refer to care are often framed within poverty reduction programmes or social assistance for poor or vulnerable individuals or families (Batthyány, 2015b). Future programmes and projects should thus adopt a human rights or gender equality focus from the start, as part of the realization and appreciation that all public policies have to do with social reproduction. Consequently, domestic and care work must be fully embraced in policy agendas and be shared and redistributed throughout all institutional spheres: the State, the market, communities, families and, within these, between men and women.

The most advanced practices in care systems and policy networks, such as those implemented in Uruguay and Costa Rica and those being developed in Chile, Ecuador and El Salvador, demonstrate the importance of the active engagement of gender machineries in the design of services and in the make-up of systems for social protection and care, in order to ensure that the policies created will change the prevailing gender order and safeguard the rights of women caregivers.

We stand before a new and practically unprecedented public policy challenge which is, at the same time, a great opportunity to mainstream the gender perspective by crafting policies for a new social compact, aimed at questioning the sexual division of labour and driving sustainable development, on the understanding that care is central to development and an instrument for changing society's values and behaviour with respect to gender equality.

**Source**: María Nieves Rico and Claudia Robles "Políticas de cuidado en América Latina: forjando igualdad", *Asuntos de Género series*, No. 140 (LC/L.4226), Santiago, Economic Commision for Latin America and the Caribbean (ECLAC), 2016; Flavia Marco and María Nieves Rico, "Cuidado y políticas públicas: debates y estado de situación a nivel regional", *Las fronteras del cuidado. Agenda, derechos e infraestructura*, L. Pautassi and C. Zibecchi (coords.), Buenos Aires, Equipo Latinoamericano de Justicia y Género, 2013; ECLAC, *Social Panorama of Latin America, 2012* (LC/G.2557-P), Santiago, 2013; Cristina Carrasco, "Tiempos y trabajos desde la perspectiva femenina", *Revista Papeles de Relaciones Ecosociales y Cambio Global*, No. 108, Madrid, 2009; Karina Batthyány, "Las políticas y el cuidado en América Latina. Una mirada a las experiencias regionales", *Asuntos de Género series*, No. 124 (LC/L.3958), Santiago, ECLAC, 2015.

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## 3. Effective channels for participation by civil society

The changes still needed in Latin American and Caribbean societies with regard to gender equality and social and economic development require active democratic States and active societies. A remaining challenge is to achieve committed participation by different sectors and at the countries' various political and administrative levels, broadening opportunities for participation in the mapping out of equality and development plans, public policies and sectoral programmes and projects. Participation helps to set goals that reflect the needs and demands of the populace and decide on priority lines of action, respecting the realities of the population and of women in particular.

Greater and enhanced coordination between the State and society in both political and technical terms is crucial for success in mainstreaming equality of gender and rights and women's autonomy. Therefore, demands for gender equality must be included in policies as a basic condition for building more democratic societies that allow their citizens to exercise their rights fully (Benavente and Valdés, 2014).

A democratic State cannot be a closed State, but must afford value above all else to social discussion and, thus, to the fulfilment and success of the compacts it makes, culminating in participatory public policies. It must broaden the arenas for debate, such that different stakeholders can participate simultaneously and participants can acquire the skills for democratic decision-making: to compromise, apply pressure, negotiate, accept disagreement, manage conflict, broker enough consensus to act collectively and create and sustain partnerships. Deliberative citizen

participation in decision-making is gaining increasing importance in relation to a range of public issues in which values associated with traditions and stereotypes come into tension with new ways of seeing roles and rights, for example in sexual and reproductive rights, and care. Citizen participation is thus part of the potential of democratic, pro-equality policy to bring about transformation.

Accordingly, consolidated institutional frameworks are needed to offer platforms for dialogue and negotiation (UNDP, 2014b), as are constant channels for active participation by civil society that can be adapted to different conditions, including diverse territorial levels, scales of intervention, sectoral demands and affected population areas, among others. These platforms must include the feminist and broader women's movement and women's or female-led community organizations as key players and paradigm shifters capable of bringing about a new conception of the political arena.

Citizen participation must be seen as a process linking up with other processes, such as mainstreaming, and with the institutional framework, to make up the institutional architecture of gender that enriches the public debate and the understanding of the agenda of equality and women's rights. The strength of this process depends to a large degree on the availability of channels for the participation and voice of civil society, on the availability of technical information to support decision-making and on the guarantee of transparency. It is therefore necessary to build new public and private institutions for oversight and to demand State accountability, providing space for public vigilance of organizations.

A new, broader, denser and more complex institutional architecture must be coordinated with the regional gender agenda and aligned with mechanisms for monitoring the Sustainable Development Goals in interconnected work processes that encompass the multidimensionality of development. This requires strengthening capacities for intersectoral, inter-agency and social coordination and organization, in parallel with public planning and management, for which it is essential to have better public policies and channels for the demands of civil society.

# C. Sustainable development planning with gender equality

To make public polices on gender more innovative and effective within an inclusive development framework, they need to be supported with explicit proposals for sustainable development planning and management. In this way, national development plans are planning tools that afford States a view of the way forward. Under such plans, the policies needed to achieve the targets are agreed upon and indicators are defined to measure progress within a specific time frame. This is an inclusive, explicit, organized and participatory process of government, aimed at determining the courses of action to be undertaken to achieve long-term objectives (ECLAC, 2011b).

Countries in the region began to draw up national development plans with a view to the Millennium Development Goals (2000-2015), setting out the core pillars and strategies for achieving social and economic development, including some considerations relating to gender issues and women's rights. The following countries included gender issues in their development plans: Bolivarian Republic of Venezuela, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru and Plurinational State of Bolivia (Benavente, 2016). The Sustainable Development Goals should have a greater impact on future plans and, in turn, ensure that the regional gender agenda is given greater prominence in these plans, since including a gender approach —as a technical and political instrument— in analysis and planning processes is a prerequisite for a comprehensive and sustainable development model.

From a political economy perspective, plans should be drafted in a consensual manner, so as to ensure both that targets are shared and that different stakeholders are committed to achieving them. Given global concern about and commitment to overcoming gender inequalities, the gender equality plans resulting from the work of machineries for the advancement of women should be taken into consideration. These plans reflect the region's experiences, and can help to institutionalize and give greater legitimacy to those machineries and to establish inter-agency and intersectoral links.

Several Latin American and Caribbean countries have developed national equality plans, the structure and substance of which vary considerably (see table V.1). Analysis of these plans shows that gender equality targets are often treated

as add-ons, not necessarily related to the government's sectoral or overall aims, and that a significant percentage of the actions committed are the sole responsibility of gender machineries. Even when responsibilities are assigned to different sectors, insofar as they relate to instruments of gender machineries, the onus is on them to implement the plans. Accordingly, gender mainstreaming plans tend to be a road map for gender machineries rather than for the State as a whole, and resources are often not earmarked for achieving their goals and targets (Benavente, 2016). This is arguably one of the main debts still pending; better budget allocations and a pro-gender-equality fiscal policy are still needed in order to gradually spread the burden of public policy financing, among other things (ECLAC, 2010e). In addition to assigning responsibilities, specific budget allocations are needed to implement plans effectively.

**Table V.1**
**Latin America: legislative basis for gender equality plans**

| Type of legislation | Country |
|---|---|
| Executive decree | Brazil, Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Panama, Plurinational State of Bolivia and Uruguay |
| Mandates of gender entities | Dominican Republic, El Salvador, Paraguay and Peru |
| Mandate of the national development plan | Colombia |
| Mandate under the Constitution | Ecuador |
| Management tool of the entity responsible for gender affairs | Bolivarian Republic of Venezuela and Chile |

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC).

Nonetheless, the fact remains that, since the 1990s, countries have established a rationale that maintains gender plans and objectives as long-term technical and political tools, and have afforded them considerable continuity, either by means of executive decrees or as part of the legal mandate of machineries for the advancement of women. While this arrangement is not wholly satisfactory, it is an important political achievement and marks a milestone in the struggle for women's rights and gender equality.

Moving towards sustainable development with gender equality and women's autonomy, within the framework of a new institutional architecture for gender, means achieving greater gender mainstreaming and taking into account the interactions of intersecting inequalities, and therefore holding the State to a stronger commitment to equality and development. It also means building participatory planning, as part of public administration and an institutionalized policy on equality.

The linkage between equality plans and planning instruments varies in the region. Some countries still see planning as gender-neutral or blind to gender inequality and therefore omit equality targets, while others see gender equality targets an integral part of their development plans. Costa Rica offers an example of the latter, with the "Alberto Cañas Escalante" National Development Plan 2015-2018. This plan identifies gender equality and equity as principles that underpin development and as necessary for generating synergies. The country's 16 sectoral objectives include a gender perspective, and implementing the national policy for gender equality and equity 2007-2016 is treated as part of the National Development Plan. Meanwhile, El Salvador, whose five-year development plan focuses on well-being, recognizes gender equality as a core concept, for which the State should ensure equality in three dimensions: treatment, opportunity and outcome.

To fulfil the commitments undertaken at the global and regional levels, management models should include tools to guide planning as a fundamental part of the process of strengthening public administration. In a complementary way, these models can then be used to progress towards the establishment of powerful planning, evaluation and participation systems for the formulation and implementation of public policies (ECLAC, 2016a).

Similarly, the strategic vision set out in the regional gender agenda calls for criteria to prioritize demands and measures. Equality plans must therefore not only be the product of a democratic and participatory debate, but also contain strong political and technical components, with conceptual innovations, objectives and an implementation strategy based on deadlines, measures and actions, as well as quantitative and qualitative indicators for monitoring and evaluation. As gender-aware planning is based on a vision of the future, prospective analysis is also needed to test the relevance and feasibility of realizing women's and society's aspirations across a broad time frame, and to identify avenues for further exploration.

As part of the planning process, political agreements must be reached on core issues that are priorities of State, not just of the current government. Therefore, changes must be made to public sector planning and coordination as part of the development planning process. In connection with this, an institutional architecture for gender, as outlined in this document, will help to improve the quality of public management, with the active collaboration of different social sectors. In addition, technical capabilities to formulate and evaluate policies (ex ante and ex post) must be expanded, by establishing a connection between preparing and implementing public policies, and setting bases for quality control. The biggest challenge will be integrating this planning concept into new institutional rationales capable of doing away with the tensions produced in conventional public policy development by the objectives of gender equality and women's autonomy and exercise of their rights.

Sustainable development planning must therefore seek to mainstream a gender perspective throughout the planning process, i.e. in follow-up, evaluation, resource allocation and all management levels, by explicitly linking the Sustainable Development Goals to the regional gender agenda in national development plans and short-term national budgets. In this context, planning activities undertaken by gender machineries and by the State should be aligned with sustainable development, progressive structural change and equality.

The creation of national high-level inter-agency and intersectoral frameworks for fulfilment of the 2030 Agenda must be linked to the institutional architecture for gender equality and generate synergies with it. This will help to drive capacity-building and compliance with the commitments and obligations undertaken. In turn, up-to-date statistics, providing information disaggregated by sex and other factors of inequality, such as race and ethnicity, are needed to carry these processes forward in optimum conditions. It is also essential to develop and analyse new gender indicators consistent with the new, interconnected challenges, to reflect the structural matrices that cause and perpetuate inequalities.

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**Box V.2**
**The data revolution and instruments for developing and evaluating equality policies**

Because the implementation of the 2030 Agenda for Sustainable Development poses major implementations challenges, the statistical community was involved from the outset in devising indicators to monitor fulfilment of targets and the Agenda itself proposes mechanisms for evaluating progress, together with means of implementation. The 2030 Agenda includes specific targets for improving and augmenting statistical information, while promoting the use of traditional and non-traditional data sources, and the creative combination of these sources for follow-up purposes. This will be crucial in delivering timely and transparent accountability to foster active engagement by the public (ECLAC, 2015b).

Having more statistical information available on gender inequalities makes for more relevant political actions and ensures that decisions are made based on facts. Most of the countries of the region have begun to compile a core set of national indicators to monitor progress towards gender equality. For example, progress has been made on the measurement of time spent on unpaid work by men and women, on violence against women, and on political participation, among others. The Working Group on Gender Statistics of the Statistical Conference of the Americas of ECLAC has played an important

role in this regard, as has strengthening the link between end users and producers of statistics and gender indicators. However, information challenges still exist, because, on the one hand, "[t]he statistical information gathered is scanty and heterogeneous (which hinders proper comparison between countries)" and, on the other hand, "administrative records of government agency interventions tend to provide isolated data on certain services and do not allow for a comprehensive assessment" (ECLAC, 2015g).

At its eighth meeting, the Statistical Conference of the Americas adopted resolution 9(VIII) and the Mitad del Mundo Declaration, in which it reaffirmed its commitment to generating good-quality statistics for monitoring national agendas and the 2030 Agenda for Sustainable Development, and the need to work together, within a new governance framework, to prepare a regional implementation plan, with a view to gradually covering the information requirements deriving from the 2030 Agenda. These commitments are in line with those already made with regard to gender statistics and indicators in areas that transcend and complement those set out in the Sustainable Development Goals and that are already agreed as part of the regional gender agenda.

**Source**: Economic Commission for Latin America and the Caribbean (ECLAC), *Latin America and the Caribbean: looking ahead after the Millennium Development Goals: regional monitoring report on the Millennium Development Goals in Latin America and the Caribbean, 2015*, Santiago, 2015; ECLAC, *Gender Equality Observatory for Latin America and the Caribbean. Annual Report 2013-2014. Confronting violence against women in Latin America and the Caribbean* (LC/G.2626), Santiago, 2015; ECLAC, *Report of the eighth meeting of the Statistical Conference of the Americas of the Economic Commission for Latin America and the Caribbean* (Quito, 17-19 November 2015) (LC/L.4154), Santiago, 2016.

## 1. Financing equality policies

Latin American and Caribbean countries are still some way from mainstreaming gender in such a key planning tool as the national budget. Since the 1990s, analysis of the different impact of fiscal policies on men and women and of the gender perspective in public spending has gone hand in hand with identifying the resources needed to implement gender equality policies developed on the basis of State's commitments and obligations.

Although it is difficult to decipher budget-setting processes in the design of national level gender equality plans or in their progress evaluations, analysis of the State budgets of 20 Spanish-speaking Latin American and Caribbean countries and territories[3] reveals that only a few have specific budget allocations for policies aimed at fulfilling women's rights. Moreover, although public expenditure in this area has increased, the amounts are still insignificant compared with the national budget or the funds allocated for social policy.

Very few countries have managed to consolidate a gender perspective in the budget cycle and, in general, the resource allocations lack visibility because budget items in the relevant legislation are not disaggregated by the type of expenditure or investment. Only the central government budgets of Brazil, Chile, Colombia, Mexico and Peru contain items for gender equality, and these are often very much tied up with preventing, punishing and eradicating violence against women and providing care for its victims. In this unpromising context, Mexico stands out with earmarked spending for women and gender equality (ECLAC, 2013g). Brazil is also making considerable efforts to incorporate this approach into budget codes, by implementing a methodology that marks all spending on women and allows expected expenditure under the programmes to be compared with actual disbursements.

Another finding is that, in general, gender machineries' budgets have stood still. Where they have increased, it is because of rises in the budget allocation for implementing anti-violence legislation. This is a clear sign that governments see the role of gender machineries as being limited to certain issues, particularly tackling violence against women, which makes it harder for them to propose and lead mainstreaming in all the areas and sectors they are supposed to.

A positive development is that, notwithstanding the shortfalls of the past 20 years, national gender equality strategies are more visible in the region's budgets. Furthermore, despite the evident resource constraints, a number of governments, notably those of Brazil, Costa Rica, the Dominican Republic, Paraguay and Puerto Rico, have shown the will and the ability to systematically report public spending on gender issues and to ensure that those funds are used effectively.

Lack of resources, combined with cultural resistance on the part of decision makers and programme operators, often threatens the institutional stability of machineries for the advancement of women and therefore undermines progress on rights (ECLAC, 2015a). In order to be sure that resources are used to close gaps, budget processes must be institutionalized further, with established gender budget items and lines that take gender equality goals and women's rights fully into account. Pro-gender-equality development planning and management requires more resources and more transparent resource allocation.

The need to ensure adequate funding for achieving gender equality and women's empowerment has been reiterated since the First International Conference on Financing for Development, held in Monterrey, Mexico, in 2002, and most recently at the Third Conference, which was held in Addis Ababa in 2015. The outcomes of those meetings form the normative framework for financing gender equality. Resource mobilization for advancing towards the achievement of gender equality goals has become an imperative in the framework of the 2030 Agenda for Sustainable Development and the regional gender agenda.

The 2030 Agenda affirms the importance of including private financial flows in possible financing for sustainable development and of encouraging and promoting public-private partnerships. Two targets under Sustainable Development Goal 17 (targets 17.16 and 17.17) refer directly to these partnerships and multiple sections mention them, including in areas of particular relevance to women and girls, such as health, education and nutrition. The success of such partnerships depends to a large extent on the existence of a regulatory framework to protect transparency, respect for human rights, gender equality, environmental standards and accountability. The State must therefore take the lead with regard to implementing agendas and allocating resources, as the guarantor of the rights of all citizens, and women in particular.

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[3]   Argentina, Bolivarian Republic of Venezuela, Brazil, Colombia, Costa Rica, Cuba, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Plurinational State of Bolivia, Puerto Rico and Uruguay.

# D. Dialogue and compacts as the basis for public policy sustainability

*"Any strategy involving radical changes, conflicting interests, resource investment alternatives and tensions between short- and long-term impacts will require covenants"*
(ECLAC, 2012a, p. 278).

The policymaking process in modern-day democracies can be understood as a process of bargains and exchanges among various political and socioeconomic stakeholders (Chuaire and Scartascini, 2014). As a result, the various stakeholders involved in the process of policy innovation must not be left out of considerations on quality standards. Hence, during the entire process, from strategy configuration to application, the interrelation between the different actors should be part of an innovation continuum, with a view to ensuring the quality of the strategy. Accordingly, forums for dialogue are a powerful tool in the design and implementation of a new generation of public policies, which require alliances that offer collaborative and cooperative platforms to develop new compacts for citizen participation in a new social conversation.

Public policies cannot be disassociated from the action of the stakeholders, from the structure of their interactions or from the strategies framed in the institutional contexts in which they are carried out. The feasibility of achieving the Sustainable Development Goals and making strides in gender equality and women's autonomy depends on establishing agreements and dialogue that will set up new balances and focus on long-term implementation up to 2030. This will require engaging sectors and stakeholders who do not traditionally consider their mandates to include gender equality goals. In this process, negotiations and dialogue, at both the technical and political levels, will be indispensable tools for concluding new equality covenants and securing far-reaching political commitments (ECLAC, 2014a).

Although machineries for the advancement of women have driven key alliances with other government entities and even other State powers, these arrangements have been mainly programme-based and insufficient to crystallize a new gender compact or to achieve consensus among political and social players through agreements on all the institutions (regulations, bodies and processes) needed to put such consensus into practice. The region is at a turning point, facing significant change at the political, economic and social levels, and compacts will be vital to redesigning public policy in a democratic framework. Building compacts is part of a participatory process that can be adapted to the specific characteristics of each country; thus, their negotiation strengthens the political viability of a new path for development through the preparation of proposals by means of a broad, legitimacy-building consultation process.

The implementation of the 2030 Agenda for Sustainable Development requires action in areas such as international governance to produce global public goods, cooperation, regional contributions to the global discussion and national public policies, particularly macroeconomic, social, industrial and environmental policies. Society needs to take ownership of the Agenda in order to make its targets into shared national goals. Thus, the Sustainable Development Goals require dialogue and compacts to afford sustainability to public policies, and participatory synergies between different public and private actors, civil society and social organizations, as well as coordination among the various spheres of action. These forums for dialogue among society's various actors are crucial for the implementation of sustainable, comprehensive and pluralistic initiatives. Insofar as every player's actions affect the others, the same occurs with institutions, and no single institution is likely to be capable of resolving all today's complex problems singlehandedly (Rayo, 2013).

At present, it is clear that effort to bring about dialogue among the various social actors offers a fruitful route towards policies capable of embracing the new context the region is entering and the fresh goals it is pursuing (ECLAC 2016c). Coordination and dialogue are powerful instruments for formulating and implementing public policies, and they create consultative and collaborative spaces in which skills, knowledge, and human, technical and financial resources are used more efficiently.

Spaces for cross-cutting dialogue promote the quality, transparency, credibility and sustainability of decisions and courses of action taken, and provide opportunities to create and strengthen partnerships for the joint development of sustainable public policies and innovative, effective actions favouring greater gender equality. Women's demand for a new social and gender covenant requires a State that is more proactive in fulfilling their rights and safeguarding their autonomy, and in creating agencies and spaces for that purpose. In this sense, the covenant is a process rather than an outcome (ECLAC, 2010e), the driver of shared responsibilities, and thus of the sustainability of public policies.

Achieving gender equality goals implies coordination between the various areas of public action, as well as the participation and commitment of all actors, whether civil society or business. It also implies managing the political economy and interests that have stymied this type of transformation in the region in the past. The countries are setting out towards the objectives of the 2030 Agenda for Sustainable Development amid a socioeconomic and political reality marked by tensions and contradictions (ECLAC, 2016a), with reduced social investment, increased poverty and limited budget allocations, all at a time when slowing growth requires bold political decisions on fiscal matters, investment and social protection, and even bolder and more creative efforts to close the gender gap without undoing the progress already made.

It is important to set about creating the synergies needed to continue strengthening the regional gender agenda. This will require inclusive, multistakeholder forums for dialogue and cooperation between institutions, all focusing on women's human rights and autonomy, hand in hand with greater social and economic justice for society as a whole.

# E.    The 2030 horizon with equality, autonomy and rights

In relation to gender equality and women's autonomy, the 2030 Agenda for Sustainable Development, together with its 17 Goals, 169 associated targets and 230 global indicators, is echoed in greater depth, breadth and boldness in the regional gender agenda. As the experience of the Millennium Development Goals showed, the achievement of targets relating to women's autonomy and gender equality cannot be measured with minimum quantitative indicators. In order to gauge progress towards targets aimed at subverting structural inequalities based on the gender system and the intersectionality of inequality, it is crucial to compile qualitative information that reflects the transformation of power relations at all levels.

The Latin American and Caribbean region is prepared to support systematic links between the follow-up of Sustainable Development Goals, the Beijing Declaration and Platform for Action, the Cairo Programme of Action and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the regional gender agenda enshrined in the agreements adopted at the sessions of the Regional Conference on Women in Latin America and the Caribbean. The region stands ready to drive synergies to address the structural causes of gender inequality, thus cultivating more just and egalitarian societies and truly sustainable development by converting commitments into action.

To this end, the rights perspective must be woven strategically throughout the agenda. This approach avoids prioritizing certain rights over others, given their indivisibility, and helps to tackle the interrelationships between physical, economic and decision-making autonomy. The principles of non-discrimination and equality link up to generate progress towards substantive equality while eliminating the multiple forms of discrimination against women in all their diversity. This also helps to avoid creating a single and homogenous view of women, and takes into account their experiences of womanhood and the need for fair policies to advance towards full equality of capacity, agency, dignity and rights.

"Inequality is not only ethically unacceptable, but also represents a formidable barrier to development" (ECLAC, 2016a, p. 9). Incorporating the rights- and equality-based approach into the implementation of all goals, including the means of implementation of the Sustainable Development Goals and the regional gender agenda, is the great task facing governments of the region, with the support of civil society and international agencies. This must be undertaken in a determined effort to connect short-term goals with a strategic medium- and long-term vision that "leaves no one behind".

This effort implies not only knowing the final objective, but also how to achieve it, that is, having guidelines for developing strategies that mainstream gender equality through all policies, programmes, administrative and financial activities, and institutional culture, to truly change the lives of women and men in the region, and overcome two characteristics that have negative impacts for women: social maternalism in policies and the androcentric bias of labour markets based on the ideal worker model. The challenge is incorporating a perspective focused on entitlement to rights and autonomy (which reveals the gap between formal and real equality) as a key element for the full exercise of citizenship and the identification of alternative policy options. The principle of non-regression implies that even at times of economic crisis or slowdown, the maximum amount of resources must be made available to fulfil these rights.

To a greater or lesser extent across the region, the focus of citizen participation in Latin American countries has changed in the past few years, and fields of political action have shifted, with discussions, themes and subjects giving new meaning to democracy. The role and evolution of the feminist and women's movements in their militant, community, sectoral and academic forms, in networks and organizations, have undeniably contributed to the gender equality achievements in the region. As ECLAC has stated previously, feminism has contributed in particular to driving autonomy with reciprocal recognition, with an emphasis on the processes whereby it is acquired and developed, for example in situations of oppression and domination in social relationships embedded in institutions and families, and has irreversibly linked equality and freedom, distribution and recognition as principles and objectives of development. It has thus shown that equality can be exercised only in the presence of autonomy, that is, when decisions, capabilities and personal development do not depend on others (ECLAC, 2014a). These pluralistic voices and efforts —among which difference does not equate to hierarchy but has to do with the social groups involved— now have a new window of opportunity to contribute, without giving in to depoliticizing neutralization (Prado, 2016), to building, by 2030, a fairer and more equal society, in a comprehensive reflection of humanity and a development model in which to live in dignity.

Against this backdrop, emphasis should be placed on the economic agenda of development and gender equality, focusing the discussion on women's economic autonomy with an overarching framework of structural change in the production matrix and expanded fiscal space thanks to tax progressiveness and the fight against tax evasion and avoidance, which should generate sufficient and stable resources for equality policies and public investment in the fulfilment of women's rights.

This does not mean that unresolved issues, such as violence against women, sexual and reproductive rights, obstacles in education and health, and participation in decision-making processes, will cease to be priorities. Bearing in mind the 2030 horizon, emerging themes relating to information and communications technologies, the development of science and industry 4.0, or smart industries also need to be addressed. These, based on the Internet of Things, correspond to a new way of organizing the means of production that, through greater adaptability and better allocation of resources, will bring about significant changes in employment and social protection that could affect the rights of working men and women (ECLAC, 2016g). Another issue relating to women that must be considered in the short term, along with the demographic shifts they are driving, is their contribution to urban development, transport and care infrastructure. The demise of the current development model (ECLAC, 2016a) also requires consideration of women's role in the green economy, mitigation of climate change and environmental conflicts. Mitigation means taking measures to reduce greenhouse gas emissions, so it is necessary to analyse how the current gender order is linked to the prevailing patterns of production, consumption, use of energy and technologies, and women's contribution as producers, workers, consumers, researchers and decision-makers, with a view to the environmental big push required for sustainable development.

The 2030 Agenda for Sustainable Development and the regional gender agenda require a social and political coalition that revolves around the civilizational proposal of gender equality, making it feasible and real. The transformative vision of the future involves building bridges from existing policy platforms and generating convergent paths among the different actors, sectors and investments at the global, regional, subregional and national levels, driving innovations and decisions that guarantee all women —present and future— a life with rights, equality and full enjoyment of their autonomy as collective subjects, shedding the secular discriminatory and patriarchal traits of our societies and public policies.

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Through the Regional Conference on Women in Latin America and the Caribbean, the Latin American and Caribbean States have almost four decades of experience in generating successive consensuses —with the support and participation of civil society— aimed at eliminating gender inequality and ensuring fulfilment of women's rights and autonomy.

From the first Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean, held in Havana in 1977, to the present day, and amid significant global achievements —such as the adoption of the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action—, public policy concerns and proposals have changed and matured in light of progress towards greater equality between women and men. Efforts to integrate women into development, which started out as the central focus, now represent fresh challenges, among which sustainable development with gender equality is of special significance.

The reflections and way forward proposed here require a strategic and ambitious approach, as does the challenge of transforming the current unsustainable development model. This document is both an invitation and a tool to contemplate the future, consolidate the progress made, embrace long-postponed commitments and obligations regarding women's rights, and pave the way for the region to attain sustainable development with full gender equality.