

Self-censorship, harassment, fear, and impunity: Violence against women in public and political life in Argentina.

Buenos Aires, March 3, 2023. The [Committee of Experts of the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Belém do Pará Convention"](#) (MESECVI) of the Organization of American States (OAS) concluded an official visit to the State of Argentina, which took place from March 1 to 3, 2023, with the objective of addressing violence against women in the political sphere and providing technical assistance to the authorities in this area.

Throughout the meetings held with authorities and representatives of the State, women who are victims of violence in the exercise of their political rights, civil society organizations, academia and the media, this Committee was able to gather information indicating the existence of instruments to address violence in the political sphere. However, it found that, despite these instruments, there is an underlying climate of harassment, attacks, and impunity against women who participate in public and political life.

The delegation was headed by the President of the Committee of Experts, Marcela Huaita Alegre, from Peru, and included Experts Leila Linhares Barsted from Brazil, Lourdes Montero Justiniano from Bolivia, and Sylvia Mesa Peluffo from Costa Rica, as well as, the Technical Secretary of MESECVI, Luz Patricia Mejía Guerrero, and journalist, Tatiana Bensa. The delegation was accompanied by the country's independent Expert, Susana Chiarotti.

The delegation held meetings with authorities from the three branches of government. These authorities included representatives of the Ministry of Foreign Affairs, the Ministry of Women, Gender and Diversity, the Ministry of Justice and Human Rights, and the Ministry of the Interior; with the President of the Federal Chamber of Criminal Cassation, the General Public Defender, the head of the Specialized Prosecutor's Unit on Violence against Women and the President of the National Electoral Chamber; and with deputies, senators and representatives of political parties.

The Committee of Experts also held private hearings with women who are victims of violence in the exercise of their political rights; with organizations and representatives of civil society, academia and women journalists who are victims of violence in the exercise of their profession.

The Committee of Experts thanks the government of the Republic of Argentina for its invitation to carry out this technical assistance visit, and openness to dialogue. This visit took place against the background of recent cases of violence against women in political life, cases about which the Committee expressed its concern and offered the authorities of the Argentine State its technical support.

As a result of this visit, the delegation of the Committee of Experts presents below a series of preliminary observations and recommendations which have emerged from the hearings held and which will be used to prepare a country report to be submitted to the authorities in the coming weeks.

TOLERANCE OF VIOLENCE AGAINST WOMEN IN THE PUBLIC SPHERE

This delegation noted that manifestations of violence against women in politics are not isolated events, that it is a widely tolerated practice and that it occurs in all areas of public life, affecting

women in public office, within their political parties, in trade unions, in social and human rights organizations, and in the media.

Practically all the women interviewed during the various hearings agreed that the acts of violence were intended to discipline them for exercising their rights in spaces that traditionally did not belong to them. Likewise, the different testimonies heard made it clear that political violence against women has been exacerbated by the media and through social media networks.

The Committee was also particularly concerned about the situation of journalists and social communicators, as well as women human rights defenders and trade unionists, who expressed the view that there has been a clear setback in the advances achieved and a high personal cost that forced many of them to silence their voices to protect themselves, thus giving rise to a broad process of inhibition and self-censorship.

VIOLENT DISCOURSE ON SOCIAL NETWORKS AND IN THE MEDIA

The Committee was able to ascertain that acts of violence are facilitated and exacerbated by some media outlets and in the use of social media, through sexist messages and comments, symbols, threats of violence, dissemination of gestures and images of a sexist or sexually humiliating nature, mainly by parliamentarians, political leaders, officials or former officials with power and representation in political parties, as well as, various national, provincial and local government bodies.

Acts of online aggression directed against women with a public profile or who are active in digital debates, are a direct attack on the visibility of women and their full participation in public life, hence, weakening the democratic system.

In this regard, the Committee considers it important to recall that this violence causes serious harm and suffering to women, including psychological, physical, sexual, working, and economic harm, and they are often subjected to further victimization due to harmful and negative gender stereotypes, that are prohibited by international human rights law.

SILENCING, LACK OF PUBLIC CONDEMNATION AND IMPUNITY

The Committee calls attention to the fact that there is a silencing and an absence of public condemnation of these acts that deepens, facilitates, reproduces, and magnifies violence against women in politics.

The delegation was able to receive evidence that the hate speech against women politicians, especially top figures such as the Vice President, the President of the lower house of Congress, or social and political leaders in the provinces, as in the cases of Milagro Sala in Jujuy and Las Ramonas in Catamarca, generates an informative disorder of violent characteristics that seeks to diminish their public influence.

These facts are aggravated by a noticeable tolerance on the part of the organs of the State, a tolerance which seems to be systemic. This being the case, asymmetries at the national and provincial levels, especially in the administration of justice, should be identified. In some cases, the effectiveness of mechanisms that facilitate drawing attention to, and investigation of this violence may be improved or impaired or, depending on the level of tolerance, acceptance, and development of institutional mechanisms to combat violence.

Finally, in cases where different intersectionalities converge, cases such as the conditions of indigenous women or the militant representations of lesbian or trans women's rights, it is evident that racism or ignorance of these rights facilitates the lack of clarification of complaints.

The impunity that results from the silencing and lack of public condemnation, has an enormous impact on women and democratic institutions since political violence represents not only an attack on women but also on democracy and its institutions.

INSTITUTIONAL FRAGILITY AND DISTRUST

Despite the perception that there is robust legislation for the protection of women's rights, with laws that have made significant progress, according to the information received by the Committee, there is a lack of mechanisms for the implementation of these laws, such as regulations and protocols for dealing with situations of violence.

On the other hand, through the different testimonies received, the Committee found that the existing mechanisms are not being used due to a deep mistrust of the independence and autonomy of both judicial and partisan bodies, which should respond to guarantee access to justice for women victims of violence in the political sphere.

The lack of institutional reaction, especially in terms of access to justice, truth, and reparation for victims, legitimizes the circle of violence. The absence of institutional response, hence, presents as a deeply worrying symptom of the weakening of both democratic institutions and democracy itself since the institutional response is a fundamental value of the rule of law and justice.

In this context, the most common characteristic of cases of violence against women in politics is impunity.

Recommendations

Considering the foregoing preliminary observations, the Committee of Experts in the exercise of its mandate and in compliance with the obligations and standards of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Belém do Pará Convention" and the Inter-American Model Law on the Prevention, Punishment and Eradication of Violence against Women in Political Life, requests the State of Argentina to implement the following initial recommendations:

To the Argentine State

1. Include the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Belém do Pará Convention" within the constitutional framework.

Executive Branch

This delegation of the Committee recognizes that gender institutions in Argentina took a qualitative leap forward with the creation of the Ministry of Women, Gender, and Diversity. It was also informed of a series of projects and initiatives that are being developed to address violence against women. However, the seriousness of the facts of political and symbolic violence against women politicians and journalists makes it necessary to implement urgent measures that aim to:

1. Establish a protocol that coordinates the actions of the competent bodies for the prevention, attention and eradication of violence against women in political life, as well as, for the effective resolution of cases;
2. Incorporate violence against women in political life in the protocols for the attention and investigation of violence against women;
3. Develop actions for the investigation and compilation of statistics on the causes, consequences and frequency of violence against women in political life, determining the means for their dissemination;
4. Adopt a methodology to evaluate the particular risk for women suffering violence in political life due to multiple discrimination factors such as sex, age, race, ethnicity and economic position, among others, and design measures to prevent it;
5. In collaboration with the electoral body, and the anti-discrimination body, generate a rigorous review of all norms and practices related to the exercise of women's political rights, including normative systems and cultural practices, which may have a discriminatory and violent impact against women in politics;
6. Develop awareness campaigns on the implications of violence against women in political life, as a factor in the weakening of democracy. Develop also public awareness campaigns that provide information on how to prevent cases of violence against women in their exercise of political rights and the channels to denounce it.
7. Promote effective compliance with the provisions of Law 26.485 on Integral Protection to prevent, punish and eradicate violence against women, in cases of violence against women in political life.

To the Electoral Body

Within the framework of its attributions, adopt, in coordination with the competent authorities, among others, the following measures:

1. Establish an internal protocol of action that identifies the responsible agencies, as well as, the measures and sanctions applicable to cases of violence against women in political life that come to its attention;
2. Strengthen the capacity to generate statistics on violence against women in political life in the electoral sphere that allows for diagnosing the problem and designing concrete responses.

To the Legislative Body

1. Incorporate within the regulations, both of the Congress of Deputies and the Senate, the obligation to prevent, sanction and eradicate violence against women in political life and include disciplinary actions among peers to sanction acts of violence against women in the exercise of their functions;
2. Implement protocols to prevent, address, punish and eradicate violence against women;

3. Act immediately and with due diligence against violent acts and speeches that undermine women's political participation under equal conditions and without discrimination in the course of parliamentary activity.

To the Judicial Bodies and the Public Prosecutor's Office

1. Act with enhanced due diligence in cases of violence against women in political life to ensure effective access to justice for victims, expeditious investigation of acts of violence, punishment and reparation and non-repetition;

2. Guarantee to women victims of violence in political life their right to all the guarantees established in the national legislation on violence against women.

To the Media

1. Ensure that the media and social networks do not violate the rights and image of women who participate in public life and their privacy, and to combat content that reinforces, justifies or tolerates violence against women in political life;

2. Generate internal policies within the media and network companies, as well as, self-regulatory codes aimed at denaturalizing online aggressions and raising awareness of their impact on individuals and society. Such policies should be oriented both to those who inhabit the digital space today, as well as to children and young people who will do so in the future;

3. Eliminate as part of an internal editorial policy, any expression that discredits women based on gender stereotypes and ensure respect for the political rights of women and the reputation of women participating in political life.

4. Prohibit any propaganda against women's political rights and any advocacy of hatred on the basis of gender and/or sex that constitutes incitement to violence against women in political life, or any other similar illegal action against women participating in political life, on the basis of sex and/or gender.

5. Promote the responsible and respectful use of communication, through new information and communication technologies, in relation to women's rights and their political participation, with particular attention being paid to the legal period of electoral campaigning.