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**United Nations Division for the Advancement of Women, now part of UN Women  
United Nations Economic Commission for Latin America/ Subregional  
Headquarters for the Caribbean**

**Expert Group Meeting on good practices in national action plans  
on violence against women  
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\* *The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations*

These discussion notes have two parts: The first is prepared taking in consideration the NAP of Argentina. This NAP was established in April 2009, through National Law 26.485. In July 2010 the NAP was regulated by National Decree 1011-2010. Nevertheless, this NAP is still in the process of designing and has not been implemented.

The second part will refer to some good practices observed in NAPs implemented in the LAC region, taking in consideration other national plans.

## I. NATIONAL ACTION PLAN OF ARGENTINA

### (i) Guiding principles

*Values and principles outlined in the NAP:*

The guiding concepts outlined in the NAP, included in ARTICLE 7 of the LAW 26.485 are the following:

The three branches of government, whether of national or provincial level, should take the necessary measures to guarantee, in each of their activities, full respect of the constitutional right to equality between women and men and the following principles:

- a) The elimination of discrimination of women and of unequal relations of power between men and women;
- b) The adoption of measures to raise awareness in society about violence against women, promoting values of equality and discrediting violence against women;
- c) Assisting women who suffer any kind of violence in a timely and comprehensive manner, ensuring free, fast, effective and transparent services created for that purpose, and to promote rehabilitation of those who exercise violence;
- d) the principle of mainstreaming gender equality will be present in all measures and in the implementation of the provisions and policies, coordinating the various institutions and budgetary resources;
- e) The incentive for cooperation and participation of civil society;
- f) Respect for the right to confidentiality and privacy

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g) Ensuring the existence and availability of financial resources to enable compliance of the objectives of the VAW law;

h) Recognition of all the principles and rights recognized by the Convention on the Prevention, Punishment and Eradication of Violence against Women. (Convention of Belem do Para)

*- Does the NAP incorporate international standards (e.g, CEDAW, Beijing Platform for Action) and use them as a framework?*

The NAP of Argentina incorporates international standards, contained in the CEDAW Convention and in the Convention on the Prevention, Punishment and Eradication of Violence against Women. (Convention of Belem do Para).

*- What are the ways in which the NAP links to broader policy on gender equity and women's empowerment? (in institutional and consultation structures as well as actions)*

In order to link the NAP with broader policy on gender equality and women's empowerment, the National Council of Women, in charge of the implementation, will:

-Implement the priority actions, promoting their articulation and coordination with different ministries and secretariats of the executive branch at national, provincial and municipal jurisdictions, with universities and civil society organizations (, labor, business, religious, advocacy organizations, women's rights and others) as well as people with expertise in the field;

- Convene and form an ad honorem Advisory Council, composed of representatives of civil society organizations and academic specialists, which shall give advice and recommend courses of action and strategies to deal with the phenomenon of violence;

- Promote in different jurisdictions at the federal level, the implementation of comprehensive support and free services for women who suffer violence;

*- What are some of the intersections between the NAP and gender equality machinery and/or gender budgeting?*

There are no initiatives to promote gender budgeting at the national level, which is why there are no intersections.

*- Does the NAP aim to harmonize laws and policies to ensure consistent legal and policy frameworks that promote women's rights and elimination of violence against women?*

No

- *What is the duration of the NAP?*

It is not established yet.

- *Which forms of violence against women are covered in the NAP and does the NAP provide definitions of these forms?*

Definitions of these forms of violence against women are provided in the Decree 1011-2010. The NAP will cover the followings forms of violence against women:

a) Domestic violence against women: Violence against women by a household member, regardless of the physical space where it occurs.

b) Institutional violence: VAW coming from Officials, professionals, staff and agents belonging to any organ, authority of the state or public institution.

c) Violence against women at the Workplace: Violence that involves discrimination against women working in the fields of public or private employment and hampers their access to employment, recruitment, promotion, stability or permanence in the job.

d) Violence against reproductive freedom: Violence that violates the right of women to decide freely and responsibly on the number or spacing of pregnancies, in accordance with Law 25 673, that created the National Sexual Health and Responsible Parenthood Program;

e) Obstetrics Violence: one that exerts health personnel on the body and reproductive processes of women, expressed in a dehumanizing treatment, abuse of medicalization and pathologizing of natural processes, in accordance with Law 25 929 (humanized delivery).

f) Violence against women in the Media: the publication or dissemination of stereotypical images and messages through any mass medium.

**(ii) Development and adoption of National Action Plans (NAPs) on violence against women (VAW)**

- *What process led to initiating the development of national action plan on VAW?*

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The process that led to the development of a national plan on VAW was initiated by petitions from the women movement, and followed by the recommendations of the Hemispheric Report of the MESECVI<sup>1</sup>. This is the intergovernmental mechanism created to follow up the Interamerican Convention of Belem do Pará. On July 18, 2008, the MESECVI launched this report where one of the most important recommendations to the States parties of the Convention was to design and implement a national Plan of Action on VAW that, among other requirements, should be funded by a specific and genuine budget item, and should create a statistical system.

*- Which were the leading governmental bodies responsible for the development and the adoption of the NAP?*

The leading governmental body responsible for the development and the adoption of the NAP is the National Council of Women.

### **(iii) Legislation**

*- Is there a reference in the national legislation on violence against women, if it exists, to the national action plan as the framework for the implementation of the legislation? Please specify.*

The NAP was regulated by National Law 26.485, “Law on Comprehensive Protection for the Prevention, Punishment and Eradication of Violence against Women in the Areas in which they develop their interpersonal relations”.

### **(ix) Implementation**

#### ***Coordination***

*- What type of measures on cooperation and coordination among different services and agencies and exchange of good practices are included in the NAP?*

The national state will implement the development of the following priority actions, promoting their articulation and coordination with different ministries and secretariats of

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<sup>1</sup> OEA/Ser.L/II.7.10- MESECVI-II/doc.16/08 rev. 1 - 18 julio 2008

the national executive, provincial and municipal jurisdictions, universities and civil society organizations with expertise in the field:

1 .- Cabinet of Ministers - Cabinet Secretariat and Public Management:

- a) To promote specific policies to implement existing legislation on sexual harassment in the national civil service and ensure the effective enforcement of the principles of nondiscrimination and equal rights, opportunities and treatment in public employment;
- b) Promote, through the Federal Council of Civil Service, similar actions in the area of provincial jurisdiction.

2 .- National Ministry of Social Development :

- a) policies to promote employment for women who suffer violence;
- b) Develop criteria to prioritize the inclusion of women in the plans and programs to strengthen and promote social plans for emergency assistance;
- c) Promoting training and financing lines for the professional insertion of women in processes of recovering from violence;
- d) Support projects for the creation and implementation of programs for emergency care for women who suffer violence and their children;
- e) agreements with banks to facilitate credit lines for women suffering violence;
- f) Coordinate with the National Secretariat for Children, Youth and Family and the Federal Council for Childhood, Adolescence and the Family, criteria for attention of girls and adolescents who are oppressed.

3 .- National Ministry of Education:

- a) Coordinate within the Federal Council of Education to include in the curriculum notions of gender equality, the exercise of tolerance, respect and freedom in interpersonal relations, equality between the sexes, the democratization of family relationships, respect for human rights and the discrediting of violent conflict resolution models;
- b) Promote measures to be included in teacher training, plans for early detection of violence against women;
- c) To recommend measures to provide the immediate change of residence for boys and adolescents who are affected from a violent situation;

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- d) Promote the incorporation of the theme of violence against women in tertiary curricula and university levels both in degree and post degree;
- e) Encourage revision and updating of textbooks and teaching materials in order to eliminate stereotypes or discriminatory approaches, promoting equal rights, opportunities and treatment between women and men;
- f) The measures proposed above will be promoted in the area of the Federal Council of Education.

4 .- Ministry of Health of the Nation:

- a) Incorporate the issue of violence against women in the comprehensive health programs for women;
- b) To promote the discussion and adoption of the instruments adopted by the Ministry of Health of the Nation on violence against women in the Federal Health Council;
- c) Design specific protocols for early detection and treatment of any type and form of violence against women primarily in the areas of primary health care, emergency, medical clinic, obstetrics, gynecology, orthopedics, pediatrics, and mental health, which specify the procedure for the care of women suffering from violence, protecting the privacy of the person assisted in the medical practice and promoting non-sexist treatment. The procedure should ensure the collection and preservation of evidence;
- d) Promoting services or programs with interdisciplinary teams specializing in the prevention and treatment of violence against women and / or those who exercise the use of care protocols and referral;
- e) Promote the implementation of a register of persons assisted by violence against women, to coordinate between national and provincial levels.
- f) Ensure the specialized care for children witnessing violence;
- g) Promote agreements with the Superintendency of Health Services, to include prevention and care programs on violence against women at the health-care facilities, social security institutions and Prepaid Health Care, which shall incorporate in its coverage on an equal footing with other benefits;
- h) To encourage continuing education for health care personnel in order to improve early diagnosis and medical care;
- i) To promote, within the Federal Health Council, tracking and monitoring of the implementation of the protocols. To this end, national and provincial agencies may enter

into agreements with institutions and civil society organizations.

5.- National Ministry of Justice, Security and Human Rights:

5.1. Department of Justice:

- a) Promote policies to facilitate women's access to justice through implementation and strengthening of information centers, legal advice and free legal assistance;
- b) Promote the implementation of agreements with professional associations, academic institutions and civil society organizations to provide specialized and free legal assistance;
- c) Promote the harmonization of criteria for the preparation of court reports on the status of women who suffer violence;
- d) To promote coordination and cooperation between the various courts involved in order to improve the effectiveness of legal action;
- e) Promote the development of a protocol for receiving complaints of violence against women in order to avoid unnecessary prosecution of those cases requiring other approach;
- f) Promote exchange and joint request with the Supreme Court's Office to encourage the various Judiciary levels of specific training;
- g) Encourage the creation of spaces for specific training for legal professionals;
- h) Promote research on the causes, nature, severity and consequences of violence against women and the effectiveness of measures implemented to prevent and redress its effects, regularly disseminating results;
- i) Ensure access to specific care services for women prisoners.

5.2. Safety Department:

- a) Encourage the police and security forces, the development of interdisciplinary services that provide support to women who suffer violence to optimize their care, referrals to other services and compliance with legal provisions;
- b) Develop the scope of the Homeland Security Council, the basic procedures for the design of specific protocols for the police and security forces in order to provide appropriate responses to prevent victimization, provide adequate care, assistance and police protection to women who file complaints before the police;



- c) Promote the coordination of the police and security forces involved in addressing violence against women, government institutions and civil society organizations;
- d) To sensitize and train police and security forces in the issue of violence against women within the framework of respect for human rights;
- e) Include in the training programs for the police and security forces curricula on human rights of women and in particular on gender violence.

5.3. Human Rights Office and the National Institute against Discrimination, Xenophobia and Racism (INADI):

- a) Promote the inclusion of the issue of violence against women in all programs and activities of the Secretariat of National Human Rights and INADI, in coordination with the Federal Human Rights Council.

6.- Ministry of Labor, Employment and Social Security of the Nation:

- a) Develop awareness programs, training and incentives to business and unions working to eliminate violence against women and promote equal rights, opportunities and treatment in the workplace and respect to the principle of non-discrimination:

1. Access to jobs;
2. Career, in terms of promotion and training;
3. The permanence in the job;
4. The right to equal pay for equal work or function.

- b) To promote, through specific programs to prevent sexual harassment against women in business and trade unions;

- c) Promote policies aimed at training and professional inclusion of women suffering violence;

- d) To promote respect for labor rights of women suffering violence, particularly when they must leave their job in order to comply with professional requirements, both administrative and those arising from judicial decisions.

7.- Ministry of Defense of the Nation:

- a) Harmonize the regulations, codes and practices within the armed forces with the

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Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention, Punishment and Eradication of Violence against Women;

- b) Promote programs and / or affirmative action measures designed to eliminate patterns of discrimination against women in the armed forces;
- c) Raise awareness at all levels of hierarchy on the issue of violence against women in the framework of respect of human rights;
- d) Include in the training program subjects or specific content on the human rights of women and gender violence.

8.- National Secretariat of the Media:

- a) Promote through the National Media dissemination of campaign; messages; ongoing training and awareness aimed at the general population and in particular to women about their right to live a life free of violence;
- b) Encourage the mass media, respect for human rights of women and treatment of violence from a gender perspective;
- c) Provide training to professionals in the mass media on violence against women;
- d) Encourage the elimination of sexism in the information;
- e) Promote, as a matter of corporate social responsibility, the dissemination of advertising campaigns to prevent and eradicate violence against women.

*Budget*

- Please specify to what extent a certain budget for the implementation of its activities is included in the NAP. - How are most of the activities/targets under the plan funded? Please specify.

According to Article 43 of Law 26.485, Items that are necessary for the implementation of this law shall be provided annually in the General Budget Law of the Federal Government.

*Protocols, guidelines, standards and regulations*

- Does the plan provide for the development and adoption of protocols, guidelines, standards and regulations to support and facilitate the implementation of laws on the elimination of violence against women and the NAP?

The Observatory has the mandate of elaborating protocols and guidelines to facilitate the implementation of the VAW Law.

***Specific institutional mechanism to monitor implementation***

- Which mechanism coordinates and assesses activities undertaken for the implementation of the NAP is included in the NAP? Which governmental agencies participate? Does the civil society participate as well? - What are the functions of such mechanism/s? What kind of reporting is in place?

To evaluate the NAP was created an Observatory on Violence against Women in the area of the National Council of Women, aimed at monitoring and recording data and information on violence against women.

The Centre shall have the task of developing an information system that provides inputs for the design, implementation and management of public policies to prevent and eradicate violence against women.

The functions of the Observatory on Violence against Women:

- a) Collect, process, record, analyze, publish and disseminate regular and systematic and comparable data on violence against women;
- b) Promote the development of studies and research on the development, prevalence, types and forms of violence against women, its consequences and effects, identifying those social, cultural, economic and political factors that are associated in some way or may be a cause of violence;
- c) Incorporate the results of the researches and studies on violence against women produced by regional and international organizations;
- d) Conclude cooperation agreements with public or private, national or international organizations, in order to articulate and develop interdisciplinary studies and research;
- e) Create a network of information and dissemination of the data gathered, as well as the studies and activities of the Centre, through its own web page or site linked to the National Council of Women. Create and maintain a current documentation center permanently open to the public;
- f) Review best practices in prevention and eradication of violence against women and disseminate the innovative experiences in the field among civil society organizations and national, provincial or municipal institutions;

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- g) Coordinate actions with government agencies with jurisdiction over human rights of women for the purpose of monitoring the implementation of policies to prevent and eradicate violence against women to assess their impact and develop proposals for actions and reforms;
- h) Encourage and promote the organization and holding of regular public debates, involving research centers, academic institutions, and civil society organizations, promoting the exchange of experiences and identifying issues and problems relevant to the public agenda;
- i) Provide training, advice and technical support to public and private agencies for the implementation of the protocols;
- j) Coordinate the actions of the Observatory on Violence against Women with other observatories that exist at the provincial, national and international level;
- k) To publish the annual report on activities, which should contain information on studies and investigations and proposals for institutional reform or policy. It will be released to the public and submitted to the authorities with jurisdiction in the matter to take appropriate action.

## **II. Good practices observed in NAPs implemented in the LAC region**

**Bolivia:** In Bolivia the NAP was implemented by the National Ministry of Health, considering VAW as a public health problem and it was elaborated with the advice and support of PAHO. It includes personal, interpersonal and collective violence. This plan focuses actions in the health sector. It identifies risk factors and axial points of interventions:

1. Individual and collective empowerment for prevention
2. Strengthening the response of the public health sector particularly in the primary health attention
3. Development of human resources and
4. Articulation with other actors

The juridical framework rests on domestic violence laws. Bolivia is lacking a comprehensive juridical framework that addresses violence in all spheres.

While framed in the health sector, (and for this reason lacking a comprehensive approach to the issue of gender violence) this NAP develops widely the actions and responsibilities of the health sector, implementing regulations and protocols to be applied by health workers that could be useful if integrated in a more broader plan. It also includes specific indicators to monitor the implementation and budget items for each activity.

**Brazil:**

The first interesting issue in the Brazil NAP is the process of elaboration that includes a high level of participation of different actors, including academia, experts and civil society organizations.

Secondly, it is framed in national and international human rights standards, including the Belem do Para Convention, CEDAW and the Palermo Protocol.

Its goals are prevention and combating violence against women, and assisting women in situation of violence.

The National Council of Women Rights has the responsibility of implementing and monitoring this NAP. The creation of the Special Secretary for Women Policies, connected with the Presidency of the Republic, dedicated also to this issue, gives more importance to this NAP.

The NAP covers VAW that takes place in the family, the community and by the State. It includes the following forms of violence: domestic (psychological, physical, sexual, moral or economic), sexual (abuse or sexual exploitation of girls under 18 years old, sexual harassment at the workplace), trafficking of women and institutional.

One interesting item is the 4<sup>th</sup> and last axial point, after prevention, combating and assistance: the Granting of Rights: A set of activities aimed to the fulfillment of national and international initiatives for the empowerment of women.

Another issue is the concept of Networks of Attention (Rede de Atendimento): a combined effort of governmental entities (at all level, states, municipalities and federal government) and civil society organizations in order to prevent VAW and attend women in situation of violence. This network operates through Centers of Reference (Centro de Referência) that articulates between governmental services and nongovernmental organizations that integrates the network. The Centers receive women in situation of violence and monitor the treatment that they receive from different organs that integrate the network.

There are other interesting initiatives, like the Defensorias Da Mulher (for women lacking resources); and specialized tribunals for domestic violence, among others.

In the principles that are at the base of the NAP, one is the Secular State: the policies for women should be formulated and implemented independently of religious principles, looking for granting rights consecrated in the Federal Constitution and other international covenants signed by Brazil.

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Women in prison and affected by HIV are specially addressed in the plan. The NAP has a time limit of 4 years.

## **México**

This program establishes a comprehensive strategy with four lines of action closely related, cross-cutting strategies and it also include measures to ensure prevention, care, punishment and eradication of all types and forms of violence against women during their life cycle. This program articulates a set of objectives and strategies around four axes:

1. Prevention
2. Care
3. Punishment
4. Eradication

It covers all areas of occurrence and all types of violence.

- The Plan is framed in several international covenants, including CEDAW, Belem do Para and the Convention on the Rights of the Child.
- At the national level, it is based on the National Constitution; on a comprehensive law: General Law on the Access for Women to a Life free of Violence and its regulation, and on the Federal Human Rights Program 2008/2012.

One of the Strategies (Strategy 5.4) aims to combat and punish more severely gender-based violence through awareness programs and training addressed to the police, medical doctors, public prosecutors, judges, and all staff responsible for providing protection and care to women who experience violence in all its forms and modalities.

The NAP has indicators and strategies for each axial point.

One interesting strategy consists in designing a manual to guide the media in the coverage of violence against women to avoid victimization and justification of the crime committed by the aggressor.

Another is to strengthen the content and design of radio and video bilingual programs with gender equality and human rights principles in campaigns designed to spread through mass media and cultural radio system in Spanish and Indian language, to help generating a culture of respect for human rights of indigenous women, visibilizing gender violence and diffusing legal remedies that assist them.

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The also propose to promote alliances with publicist from the advertising companies organizing contests and awards that promote the elimination of gender stereotypes.

It is also very interesting the strategy of encouraging the development of media spaces with gender perspective and to promote a national network of journalists that contributes to the promotion of human rights of women.

Four different Ministries at the Federal level are involved in the implementation of the NAP, what requires an important level or articulation.