

About Progress

Progress of the World's Women offers a comprehensive global review of women's rights around the world. It uses the issue of women's access to justice to highlight the many ways in which injustice against women is still rife, right across the globe – in the home, in the workplace, in politics and in justice systems.

The report contains case studies, statistics and graphics illustrating both positive examples of progress in women's access to justice, and areas where more action is urgently needed.

Laws matter: the right laws can change society and help achieve women's rights

Laws shape society by providing accountability, by changing attitudes and creating new norms about what is acceptable and what is not. There has been very significant progress on legal reform in all regions, on women's rights in the workplace, in the family, and on property and inheritance rights. However, further progress is needed.

Women legislators driving through change

Six countries in the region have reached or exceeded the 30 percent critical mass mark for women's representation in parliament: Argentina, Bolivia, Costa Rica, Cuba, Ecuador and Guyana.

Costa Rica elected its first female president, Laura Chinchilla Miranda, in 2010. It is one of only four countries in the world where women make up more than 30 percent of parliamentarians, ministers and judges in the Supreme Court.

In Costa Rica, women parliamentarians have played a key role in passing new laws on health care, domestic violence and employment rights for domestic workers.

There are currently four women serving as elected Heads of State or Government in the region, in Argentina, Costa Rica, Brazil and Trinidad and Tobago.

Women workers

Women's labour force participation in Latin America and Caribbean is 53 percent, but in common with all regions, the gender pay gap means that in some countries women are paid up to 40 percent less than men.

Millions of women work in vulnerable jobs, which lack protection from labour laws. In El Salvador, Honduras and Nicaragua, women make up over 75 percent of the workers in Export Processing Zones, areas in which labour and

environmental standards are often relaxed or eliminated in order to attract foreign investors.

Advancing the rights of domestic workers

Women make up the overwhelming majority of domestic workers, jobs that often lack basic employment rights.

In Brazil, the National Federation of Domestic Workers is lobbying to expand domestic workers' rights and enshrine them in the Constitution. This would require employers to provide both retirement and employment insurance, observe strict limits on working hours, pay for overtime, and provide social benefits on the same terms as other workers.

Women mobilizing for rights within indigenous justice systems

In Ecuador, indigenous women were successful in ensuring that their right to participate in indigenous governance and justice systems is enshrined in the 2008 Constitution. In the highlands around Cotacachi, women have developed 'Regulations for Good Living' (Reglamentos de Buena Convivencia), which draw on indigenous justice principles to address issues of family violence and improve women's access to justice.

The private sphere must not be 'outside justice'

Women's rights are typically least protected in the private and domestic sphere – traditionally seen as 'outside of justice' – where women often have little say on decisions about their sexuality, on marriage and reproductive health. The domestic sphere is also where the majority of violence against women occurs, holding back women's empowerment in all regions.

Great strides achieved on domestic violence, but further to go on marital rape

In Latin America and the Caribbean, 97 percent of countries have laws on domestic violence. However, fewer than half of countries explicitly outlaw marital rape.

Despite progress, domestic violence is common

Based on prevalence surveys in 11 countries in the region, up to a third of women have experienced physical violence and up to 16 percent of women have been targeted for sexual violence in their lifetime.

Attitudes towards domestic violence are changing

Surveys in seven countries in the region found that on average 85 percent of respondents said that it is never justifiable for a man to beat his wife.

Implementation of laws and the infrastructure of justice

Laws mean nothing if they are not implemented. Weak justice infrastructure presents major practical barriers to achieving justice for women in the Latin America and the Caribbean. These practical barriers are often worse for women, who may lack knowledge of their rights, face social stigma, or struggle to meet court costs. However, many governments have taken positive steps to improve access for women, Progress shows.

Lack of autonomy in the household

In Bolivia, Dominican Republic, Colombia, Peru, Honduras and Haiti, at least a quarter of women report having no say in everyday household decisions, a lack of empowerment that makes it difficult for them to approach justice systems.

Under-reporting of sexual assault

Crime surveys in Costa Rica, Paraguay and Peru show that up to 20 percent of women experience sexual assault, but few or no women report it to the police.

Language barriers

In some parts of Latin America, indigenous women, who face triple discrimination on the basis of ethnicity, gender and poverty, do not speak the majority languages (Spanish or Portuguese), and provision for translation in the justice system is typically limited or non-existent.

Women's representation in the justice system

Women's representation in the supreme courts of Costa Rica, El Salvador, Dominican Republic and Guatemala has reached or exceeded 30 percent.

Latin America leads the way on women's police stations

These specialized facilities now exist in 13 countries across the region. Global data from 39 countries show that where women are represented in the police, reporting of sexual assault increases.

Brazil opened its first women's police station in 1985, in São Paulo. Today there are 450 women's police stations throughout the country. They have

helped raise awareness and have increased reporting of violence against women.

Providing specialized legal aid

The Government of Guatemala has set up an Indigenous Women's Legal Aid Office (Defensoria de la Mujer Indigena), which employs indigenous women lawyers and social workers, and develops policies and programmes to prevent violence and discrimination against indigenous women.

Specialized courts to tackle violence against women

In 2008, the Supreme Court of Justice of Argentina, with support from UN Women, UNICEF and UNDP, established a dedicated Office of Domestic Violence, which offers victims immediate assistance from lawyers, psychologists and social workers. Specialized domestic violence courts have also been set up in Brazil, Uruguay and Venezuela.

Women influencing indigenous courts in Mexico

The House of Indigenous Women (Casa de la Mujer Indigena – CAMI) provides practical and psychological support for women experiencing domestic violence. CAMI has also worked with the local indigenous court to raise awareness of women's rights and challenge patriarchal attitudes among judges.

Women's tribunal in Guatemala

More than three decades of civil war in Guatemala was characterized by widespread sexual violence. Indigenous women were especially targeted for these crimes, around 90 percent of which were perpetrated by military personnel. In 2010, indigenous women set up their own tribunal to demand justice and accountability for these crimes, for which there has never been a single prosecution.

Landmark cases: how Latin America and the Caribbean women are changing laws

Progress highlights key legal cases in Latin America and the Caribbean, which have changed legislation and attitudes.

Legislating against domestic violence: Maria da Penha Fernandes, Brazil

Case

Maria da Penha suffered violent abuse and several murder attempts by her husband, who shot her while she slept, leaving her paralyzed from the waist down, and subsequently tried to electrocute her. The case languished in the criminal justice system for years and Maria's husband remained free for nearly two decades. When he was finally sentenced in 2002, he served just two years.

Outcome

In its landmark ruling, *Maria da Penha Fernandes v Brazil*, in 2000, the Inter-American Court of Human Rights found that the Government of Brazil was responsible under international law for taking effective action to prosecute and convict perpetrators of domestic violence. This contributed to the growing international consensus that States have a legal obligation to take active steps to uphold women's rights and prompted the Government of Brazil to enact domestic violence legislation – named after Maria da Penha.

Women's legal right to abortion: Martha Solay, Colombia

Case

Two months pregnant when she was diagnosed with cancer, Martha Solay could not seek an abortion under Colombian law and therefore was prevented from receiving life-saving chemotherapy. Women's Link Worldwide, a women's legal NGO, took a case on her behalf, arguing before the Constitutional Court that Colombia's national laws violated the international human rights treaties which the country had ratified.

Outcome

In 2006, the Court held that the criminal prohibition of abortion in all circumstances violates women's fundamental rights and abortion must be allowed in certain cases. In response, the Colombian Government amended the penal code, developed a policy that included clear rules on the provision of abortion services, and included abortion services in the public health system.

Tackling systemic discrimination: 'Cotton Field', Mexico

Case

In November 2001, the bodies of eight women were found in a cotton field. These women were just some of the hundreds of women who had been murdered in Ciudad Juarez in Mexico over the past 16 years, often having been subjected to torture and sexual violence.

Outcome

When the case went to the Inter-American Court of Human Rights in 2009, it established that violence against women in Ciudad Juarez was part of a pattern of systemic violence based on gender, age and social class. The Court ruled that the Mexican government should provide reparations, including guarantees of non-repetition, to identify and eliminate underlying gender inequalities that led to the violence.