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Declaration of Buenos Aires

Approved by the Ministers and High Authorities of the National Mechanisms for the Advancement of Women towards the 63rd period of sessions of the Commission on the Status of Women (CSW63)

Social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls

Regional Consultation of Latin America and the Caribbean

Buenos Aires, Argentina, 11-12 December 2018



We, the Ministers and High Authorities of the National Mechanisms for the Advancement of Women in Latin America and the Caribbean, gathered in Buenos Aires on December 11 and 12, 2018, at the Regional Consultation prior to the 63rd session of the Commission on the Status of Women (CSW63), which will consider as priority theme "*Social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls*", to be held at the United Nations headquarters in New York from March 11 to 22, 2019.

We reaffirm the commitments assumed by our States in international and regional agreements, covenants and conventions on women's human rights and gender equality, such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belem do Para), the 2030 Agenda and Sustainable Development Goals (SDGs), the Beijing Declaration and Platform for Action, the Montevideo Strategy for Implementation of the Regional Gender Agenda within the Sustainable Development Framework by 2030, the Montevideo Consensus on Population and Development, and other instruments related to physical autonomy, empowerment in decision-making and economic empowerment of women, adolescents and girls in all their diversity, including, but not limited to, women in situations of vulnerability, young women, women heads of households, women deprived of freedom and in psychiatric reclusion and

their children, and homeless women and girls, rural and women in agriculture, indigenous, Afro-descendant, mestizo women, women from ethnic and cultural minorities, migrant, displaced and refugee women, from continental or insular territories, lesbians, trans, with disabilities, elderly women and women living with HIV/AIDS, so that they may live lives free from any form of violence, discrimination and exclusion.

We acknowledge that women and girls are subject to multiple and intersecting forms of discrimination and marginalization, which makes it necessary to consider and recognize the diversity of situations and conditions faced by women and acknowledge that they face special barriers that impede their empowerment, including women living with disabilities, elderly women and rural women.

We reaffirm that the promotion and protection of, and respect for, the human rights and fundamental freedoms of women, including the right to development, which are universal, indivisible, interdependent and interrelated, should be mainstreamed into all policies and programs aimed at the eradication of poverty. We also reaffirm the need to take measures to uphold every person's right to participate in, contribute to and enjoy economic, social, cultural and political development, and that equal attention and urgent consideration should be given to the promotion, protection, non-regression and full realization of civil, political, economic, social and cultural rights.

We recall that Article 13 of CEDAW sets out the obligation for the States to take measures to eliminate discrimination against women in the spheres of economic and social life in order to ensure conditions of equality between men and women.

We recall that Article 14 of the CEDAW Convention expresses the obligation of the States to take measures to realize the substantive equality of rural women; however, their disadvantages persist, including obstacles to their organization and the exercise of their citizenship, given their difficulties to access high-quality education, health services and justice. In addition, they lack due protection to live a life free of violence, especially in cases of armed conflict. As a result, they face multiple intersecting inequalities and discriminations, aggravated by trends adverse to gender equality and women's rights, which are patriarchal and in many cases fundamentalist, that reinforce stereotypes, reject an understanding of gender as a social construct and aim to maintain a system of power based on the sexual division of labor.

We highlight, as indicated in CEDAW General Recommendation No. 33 that access to justice is an essential element to achieve the realization of human rights and that its absence produces an effect of discrimination and inequality, mainly in the provision of social services that are basic for the empowerment of women and girls.

We also recall that Article 62 of the General Recommendation No. 37 of the CEDAW Committee on "*Gender-related dimensions of disaster risk reduction in the context of climate change*" recognizes that the burden of care and domestic work increase for women after disasters and that the destruction of food stocks, housing and infrastructure, as well as the provision of water and energy, and the absence of adequate social protection systems and health care services, entail specific consequences for women and girls, increasing their vulnerability and mortality, and impacting their economic activities and their access to

resources such as information and education, which are necessary for recovery and adaptation.

We acknowledge the principle of non-regression, according to which the promotion and respect of human rights recognized in International Law should not be reviewed if this would imply reversing the levels of protection previously achieved, especially with regards to gender equality and the empowerment of women and girls in all their diversity.

We recognize that social protection systems, public services and sustainable infrastructure are indispensable to achieve gender equality and the empowerment of women and girls (SDG 5), and that they form the backbone of the 2030 Agenda for the achievement of all the SDGs.

We also recognize that in order to address gender inequality, social protection systems, access to public services and sustainable infrastructure should not be considered in isolation; on the contrary, holistic, coordinated and sufficiently financed approaches are required, since, when appropriately addressed, the interconnection between the three issues has the potential to multiply the positive effects and jointly improve women's lives, thus resulting in exponential gains for gender equality and the empowerment of women and girls.

We recognize that, despite improvements in the region of Latin America and the Caribbean, the design and implementation of social protection systems providing universal coverage, basic health and social security have not yet achieved sufficient quality and coverage, and sometimes reproduce traditional patterns of subordination of women, which reinforce gender inequality and the sexual division of labor. We express our concern that social protection systems are affected by volatile and insufficient financing and are occasionally exposed to fiscal constraints during periods of financial crisis and economic recession, particularly affecting people suffering from poverty and vulnerability, the majority of whom are women, and exposing them to a higher risk of facing multiple and intersecting forms of discrimination.

We recognize that in the majority of cases, infrastructure is primarily designed from a macro-economic perspective to support economic growth, often neglecting basic needs and resulting in a generalized lack of gender, human rights and multicultural perspectives, which should be considered.

We also recognize that social protection systems, access to public services and sustainable infrastructure have not adequately addressed care needs and have resulted in care work being provided mostly in the private sphere and relying primarily on women and girls of all ages, limiting their access to education and opportunities.

We recognize the specific vulnerabilities faced by Small Island Developing States (SIDS) in the Caribbean region, and note, as expressed in the Resolution approved by the General Assembly on November 14, 2014 (RES/69/15) on the Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway), that social security constitutes a key automatic stabilizer against external shocks, especially in times of financial crisis and its effects, and helps families and social groups to better navigate difficult times.

We recognize that social protection systems must be designed and implemented with a gender and human rights perspective, and an intersectional, intercultural and intersectoral

approach, and include among its objectives the fight against poverty, in particular the feminization of poverty, and relief for the suffering of populations impacted by natural hazards, and their support when they face significant economic risks, allowing countries to generate responses and protect women in all their diversity and in the most vulnerable and marginalized situations.

We acknowledge the need to integrate into social protection systems the effects of armed conflict on women and girls, including effective institutional mechanisms to ensure the protection of their rights, especially those of victims and survivors of sexual violence, women former combatants and women human rights defenders.

We recognize and value the participation of feminists and women's organizations, their contribution to the debate and their proposals for the regional consultation. Alliances and commitments between the national mechanisms for the advancement of women and civil society organizations working towards gender equality and women's rights are essential to promote the necessary transformation and a guarantee of the sustainability of the conquests and achievements in the empowerment of women and girls.

We acknowledge the importance of allocating sufficient financial resources for human resource and institutional capacity-building and strengthening, in particular in small, highly indebted Caribbean countries and territories, for the full and effective implementation of women's human rights and gender equality policies.

We thank the academic researchers, civil society organizations, United Nations agencies, funds and programmes, especially UN Women, and the Division for Gender Affairs of the Economic Commission for Latin America and the Caribbean (ECLAC), as Secretariat of the Regional Conference on Women, whose knowledge products contribute to the identification of problems and the definition of possible solutions by the leadership of our institutions.

As leaders of the governing bodies and managers of public policies aimed to promote gender equality and the empowerment of women and girls, we hereby declare that we direct our efforts to:

1.- Strengthen regulatory, legal and institutional frameworks to guarantee social protection systems, public services and sustainable infrastructure which contribute to gender equality and the empowerment of women and girls in all their diversity.

1.1.- Reinforce regulatory and legal frameworks for the development and strengthening of social protection systems following a rights-based approach and ensuring the incorporation of a gender perspective, and an intercultural and intersectoral approach in their design and implementation.

1.2.- Ensure that non-discriminatory social protection systems, with a gender and human rights perspective, contribute to a more equitable distribution of unpaid care work between men and women and foster co-responsibility among the State, the private sector, the community, families and households with regards to the tasks of social reproduction.

1.3.- Promote programs based on a universal and comprehensive legal foundation, with a gender and human rights perspective, and intersectional and intercultural approach.

1.4.- Ensure that the right to enjoy the benefits of social protection systems is clearly defined, transparent and mandatory, addressing barriers to information, and institutionalizing complaint mechanisms which are accessible to all beneficiary women and contribute to the adaptation and redesign of programs.

1.5.- Ensure the substantive representation of National Mechanisms for the Advancement of Women, and promote the participation of women's organizations, women human rights defenders and women's chapters in trade union organizations, in social dialogues on the design and assessment of social protection systems, infrastructure, public services, and their components.

1.6.- Strengthen governance and coordination between institutions responsible for social protection, public services and infrastructure development and national mechanisms for the advancement of women.

1.7.- Eliminate legal and institutional barriers to women's effective and equal access to justice, guaranteeing participation, transparency, independence and timely and quality service, including repairing the damage in case of violation of their rights in areas related to social protection, public services and infrastructure development.

2. - Address gender gaps in the access to social protection.

2.1.- Promote the revision of conditionalities of cash transfer programs to avoid their reinforcement of gender stereotypes and exacerbating women's unpaid work.

2.2.- Expand coverage of cash transfers to families with children and dependents, seeking to progressively advance towards a universal social protection floor according to fiscal and technical capacities of each country.

2.3.- Advance in social protection schemes that allow the economic, social and juridical recognition of unpaid domestic and care work.

2.4.- Promote social protection measures for rural and urban women who perform unpaid care work, as well as low-income groups in accordance with each State's legislation and capacities

2.5.- Develop mechanisms to allow for the mobility of social security rights for migrant workers and establish specialized social protection system for women on the move.

2.6.- Promote income security for elderly women through contributory and non-contributory systems that reduce gender gaps in coverage and amount.

2.7.- Promote the ratification and enforcement of ILO Convention 183 on maternity protection, the extension of paternity and parental leave, and measures to encourage the role of men in the co-responsibility of care.

2.8.- Ensure that there are adequate mechanisms to protect women in all their diversity in case of widowhood, gender-based violence, or family dissolution (such as maintenance allowance, pension and property rights, etc.) and review, redesign and improve measures to ensure their implementation.

2.9.- Ensure that a gender perspective is integrated into social protection measures designed to respond to the impact of natural hazards, humanitarian emergencies, armed conflict and post-conflict situations.

2.10.- Advance compliance with ILO Recommendation 202 on social protection floors to guarantee basic universal access for all workers without discrimination.

3. - Transform the provision of public services towards gender equality and the empowerment of women and girls in all their diversity.

3.1.- Ensure access and accessibility to age appropriate public services throughout the life cycle by integrating gender, disability and human rights perspectives, and intersectional and intercultural approaches, and facilitating the simplification of eligibility requirements and bureaucratic procedures.

3.2.- Extend coverage and ensure the quality of child care services for children up to 3 years old and pre-school education for boys and girls aged 4 and 5 years old.

3.3.- Increase the daily hours of school time for children and adolescents in line with the average paid and unpaid work day of their caregivers.

3.4.- Implement Recommendation 36, Paragraph 69 of CEDAW to "*develop and introduce age appropriate, evidence based, scientifically accurate mandatory curricula at all levels of education covering comprehensive information on sexual and reproductive health and rights, responsible sexual behavior, prevention of early pregnancy and sexually transmitted diseases*".

3.5.- Ensure the provision of quality long-term care and services for children, dependent persons, in compliance with human rights and non-discrimination principles, thus reducing the burden of care for women.

3.6.- Promote universal access and funding for accessible, affordable and quality health care services, for all women and men in all of their diversity, with health and medical personnel trained in human rights and multiculturalism, with special emphasis on access to sexual and reproductive health, including education on sexual and reproductive health, especially family planning, safe, effective and modern contraception measures, emergency contraception, teenage pregnancy prevention programs, the necessary products and services for menstrual hygiene; attention to prenatal, birth and postnatal care, respecting ancestral knowledge and practices, as well as the legal access to abortion without risk, from a human rights perspective, without contravening national legislation.

3.7.- Take measures to prevent institutional violence and abuse, including discrimination and the refusal to provide services or impede access to them, and forced procedures, and provide adequate gynecological and obstetric care which, where possible, takes into consideration cultural and ethnic differences in accordance with ethnic origin and an intersectional approach.

3.8.- Overcome geographic barriers in order to guarantee access for rural areas to public services, including reliable transportation systems, which are free from violence, in particular sexual harassment to access such services on a regular basis and during emergencies and implement improvements through cooperation with the infrastructure sector.

3.9.- Take appropriate measures using a gender perspective to ensure the provision of basic social services (including sexual and reproductive health services and for the prevention of sexual violence) in situations of natural hazards and disasters, humanitarian emergencies, and armed conflict and post-conflict situations.

3.10.- Ensure the provision of services to address and prevent all forms of violence against women and girls, in the public and private spheres, including trafficking and sexual exploitation and other types of gender-based discrimination.

3.11.- Ensure the provision of public services for women deprived of freedom, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

3.12.- Adopt measures to foster social transformations that contribute to reducing the care workload that is performed mostly by women as well as to improve public services with a gender perspective.

4. - Promote investments in priority sustainable infrastructure to cover the needs of women and girls in all their diversity and their contribution to gender equality.

4.1.- Promote policies for urban and rural planning and development that address women's need for adequate transportation in order to access comprehensive care services, health centers, schools, senior centers and markets.

4.2.- Promote safe public spaces for women, allowing for the adequate provision of different types of transport, storage, security, electricity, water and drainage, waste collection and bathroom facilities.

4.3.- Integrate the gender and women's human rights perspective in the use of public spaces, especially considering women and girls with disabilities, those who are homeless into the design and development of smart cities, communities and rural areas and intelligent mobility planning processes.

4.4.- Promote collective transport networks that take into account the different needs of men and women, are adapted to be used by people with disabilities, and guarantee access to workplaces, educational and health centers, markets and other venues for basic care provision, that are affordable both in urban and rural areas, and that consider measures to protect women from gender-based violence and sexual harassment.

4.5.- Make investments to achieve optimum levels of access to energy, including renewable energy, taking into account the multiple roles of women and care-related needs and guaranteeing the development and maintenance of community energy systems (mini-networks), the management of demand to feed households and communities, and the lighting of public places such as parks and avenues to make them safer for women.

4.6.- Promote subsidy programs and support the connection of households to the electricity grid and adapt pricing mechanisms and regulations to the different payment capacities of households, including rates which cover the needs of households managed by women.

4.7.- Support the participation and leadership of women in the energy sectors and provide incentives for the production of micro-independent energy and micro-enterprises led by women.

4.8.- Promote the participation of women human rights defenders, indigenous women, women from grassroot and community-based organizations, rural women and women in agriculture and afro-descendant women in social dialogues, especially during negotiations and conflicts over large-scale infrastructure projects.

4.9.- Guarantee the continuous supply of channeled water to households and, until that is possible, ensure that the location of the water sources is determined after consultation with the final women users. In rural areas, prioritize "*multiple use*" sources that provide drinking water, irrigation for small plots and troughs for small herds.

4.10.- Invest in development programs and the expansion of technologies aimed at increasing decentralized water supply, such as rainwater collection.

4.11.- Implement effective mechanisms to manage the safety of women and girls in the use of public sanitation services and other related facilities, including schools, health clinics, transportation centers, government offices, markets, work places and temporary shelters for refugees, migrants or people affected by natural disasters, emergencies, and armed conflicts and post-conflict situations.

5.- Strengthen employment opportunities and workers' rights to social protection systems, public services and sustainable infrastructure for gender equality and the empowerment of women and girls.

5.1.- Support the creation of employment in care work and quality public services in the health, education and social protection sector, enforcing the principles of human rights and decent work standards, including the right to equal pay for equal work and the right to collective bargaining.

5.2.- Promote affirmative action so that women can equally benefit from jobs in infrastructure and public services, including greater access to employment and to levels of responsibility in sectors traditionally dominated by men.

5.3.- Promote the ratification and implementation of ILO Convention 189 on Domestic Workers and its effective application in national laws, decrees and compliance mechanisms, adopting measures to ensure the promotion and protection of the human rights of all workers.

5.4.- Promote conditions of decent work, security, social protection and decent remuneration for public service workers in traditionally undervalued sectors with a majority of female workers, especially health, education and care sectors, including people who work in border services, community health workers and migrant workers.

5.5.- Implement mechanisms to ensure that work environments are free from discrimination, sexual harassment and gender-based violence, and include appropriate reporting systems.

5.6.- Develop actions aimed at combating gender-based segregation at work and promoting the education of girls, adolescents and women in science, technology, engineering and math (STEM) and adequate professional training for women in high-growth industries and technical development, as well as technical training on Information and Communication Technologies (ICTs).

5.7.- Promote formal employment for women who are paid workers in the informal sector, or are home-based, or work in micro, small and medium enterprises, as well as those engaged in the rural sector, self-employed and part-time workers, ensuring social protection and income levels that allow for an adequate standard of living. Additionally, adopt measures to face hazardous and unsanitary work conditions frequently encountered in the informal sector, promoting the security and health of workers.

6. - Strengthen fiscal policies aimed at covering the investments needed to ensure social protection systems, public services and quality sustainable infrastructure for gender equality and the empowerment of women and girls.

6.1.- Develop methodologies and tools to design, implement and monitor public budgets from a gender perspective, to identify and monitor transfers dedicated to social protection systems, public services and sustainable infrastructure for gender equality and the empowerment of women and girls.

6.2. - Promote costing and cost-benefit calculation exercises on the investments needed to ensure social protection systems, public services and quality sustainable infrastructure and the justice system for gender equality and the empowerment of women and girls.

6.3.- Develop and strengthen protection investment mechanisms in strategic areas such as care, health and education services, public transport systems, rural investments for renewable and non-renewable energy provision and storage, household connections to the power grid, sanitation and water for segregated urban neighborhoods and poor rural areas.

6.4.- Promote fiscal policies that support a better distribution of resources and invest in social care infrastructure, social services and benefits, ensuring they improve human capital, the insertion of women in the formal economy and the professionalization of care work.

6.5.- Prioritize, in loan applications presented to multilateral, national and local financial institutions, investments in social infrastructure or related to the connection between broad infrastructure systems and households (sanitation, potable water and power networks).

6.6.- Promote the progressivity of individual contributions to contributory systems and public social insurance frameworks, in order to ensure that those relatively well positioned make appropriate contributions to universal programs intended for all.

6.7.- Promote international multilateral, bilateral, South-South, North-South and Triangular cooperation in order to strengthen social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls, within the context of national sovereignty.

6.8.- Explore debt relief options for highly indebted and vulnerable Caribbean countries and territories, promote solutions to address the debt overhand and guarantee the necessary resources for the implementation of the Regional Gender Agenda and the achievement of sustainable development.

7. - Improve the collection of data and evaluation processes needed to promote social protection systems, public services and sustainable infrastructure contributing to gender equality and the empowerment of women and girls.

7.1.- Collect, analyze and disseminate qualitative and quantitative data and gender statistics disaggregated by sex, race, ethnic origin, age and territory, including data and studies on the use of time, and use them to improve the design, evaluation and the adaptation of social protection systems.

7.2.- Generate data on the shortcomings of social protection frameworks, grouped by sex (pensions, unemployment insurance, health insurance, family transfers, etc.) including data on coverage, benefit gaps, covered risks and replacement levels.

7.3.- Promote studies highlighting the costs generated by gender biases in social protection systems, public services and infrastructure, and the benefits of reversing them to protect and increase adequate levels of investment in social protection policies, development of infrastructure and equal social services.

7.4.- Collect and analyze data on the access to and the use of public space, energy, water and sanitation, and transportation from a gender, intercultural and geographic perspective, as well as on other relevant factors, and promote their use in planning and evaluation processes.

7.5.- Implement instruments for the collection and routine analysis of qualitative and quantitative data on mobility (including activity and schedule), disaggregated by sex, race, ethnic origin, age and location, as an essential step in the decision-making process for transportation planning.

7.6.- Strengthen and consolidate information systems for beneficiaries and caregivers including the systematization of information to identify target populations for care systems, in order to contribute to an adequate design and provision of services, benefits, and regulations.

In conclusion

We, as Ministers and High Authorities of National Mechanisms for the Advancement of Women in Latin America and the Caribbean, believe that it is possible to take decisive steps towards the promotion of gender equality and the empowerment of women and girls in the region through the improvement of social protection systems, access to public services and sustainable infrastructure. It is from this perspective that we present this joint proposal, as a region, to the 63rd session of the Commission on the Status of Women.

We agree that this joint regional proposal will serve to nurture the regional review and evaluation of the implementation of the Beijing Declaration and Platform for Action and the results of the 23rd special session of the General Assembly, Beijing +25, as well as the 14th meeting of the Regional Conference on Women in Latin America and the Caribbean, scheduled for 2019.

Delegations from 27 countries and territories in Latin America and the Caribbean (Anguilla, Argentina, Bahamas, Bolivia, Brazil, British Virgin Islands, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama,

Paraguay, Peru, Dominican Republic, St. Vincent and the Grenadines, Uruguay and Venezuela) participated in a productive process of two-day participatory discussions, which resulted in this consensus Buenos Aires Declaration, which we request to be transmitted to the Ministries of Foreign Affairs of each of our States, so that it may, in turn, inform the CSW63 negotiations in New York. At the same time, we commit to bring the spirit of this Declaration to be incorporated into the Agreed Conclusions to be adopted at that session. In addition, we affirm our support that issues related to Afro-descendent women should be adopted as emerging theme in CSW63.

We appreciate the participation of the representatives of civil society organizations and regional networks of women's organizations and feminist organizations in Latin America and the Caribbean and we recognize the value of their contributions. We acknowledge the support of the United Nations System in the advancement of women's rights, especially UN Women. In addition, we thank UNDP, ILO, UNICEF, UNOPS, the Gender Affairs Division of ECLAC, as well as CIM/OAS, and the CARICOM Secretariat which participated as observers in the Regional Consultation. We encourage these organizations, funds and programs to continue focusing our efforts and resources to advance the 2030 Agenda of Sustainable Development in Latin America and the Caribbean.

We, the Ministers and High Authorities of the National Mechanisms for the Advancement of Women in the region, extend our particular thanks to the Government of the Republic of Argentina, host country of the consultation, in particular the National Institute of Women (INAM) and the Ministry of Foreign Affairs and Worship, as well as the Women's Institute of the Oriental Republic of Uruguay (INMUJERES) and UN Women for their support in organizing and holding the Regional Consultation.

Adopted in Buenos Aires, Argentina, on 12 December 2018



