



Towards Beijing+30

Current Situation of Sexual and Reproductive Rights in Argentina With an Emphasis on Northeastern Argentina

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INTRODUCTION

This report, prepared by Fundheg, provides an initial assessment of the fulfillment of some of the goals established by the Beijing Platform for Action by the Argentine State. It is set in a particularly complex context, where policies related to gender and diversity are being significantly undermined by the current government. Unlike previous periods when issues such as non-compliance, lack of follow-up, or absence of a gender perspective in certain measures were predominant, the current scenario reveals an administration that explicitly denies the existence of gender-based violence and implements measures contrary to local and international regulations for the protection and promotion of women's rights, further presenting these actions as governance achievements.

The Beijing Platform for Action remains an essential framework for evaluating progress in gender equality and guiding public policies and actions related to human rights. Thirty years after its adoption, it is imperative to analyze the progress made, as well as to identify and address persistent gaps in key areas such as gender-based violence, sexual health, and the rights of girls and women in our region.

Regional Commitments

The Beijing Declaration and Platform for Action (1995) marked a milestone in the fight for gender equality, establishing a roadmap for eradicating violence, promoting women's human rights, and strengthening their participation in all spheres of society.

Despite the progress achieved over the past three decades, forms of discrimination and violence persists, disproportionately affecting women and girls, particularly in our region. Child marriage and early unions, the criminalization of obstetric events, gender-based violence in digital environments, and the lack of access to gender-sensitive justice are just some of the obstacles requiring urgent attention.

Furthermore, the climate crisis has exacerbated structural inequalities, placing the sexual and reproductive health rights of women and girls at greater risk.

Current Situation of Sexual and Reproductive Rights

In recent years, Argentina has made significant advances in protecting sexual and reproductive rights, most notably with the passage of Law 27.610 on Voluntary Termination of Pregnancy (IVE) in 2020 and the Comprehensive Sexual Education Law (ESI) in 2006. However, these advances are not uniformly reflected across the country. In the northeastern region of Argentina (NEA), which includes provinces such as Chaco, Corrientes, Formosa, and Misiones, structural and cultural challenges persist that limit access to these rights.

A critical issue in the NEA is the lack of essential supplies to ensure sexual and reproductive rights. The irregular distribution or outright absence of contraceptives severely impacts family planning and the prevention of unintended pregnancies. This situation extends to the availability of medications necessary for safe voluntary terminations of pregnancy, such as misoprostol and mifepristone. Currently, due to decisions made by the national government, healthcare centers either lack these resources or face logistical challenges in ensuring their continuous provision. Previously, these provisions were managed by the National Ministry of Health; however, responsibility now falls to the provinces. This shift forces women and pregnant individuals to seek unsafe alternatives, endangering their health and well-being.

Several studies have documented this reality. At the local level, Amnesty International Argentina sent a letter to the Inter-American Commission on Human Rights (IACHR) and United Nations experts about the dismantling of gender policies (1). At the international level, strong criticism of the current administration has been expressed, notably in a statement by the Committee of Experts of the Follow-up Mechanism to the Belem do Pará Convention (MESECVI), which highlighted its "profound concern and opposition to decisions taken at the highest levels of the Argentine state that significantly undermine the capacity of institutions, mechanisms, and policies to protect women from gender-based violence" (2).

(1) Amnesty International Argentina's Letter to the IACHR

(2) MESECVI Statement

Area of Concern C: Women and Health

Improving Women's Access to Health Services, Including Reproductive Health

Strategic Objective C.1: Ensure women's access to affordable, high-quality healthcare services and related information throughout their lives.

The National Plan for the Prevention of Unintended Pregnancy in Adolescence (ENIA), launched in 2017, has been a resounding success and has received international acclaim. According to the recent report "Updated Report: ENIA Plan at Risk – Reasons to Sustain a Key Public Policy to Reverse the Intergenerational Reproduction of Poverty" (ACIJ, ELA, REDAAS, CEDES) (3), the Specific Adolescent Fertility Rate decreased by 43% for girls aged 10 to 14, 45% for those aged 15 to 19, and 49% overall for those aged 10 to 19 between 2018 and 2021. The 2022 Census confirmed this trend, reporting a 50% reduction in the number of adolescents with children. However, despite the program's evident effectiveness, the current administration has defunded it, significantly reducing its implementation. According to the aforementioned report, the ENIA Plan is part of the "Sexual Health and Responsible Procreation Development Program", which, in the 2024 budget, faces a 64% real-term reduction compared to 2023 and a 72% reduction compared to 2021. Specific allocations for "Prevention of Adolescent Pregnancy" have been cut by 70% compared to 2023. If no changes occur, the 2024 budget for "Sexual Health and Responsible Procreation Development" will be the lowest since 2013. By September 2024, only 15% of the budget allocated for adolescent pregnancy prevention and 25% of the program's total budget had been executed. Additionally, since its enactment in 2006, the Comprehensive Sexual Education (ESI) Program has been another milestone in advancing gender and human rights. According to the Interactive Map of the Federal Observatory on Comprehensive Sexual Education (4), updated in December 2022, the ESI program reached 52,373 educational institutions and 10,636,704 students. The Public Prosecutor's Office of Buenos Aires (5) reported that ESI enabled 80% of abused children to disclose their abuse.

While the program has not been eliminated, the current administration has criticized its implementation, labeling it under the concept of "gender ideology," placing it and other policies supporting women and diversities under threat.



ESI is included in the health section due to its connection with Area of Concern B: Education and Training of Women. By providing information and tools on sexual and reproductive rights, ESI contributes not only to the education of girls but also to the prevention of circumstances that can interrupt their education, such as adolescent pregnancies.

- (3) ENIA Plan Report
- (4) ESI Federal Observatory Map
- (5) Public Prosecutor's Office Report

Area of Concern D: Violence Against Women

Eradicate all forms of gender-based violence.

Strategic Objective D.3: Eliminate trafficking in women and assist victims of forced prostitution and other forms of exploitation.

At the end of 2023, the National Rescue and Support Program for Victims of Trafficking, under the Ministry of Justice and Human Rights, published its report (Historical Statistical Data of Rescued and/or Assisted Victims) (6).

Highlights from the document include:

Since the enactment of Law 26.364 (in 2008) until November 2023, 20,106 victims were rescued and/or assisted.

From January to November 2023, 1,609 victims were rescued and/or assisted. Of these, 73 were minors, 589 were women, and the primary purposes of trafficking were labor exploitation (1,077 cases) and sexual exploitation (382 cases). The report also states that Line 145 (Trafficking in Persons Reporting and Guidance Line) received 22,932 complaints between January 2012 and November 2023. Additionally, the Prosecutor's Office for Trafficking and Exploitation of Persons (PROTEX) reported 1,941 complaints during 2023, most of them involving sexual exploitation (846 cases) and labor exploitation (468 cases). There is also a noted increase in trafficking cases in digital environments (7). Given that these are the most recent official data; alternative sources are needed to analyze the evolution of public policies in this area. The report "Austerity Widening the Gap" (2024 First Quarter Budgetary Analysis) (8), prepared by the Civil Association for Equality and Justice (ACIJ) and the Latin American Team for Gender Justice (ELA), highlights that the Executive Branch reduced the budget for the victim rescue and support program by 90% compared to the same period the previous year. Additionally, there have been mass layoffs of workers from Line 145 and provincial coordinators



of the National Committee to Combat Human Trafficking, who facilitated 36 inter-agency networks for detecting these crimes.

(6) Report link

(7) PROTEX Annual Report

(8) Budget Analysis Report

Area of Concern I: Women's Human Rights

Ensure the full respect of human rights for women and girls. Strategic Objective I.1: Promote and protect women's human rights through full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

In 2023, Argentina submitted its combined 24th to 26th periodic reports to the Committee on the Elimination of Racial Discrimination. During the review, experts praised the country's active participation in UN human rights mechanisms. Eduardo Ernesto Vega Luna, a Committee Expert and Country Co-Rapporteur, expressed concern over the increasing spread of discriminatory and stigmatizing narratives against women, the LGBTIQ+ community, indigenous peoples, migrants, and Afro-descendants. Similarly, Bakari Sidiki Diaby, another Committee Expert and Country Co-Rapporteur, highlighted that asylum seekers and refugees face violence and discrimination, with no programs ensuring their socioeconomic well-being, which hampers local integration (9). The current Executive Branch has initiated budget cuts and reallocations that directly affect the implementation and monitoring of public policies ensuring these groups' rights. For instance, Decree 696/2024 (10) dissolved the National Institute against Discrimination, Xenophobia, and Racism (INADI). Although this decree assigns INADI's functions (developing and executing policies against discrimination, xenophobia, and racism) to the Ministry of Justice, no information on their continuation has been released.

(9) UN Committee Review Summary

(10) Decree 696/2024

Area of Concern L: The Girl Child

Strategic Objective L.1: Eliminate all forms of discrimination against the girl child.

Regarding child marriage, the Argentine State has some indicators through censuses and surveys, but the issue remains less visible compared to other forms of gender-based violence. The report "Marriage and Cohabitation in Argentina (Quantitative Report 2020/2021)" (11) by the Foundation for the Study and Research of Women (FEIM) provides an overview of the situation.

In Argentina, 4.7% of girls were married or cohabiting before turning 18 (according to CNPHV 2010 data). This equates to 132,398 girls aged 14–18 who are in unions or marriages. The Northeast (NEA) has the highest frequency of such cases, followed by the Northwest (NOA), central, and Patagonian regions. The report also warns of informal unions, which are not recorded, suggesting the actual numbers may be higher.

In addition, every six minutes in Argentina, a teenage girl becomes a mother. The NEA records the country's highest teenage pregnancy rates, with seven babies born daily to girls under 15. About 14% of births in Argentina are to teenage mothers, and one in four teenage mothers has had at least one child. In the NEA provinces (Corrientes, Chaco, Formosa, and Misiones) this percentage is even higher, making the region with the most teenage pregnancies in the country, at 16%, above the national average.

(11) FEIM Report

(12) NEA Teenage Pregnancy Statistics

Setbacks and Opposition to Our Rights



Cultural and religious resistance poses significant barriers to the implementation of Voluntary Termination of Pregnancy (VTP) and Comprehensive Sexual Education (CSE). In the healthcare field, it is common for professionals to claim conscientious objection, even in institutions legally obligated to provide these services. Combined with a lack of resources, this creates a double vulnerability for individuals seeking to exercise their reproductive rights in the NEA region. Additionally, the shortage of hormone therapy supplies for trans individuals undermines compliance with Article 11 of the Gender Identity Law (Law No. 26.743). This has forced many trans women to resort to unsafe and dangerous treatments, jeopardizing their health. Regarding HIV and the implementation of Law No. 27.675 on Comprehensive Response to HIV, Viral Hepatitis, Other STIs, and Tuberculosis, organizations have been raising alarms throughout 2024 about the lack of essential supplies.

These include medications for HIV treatment regimens and reagents for Viral Load and CD4 count tests, previously provided by the Ministry of Health to provinces, as well as condoms. This shortage severely compromises the quality of care, treatment follow-up, and prevention efforts.

The impact of economic inequalities on access to these rights is also significant. Structural poverty severely limits people's ability to access quality healthcare and contraceptive methods when public health centers fail to provide them. This scenario disproportionately affects rural and Indigenous populations, who face economic, geographical, and social barriers, as well as discrimination and the absence of culturally relevant and respectful care.

These inequalities are exacerbated in the context of the climate crisis, which has a devastating impact on the most vulnerable communities in the region. Women and girls, in particular, face additional risks to their overall health due to food insecurity, lack of potable water, and limited access to healthcare in emergency situations. Added to this is the unequal burden of caregiving work and historical exclusion, which further widens gender gaps.

This scenario demands comprehensive and intersectional responses that simultaneously address the economic, cultural, and environmental dimensions of inequality. Public policies in the region must ensure the efficient distribution of essential supplies, such as contraceptives and medications for VTP. These efforts should be accompanied by awareness campaigns and training for healthcare and educational teams, ensuring an inclusive approach that respects cultural diversities.

Guaranteeing sexual and reproductive rights in northeastern Argentina is a challenge that requires local, provincial, and national commitment, as well as



collaboration with civil society organizations. It is a fundamental step toward closing inequality gaps and ensuring that legal advances are translated into concrete realities for everyone, regardless of where they live.