State Measures to Prevent Violence Against Women in Times of COVID-19

Research Report
State Measures to Prevent VIOLENCE AGAINST WOMEN in Times of COVID-19

Research Report
RESEARCH PROJECT FUNDED BY:

ANID as part of the competition for the quick allocation of resources for research projects on Coronavirus (Covid-19), year 2020.

Institute of International Studies (IEI), Universidad de Chile. Internal research competition - IEI 2020, funded by the FIDA programme.

RESEARCH TEAM:

Tatiana Rein Venegas (Lead Researcher), Academic at the Institute of International Studies at the Universidad de Chile and President of the Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention, MESECVI. Fernanda Raquel Page Poma (Co-investigator), Postdoctoral Researcher at the National Scientific and Technical Research Council, CONICET, and professor at the Universidad de San Martín, Argentina. María José Elizalde Roa (Student - research assistant), lawyer and master’s student in International Studies, Institute of International Studies – Universidad de Chile. Natalla Sabrina Magnifico (Student - research assistant), Graduate in Political Science and master’s student in Human Rights and Democratization in Latin America and the Caribbean – Universidad de San Martín.

NEWS TRACKING AND PRESS DATABASE PREPARATION:
Jon Orbach, Internship Columbia University
Paola Rein Toro

INTERVIEWS’ TRANSCRIPTION:
Gabriela Acevedo Rein

TRANSLATION:
GRATO Language Solutions

Intellectual Property Record 2021-A-6068/
Rights reserved. Its reproduction is forbidden ©
Santiago, Chile, 2021
# INDEX

**INDEX** ........................................................................................................................................... 4
**INTRODUCTION** ................................................................................................................................. 6
**THEORETICAL FRAMEWORK** ............................................................................................................ 12
  - Violence and Types of Gender-Based Violence ............................................................................... 13
  - Intersectionality ............................................................................................................................... 16
  - Measurement of the State’s response on Human Rights ................................................................. 18
**METHODOLOGY** ................................................................................................................................. 21
**CONTEXTUALISATION OF COUNTRIES** ............................................................................................ 29
  **Argentina: a Decentralised Federal Country** ................................................................................ 30
    - The Institutionality of Gender in the Argentine Republic ............................................................. 31
    - Policies against Gender-Based Violence ....................................................................................... 32
    - Data on Gender-Based Violence ................................................................................................... 34
  **Chile: a Unitary State** ..................................................................................................................... 34
    - The Institutionality of Gender in the Republic of Chile ............................................................... 35
    - Regulations against Gender-Based Violence ............................................................................... 37
    - Data on Gender-Based Violence ................................................................................................... 39
**COUNTRY ANALYSIS** ....................................................................................................................... 40
  **Argentina** ..................................................................................................................................... 41
    - Measures Taken by the State to Prevent and Address Violence ............................................... 41
    - Factors that Influenced the Adoption of Measures .................................................................... 49
    - Effectiveness Level Achieved and Obstacles faced in the Implementation of the Measures ...... 53
    - Response Achieved ....................................................................................................................... 53
    - Obstacles .................................................................................................................................... 56
    - Structural or Pre-Existing Obstacles ........................................................................................... 57
    - Obstacles related to Territorial Diversity and Federal Characteristics ....................................... 58
    - Difficulties in Applying the Measures to Various Population Groups ......................................... 59
    - Obstacles Related to the Lack of Services that Address Gender-Based Violence ....................... 60
    - Obstacles Related to the Judiciary ................................................................................................ 62
    - Obstacles Derived from Power Struggles or Ideological Positions ............................................ 63
    - Obstacles Related to the Lack of Information and Data .............................................................. 64
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Obstacles (Multifactorial Obstacles)</td>
<td>65</td>
</tr>
<tr>
<td>Lack of Incorporation of Other Forms of Violence</td>
<td>66</td>
</tr>
<tr>
<td>State Response to the Pandemic on Issues of Violence against Women</td>
<td>69</td>
</tr>
<tr>
<td>Chile</td>
<td>72</td>
</tr>
<tr>
<td>Measures Taken by the State to Prevent and Address Violence</td>
<td>72</td>
</tr>
<tr>
<td>Factors that Influenced the Adoption of the Measures</td>
<td>79</td>
</tr>
<tr>
<td>Effectiveness Level Achieved and Obstacles Faced in the Implementation of the Measures</td>
<td>84</td>
</tr>
<tr>
<td>Response Achieved</td>
<td>84</td>
</tr>
<tr>
<td>Obstacles</td>
<td>86</td>
</tr>
<tr>
<td>Structural or Pre-existing Obstacles</td>
<td>88</td>
</tr>
<tr>
<td>Obstacles Related to Territorial Diversity</td>
<td>92</td>
</tr>
<tr>
<td>Difficulties in Applying the Measures to Various Population Groups</td>
<td>94</td>
</tr>
<tr>
<td>Obstacles Derived from Power Struggles or Ideological Positions</td>
<td>95</td>
</tr>
<tr>
<td>Ignorance of the Measures</td>
<td>96</td>
</tr>
<tr>
<td>Design Problems</td>
<td>98</td>
</tr>
<tr>
<td>Difficulties within the Framework of Knowledge of Cases by the Judiciary</td>
<td>99</td>
</tr>
<tr>
<td>Lack of Incorporation of Other Forms of Violence</td>
<td>100</td>
</tr>
<tr>
<td>Multifactorial Obstacles</td>
<td>101</td>
</tr>
<tr>
<td>State Response to the Pandemic on Issues of Violence against Women</td>
<td>102</td>
</tr>
<tr>
<td><strong>CONCLUSIONS</strong></td>
<td>105</td>
</tr>
<tr>
<td>Rights in Principle or Normative Framework on Violence against Women</td>
<td>107</td>
</tr>
<tr>
<td>Rights in Policies, Plans, Programmes, and Measures for the Realisation of Rights</td>
<td>108</td>
</tr>
<tr>
<td>Availability</td>
<td>108</td>
</tr>
<tr>
<td>Accessibility</td>
<td>110</td>
</tr>
<tr>
<td>Acceptability</td>
<td>111</td>
</tr>
<tr>
<td>Adaptability</td>
<td>112</td>
</tr>
<tr>
<td><strong>RECOMMENDATIONS</strong></td>
<td>113</td>
</tr>
<tr>
<td><strong>BIBLIOGRAPHY</strong></td>
<td>118</td>
</tr>
<tr>
<td>Websites</td>
<td>121</td>
</tr>
<tr>
<td>Argentine Interviewees: State Organisations</td>
<td>121</td>
</tr>
<tr>
<td>Argentine Interviewees: Civilian Society Organisations</td>
<td>123</td>
</tr>
<tr>
<td>Chilean Interviewees: State Organisations</td>
<td>123</td>
</tr>
<tr>
<td>Chilean Interviewees: Civilian Society Organisations</td>
<td>123</td>
</tr>
<tr>
<td><strong>APPENDIX: CATEGORISATION OF MEASURES AGAINST VIOLENCE</strong></td>
<td>125</td>
</tr>
</tbody>
</table>
INTRODUCTION
Since the start of 2020, countries around the world have been facing the Covid-19 pandemic. In order to reduce the speed of the transmission of the virus, the governments adopted measures such as lockdowns and quarantines, mobility restrictions, border closures, working from home and school closures. The health emergency caused differentiated impacts on the most vulnerable populations, deepening pre-existing inequalities and exacerbating violence against women and girls in households. Therefore, various international organisations recommended measures to address the social and economic consequences of the Covid-19 crisis.

In this framework, the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) presented the states in the region with a set of recommendations necessary to prevent and address violence against women during this stage. The MESECVI recommendations focused on a) public policies for the prevention and attention to violence against women and girls; b) public policies for access to justice; c) institutional strengthening; and d) information and statistics (OAS/CIM/MESECVI, 2020). In relation to public policies for the prevention and attention to violence, the MESECVI recommended that the states implement specific actions focused on the increase in violence caused by the implemented measures to reduce the spread of Covid-19. In terms of access to justice, the Mechanism stated the importance of justice being accessible to women and girls, both formally and materially. Institutional strengthening refers to the need to strengthen institutions to adequately implement measures to effectively prevent, address and punish this type of violence and to provide a rapid response to the crisis. Finally, the MESECVI recommended the collection of information and statistics disaggregated by sex, education, age, socioeconomic status, and characteristics of vulnerability, among other relevant values, and thus, consider clear empirical data to improve the implementation and execution of public policies generated in response to the crisis caused by the Covid-19 pandemic.

After several months of isolation and the adoption of government’s measures to confront and address the increase of violence against women and girls, cases in Latin America and the Caribbean continued to increase. Even with crime levels dropping due to the mobility restrictions, femicides, gender-based violence accusations and calls to helplines during

---

1 The CIM/OAS has drawn attention to how the established measures to eliminate risks of infection during the pandemic have aggravated structural discrimination and overexposed women and girls, widening the inequality gap in all areas, CIM/OAS, 2020, Covid-19 in the lives of women: Reasons to recognize differentiated impacts Available at http://www.oas.org/es/cim/docs/ArgumentariosCOVID-19-ES.pdf. UN Women has also suggested that measures to curb the virus exacerbate this sort of violence and has published information with suggestions for Preventing Violence against Women in response to Covid 19 in Latin America and the Caribbean (UN Women 2020), Available at: https://hab.ssa/wMkUC
2020 rose in the region. The above made it necessary to analyse measures adopted by the states to respond and prevent said violence. Within these circumstances, this piece of research "State Measures to Prevent Violence against Women in Times of Covid-19", funded by ANID and the Institute of International Studies at the Universidad de Chile, was developed. The overall objective of the project was to identify the measures adopted by two South American States: Argentina and Chile, to determine the factors that influenced their decision, to identify the obstacles encountered in their implementation and to evaluate the effectiveness level achieved by them. The two selected states for the analysis have performed a variety of actions to address gender-based violence. In addition, the countries present a group of territorial, administrative, and public policy differences in terms of gender, enriching the comparison.

Thus, this report analyses the measures adopted by governments to address violence against women and girls in Argentina and Chile, as recommended by MESECVI, based on content and statistical analysis of 1,360 press articles and 45 semi-structured interviews with female government officials and representatives from civilian society. A broad definition of violence that addresses a diversity of its types and modalities and that contemplates an intersectional perspective was adopted to analyse the collected information. In other words, in this piece of research we consider that the government’s measures to address, punish and prevent this type of violence should be analysed from an intersectional approach. This implies recognising the diversity of people and situations to which public policies must respond, making the overlapping inequalities they present visible (Bidaseca, 2011). We also rely on Landman & Carvalho's (2010) approach to measure the state's response to human rights. This approach argues that rights can be assessed, in principle, in policy or in practice. Regarding policy rights, it proposes a series of particularly useful concepts for evaluation, such as: availability, accessibility, acceptability, and adaptability. This position is accepted by evaluation committees for the state's compliance to the obligations established by international conventions, such as the MESECVI, and it shall be the guide used to compare the responses of Argentina and Chile regarding the situation of violence as part of Covid-19.
It is worth clarifying that given the complexity of the phenomenon, the extension and permanence of Covid-19, as well as the lack of statistics to get a clearer picture of violence, the conclusions of this piece of research are not definitive. Although the research was performed with a multiplicity of sources, reviewing background information, normative frameworks, and theorisations on the subject, and using different analysis methodologies, the scenario is constantly changing. Nevertheless, their value is essential for the comprehension of the efforts made by the states in the adoption and implementation of public policies to address violence that women and girls affected by the health crisis undergo. The final objective of this research, based on the diagnosis, is to generate recommendations for strengthening and improving public policies.

The analysis of rights in principle or normative framework of violence against women in Chile and Argentina led to differences in the legislation and policies of each country. Regarding the measures implemented in the context of the Covid-19 health crisis, emphasis was on domestic and gender-based violence as generic forms without considering other types of violence such as sexual, obstetric, economic, street, and digital violence. In the case of Chile, the interviewees focused their criticism on the general conceptualisation of violence, which does not incorporate all its forms, that had an impact in the context of the pandemic. Regarding the reasons that led both countries to adopt the measures, they highlighted the increase in the number of cases observed since the beginning of the pandemic, leading the states to respond. A difference between the countries is that Argentina had greater involvement and the demands of civilian society organisations were heard in the process of defining the measures.

We use Landman & Carvalho’s (2010) principles of availability, accessibility, acceptability, and adaptability to analyse state effort in the implementation of the measures. As a result, we found that in both countries the measures varied significantly across the national territory and accessibility of measures was one of the most problematic aspects in the context of the pandemic. The implemented measures in both nations did not incorporate
mechanisms to ensure the availability for the entire population in need. In this regard, we found major limitations in territorial and intersectional analysis. As for the acceptability of measures, they were aimed at providing an initial response to violence, mainly focused on information and assistance requests (such as reinforcements to telephone helplines, and the face mask 19 in Chile and the red face mask in Argentina), yet not necessarily to provide a comprehensive response and accompanying women throughout the process, from the request of information, access to assistance, accompaniment in courts and access to shelters or foster houses. There were measures aimed at ensuring pre-existing services, in health and legal spheres and, that services such as psychological and pre-existing services continued to function. However, prevention was not strengthened in comprehensive care, and as noted above, in covering and responding to other forms of violence.

The measures did not also incorporate forms of evaluation that would account for the situations of violence during the period, nor the quality of the state response adopted. Inter-institutional coordination measures were truly relevant. In both cases, the measures were adopted by the Judiciary to ensure the continuity of the cases related to violence. In this context, the problems identified are structural with deficiencies on staff training, stereotypes and a system design that does not consider this problem as a relevant issue that requires a system-wide response. Finally, the measures were adopted mainly at central level by both states, but no evaluation nor adaptation of these measures was considered taking in account the particularities of each territory, such as the situation of rural or remote areas with deficient roads, lack of technology and connectivity issues; regarding cultural groups, like indigenous people, migrants or; specific groups of women with special situations of vulnerability or that exacerbate the risks of a certain type of violence, such as girls, female adolescents, older women, disabled women, women from low socio-economic backgrounds, and people with diverse sexual orientations or gender identities. In the case of Argentina, the federal characteristics of the country also presented challenges given the need to adapt national measures at a sub-national level, which depends on coordination and communication between different levels of government.
In the next chapters we present the theoretical framework of this piece of research, where we summarise the main definitions of violence according to international treaties, the intersectional approach we adopted for the research, and Landman & Carvalho’s (2010) proposal to evaluate the implementation of public policies. We also present the research methodology. Followed by a brief contextualisation of each country plus a description of the adopted measures by Chile and Argentina to address, confront and prevent violence against women and girls during the first year of the Covid-19 crisis. Furthermore, we will analyse the influencing factors on the adoption of measures, the main obstacles and challenges for their implementation and evaluate their level of effectiveness.
VIOLENCE AND TYPES OF GENDER-BASED VIOLENCE

The right of women, girls, and female adolescents to live a violence-free life is a fundamental principle of international human rights law (Human Rights), established by both the universal and regional systems, with legal duties regarding the eradication of violence and discrimination. Said duties are based on the fundamental rights to equality, non-discrimination, life, and personal integrity (IACHR, 2019).

In the United Nations Decade for Women (1976-1985) feminist thinking allowed this issue to become a priority for international organisations. Regarding protection terms, in 1979 the General Assembly of the United Nations approved the Convention on the Elimination of All Forms of Discrimination against Women, and the following year it adopted the resolution "Battered Women and Violence in the Family" (CEPAL, 1996). According to Sagot: "Thus begins a process to attempt to break the myth that this form of violence is a "private" matter and even normal part of the family and human dynamics. Therefore, it should remain out of the scope of justice and state intervention (2008, p.3). Women are not battered for being a mother, girlfriend or housewife, but for being a woman; hence, is important to conceptually delimit violence against women, since by improperly naming it, e.g. "domestic violence"; or "family violence", it is only being related to a specific environment, family or domestic, and from there it can be limited with relative ease to particular types of family, certain circumstances, or that is due to some men being sick, alcoholic or especially violent, or, also, to women provoking them (Lorente, 1998, p.85).

In its first article, the Convention states that "the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civilian or any other field"; (CEDAW, 1982, p.2).
The Committee for the Elimination of All Forms of Discrimination against Women, in their general recommendation no. 19 (1992), explained that discrimination against women, as defined in Article 1 of the convention, includes gender-based violence, which is "the violence that is directed against a woman because she is a woman or that affects women disproportionately", and that it constituted a violation of their human rights (Committee CEDAW, 2017, p.1). Violence against women is a structural component of a system of gender oppression. The use of violence is not just one of the most effective methods to control women, but also one of the most brutal and explicit expressions of domination and subordination (Sagot, 2008).

Subsequently, two new law instruments emerged along this line. On one hand, Declaration 48/104 of the General Assembly of the United Nations on the Elimination of All Forms of Discrimination against Women (1993), and at Inter-American level, the Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará), introduced by the Inter-American Commission of Women to the Organization of American States (1994). Said convention, in its preamble, points out the Inter-American system’s concerning violence against women as a manifestation of the asymmetric power relations between men and women. Moreover, it maintains that the elimination of violence against women is essential for their individual and social development, and their full and equal participation in all spheres of life (Belém do Pará Convention, 1994).

In its first articles, the Convention defines violence against women, and identifies different types and spheres where it can manifest. The definition states that "...any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere" (Belém do Pará Convention, 1994, p.1) is considered as violence against women. On the other hand, it recognises three types of violence: physical, sexual, and psychological.

Additionally, the Convention presents three spheres in which these types of violence can
manifest, whether in private life, public places or perpetrated/condoned by the state. The first one occurs within the family or any other interpersonal relationship, even if the perpetrator does not share a residence with the victim. The second one can be perpetrated by any person in a community, a workplace, educational institutions, health facilities or any other place. Lastly, state violence can be perpetrated by its officers regardless of where it occurs.

Finally, the state parties of the Convention agree to "progressively undertake specific measures, to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected" (Belém do Pará Convention, 1994).

Meanwhile, the Inter-American Convention (CIM) states in its Atlas of women’s struggles that "violence against women is not only physical and private, rather it takes many forms and comes in many types, some of which go unnoticed since society has normalised them. Violence against women can occur in both the public and private spheres and may even be perpetuated and/or tolerated by state agents" (CIM, 2018, p.58).

Furthermore, it lists the following as types of gender-based violence: partner or ex-partner violence; physical violence; verbal violence; psychological or sexual violence; obstetric violence; economic and property-based violence; violence against women in political life; online violence, harassment, and abuse; female genital mutilation; trafficking in persons; symbolic violence; and, finally, the biggest expression of violence: femicide/feminicide (CIM, 2018).²

The Follow-up Mechanism to the Belém do Pará Convention (MESECVI), in its Inter-American Model Law on the Prevention, Punishment and Eradication of the Gender-Related Killing of Women and Girls, identifies femicide/feminicide as "the violent killing of women because of gender, whether it occurs within the family, domestic unit or any interpersonal relationship, within the community, by any individual, or when committed or

² For further detail: http://www.oas.org/es/cim/docs/Atlas90-Digital-ES.pdf
tolerated by the state or its agents, either by act or omission” (MESECVI, 2017, p.13).

The annual report from the Gender Equality Observatory (2014) points out an aspect that is developed in this piece of research. The Observatory indicates that, even though international instruments state that violence against women occurs in various forms, the states in the region tend to focus on few of these, especially domestic violence, and to leave out of their regulations and the scope of public policies other forms such as cyberstalking, workplace violence, etc. In the same vein, UN Women emphasise that many countries in the region must focus on developing comprehensive laws that are in accordance with the international standards of human rights (UN Women, 2015, p.21).

**INTERSECTIONALITY**

As mentioned in the introduction, we consider that the government’s measures to address, punish and prevent violence against women must be analysed from an intersectional approach. This implies recognising the diversity of people and situations to which public policies must respond. Given that our study populations exhibit a multiplicity of characteristics, it is necessary to study the measures against gender-based violence, making the overlapping inequalities they present visible. This perspective suggests that for some women feminist struggles are intertwined with efforts against racism, class struggle, ethnicity, gender identity, sexual orientation, nationality, among others. In the words of Karina Bidaseca: “Sexism, racism and class exploitation constitute interrelated systems of domination that determine the female agency, and which allow us to comprehend the "salvationist rhetoric" that constructs the imperialism discourse or small local imperialisms” (201, p.63).

The occurrence of the intersectionality concept is related to the contributions of the so-called “black feminism” which drew attention to the blindness of western white feminism to other vulnerabilities that may overlap gender inequality (Pombo, 2019). In this sense, many feminist theorists used the concept of intersectionality way before it was named as such. Subsequently, studies developed the term intersectionality to evidence that there are
other forms of oppression that white feminism did not consider, placing the subordination of white women to men of the same class and race condition at the centre in the consideration of the sex-gender system.

In 1989, Kimberlé Crenshaw coined the term intending to make the interconnectedness between identities that coexist and lead to a web of vulnerabilities visible. This is how some authors suggest that “the need to understand the gender oppression as a social process made up of the indissoluble articulation with other vertebrates of inequality, essentially social class and race” (Pombo, 2019, p. 146). Intersectionality as an analytic category emerges from the strenuous debates within feminism and alienates from the initial monolithic conception of women. In this respect, exploring the social sciences with an intersectional approach allows us to visualise how the multiple axes of difference simultaneously articulate and deepen inequalities and discriminations.

But not only the academy paid attention to this overlapping of the axes of difference and inequality; international organisations, NGOs and the states have also begun to deploy discourses and public policies from an intersectional approach, e.g., the resolution on women’s human rights issued at the 58th session of the UN Commission of Human Rights as of 23rd April, 2002, stated in its first paragraph: "(...) Recognised the importance of examining the intersection of multiple forms of discrimination, including their root causes from a gender perspective" (Resolution E/CN.4/2002/1.59).

At state level, public policies are often thought of as gender and power neutral. Nevertheless, numerous feminist studies have proved that the state is a gender-orientated institution (Acker, 1990; Rodríguez Gustá 2008) and, therefore, in its practices, customs and action plans deepen gender, race, class and identity inequalities. Since the 90’s, gender mainstreaming policies have been placed. Following Ress, the mainstreaming policies lie in the "promotion of gender equality by their systematic integration in all systems and structures, in all policies, processes and procedures, in the organisation and its culture, in the ways of seeing and doing" (2005, p.560).
THEORETICAL FRAMEWORK

Gender policies from an intersectional approach should consider the multiple oppressions of the subjects, without prevailing certain characteristics over others, but considering that the identities of the subjects are established from these multiple subjuctions. In this sense, the study carried out by Gigena and de Sea (2018) on public policies intended for indigenous women in Chile is a clear example of the neediness to incorporate this type of approach. The authors emphasise that “the fundamental challenge is to achieve an intersectional approach that encourages the development of the necessary state capacities for the design and implementation of public policies in heterogeneous and multinational societies” (2018, p.342)

The need to analyse government’s measures from an intersectional approach responds to the comprehensive view that this work has considered. In virtue whereof, it would be an analytic error to only observe the existence of measures without contemplating how they impact on societies. To be more illustrative, it is necessary to mention that the study’s populations have been diverse: girls, female adolescents, older women, women of colour, indigenous women, disabled women, migrant women, LGBTI+ population, and women from low socio-economic backgrounds.

MEASUREMENT OF THE STATE’S RESPONSE ON HUMAN RIGHTS

The international systems of human rights, through their bodies instruments and standards, establish obligations for states. The obligations can be subdivided into several spheres, which can be evaluated considering certain indicators. Landman and Carvalho suggest considering the following categorisation: rights in principle, rights in practice and rights in policy (Landman & Carvalho, 2010).

- Rights in principle imply an evaluation of the international and national commitments made by the states.
- Rights in policy evaluate the impact of the government policies on the enjoyment of rights.
Rights in practice refer to the people’s actual enjoyment whereof.

For the purposes of this research, the most relevant spheres, and the ones we are interested in evaluating are those related to right in policy and practice, to measure the endeavour effectively made by the states in the adoption and, especially, in the implementation of the measures against violence, since regarding rights in principle, both Chile and Argentina have agreed internationally through the ratification of treaties that protect women’s rights.\(^3\)

In relation with rights in policy, the following principles are relevant (Landman & Carvalho, 2010; Pérez Gómez, 2016):

- **Availability**: relates to the implementation of policies to ensure that the basic content of rights is publicly available.
- **Accessibility**: means that measures adopted to ensure the implementation of the right reaches everyone, including non-discrimination in access, as well as physical and economic accessibility.
- **Acceptability**: relates to the relevance, adequacy in cultural terms and quality of the provided resources.
- **Adaptability**: refers to the flexibility in the implementation of the policies, according to the changing needs of societies and communities.

Finally, rights in practice are the state’s obligations to respect, protect and fulfil the obligations contained in the treaties. The obligation to respect implies that the state must not deprive people from their rights. The obligation to protect consists of preventing other parties from depriving individuals from their rights; and the obligation to ensure is the establishment of a state structure in the provision of resources that allow people to effectively enjoy their rights (Landman & Carvalho, 2010; Green, 2001).

Regarding state obligations, the aforementioned spheres or dimensions translate into a

---

\(^3\) Relevant treaties in this matter are the Convention on the Elimination of All Forms of Discrimination against Women, from 1979, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, from 1994.
THEORETICAL FRAMEWORK

series of progress indicators, which are classified in structural, of process and of result (MESECVI, 2015; Pautassi 2016):

- Structural indicators: refer to the organisation of the institutional and legal apparatus for the obligations compliance, as well as a review of the regulatory framework.
- Process indicators: measure the coverage and content of policies, plans programmes and adopted measures for the realisation of the rights.
- Result indicators: measure the current impact of the state efforts to ensure the rights.

For the Follow-Up Mechanism of the Belém do Pará Convention (MESECVI), indicators are used to measure the spheres like legislation, national plans, access to justice, information and statistics, and diversity, all considered as fundamental for state response for the elimination of violence against women (MESECVI, 2015). This system of indicators is in line with mainstreaming. That was explicitly included as a mandate for governments as part of the IV Conference on Women of Beijing, 1995, referring, in particular, to gender equality (Pautassi, 2010).^4

Progress indicators, thus established, are also used by the Inter-American Commission of Human Rights and the United Nations treaty committees to measure economic, social, and cultural rights (Pautassi, 2010; 2016). To have an impact, indicators must be included in a mainstreaming form in public policies and, particularly, in the ones that intend to advance human rights (Pautassi, 2016). Indicators allow us to evaluate the compliance degree with Human Right obligations to the extent that, among other factors, disaggregated by race, sex, ethnicity, socio-economic status and urban/rural, as well as other internationally prohibited categories of discrimination are found (Pautassi, 2010).

^4 By mainstreaming we refer to the adoption of the gender perspective in the whole cycle of the public policy and in all state areas.
METHODOLOGY
The data collection strategy consisted mainly of two instances. On one hand, a press follow-up was performed and, on the other, semi-structured interviews were surveyed. For starters, a media follow-up was carried out to review the news on violence against women. Based on the observations, some media were selected for a more systematic and rigorous follow-up. From there a press database was made of news and newspaper articles on measures to prevent, address and punish violence against women during the Covid-19 pandemic. The database was developed with national media and one media per selected region/province, which was subsequently scaled up to two additional regions/provinces.

In Chile, the database was built with the news published in the digital version of the La Tercera, El Mostrador, Araucanía Diario, El Morrocoyudo y Antofagasta Timeline newspapers, between 1st March and 31st December 2020. In Argentina, the press corpus was built with news from the digital versions of the Clarín, El Tribuno de Jujuy, El Tribuno de Salta y ADN Sur de Chubut newspapers, in the same period. News published in other media such as La Nación and Página 12 were also included. The selected period includes the first year of the Covid-19 pandemic, allowing us to evaluate the different moments in the evolution of the lockdown and social distancing measures and their impact on the government’s measures.

The following steps were taken to build the news database in Chile and Argentina: the researchers selected the press media with greater national circulation in each of the chosen localities. Then, we read every day’s full edition of each one of the selected newspapers published on the website of each publication in the stated period (between 1st March and 31st December 2020). For each piece of news/article referred to gender-based violence a sheet with pre-defined fields on the variables of our interest was filled in. Lastly, we moved the information to an Excel spreadsheet to be analysed.

5 In the appendix, a categorisation of measures against violence is presented. Among them we can find measures against domestic or gender-based violence in general terms, as well as specific measures against certain types of violence, such as against cyberstalking, gynaecologic or obstetric violence, or sexual violence.
With the information gathered from the newspapers (N:1,360, Argentina N:1,082; Chile N: 278) both a quantitative and qualitative content analysis was carried out (Mayring, 2000). The use of the data collected from the newspapers gave us information to contextualise what the problem of violence against women from the public and mass media opinion is. Furthermore, we were able to see the scope and dissemination of the government’s measures to prevent and punish this violence. Despite that the published reports cannot be interpreted as a reflection of reality (as they distort and build it), they do offer a reliable story on how certain problems are “dramatized” in the public sphere (R. Koopmans Rucht, 2002; Oliver & Meyer, 1999; Antunes, 1977). On the contrary, although audiovisual media is incredibly important, newspapers remain vital for the construction of the public agenda’s topics and in forming an opinion of the social elites and middle classes (Sorj 2012 en Vincent, 2015). Therefore, from a theoretical perspective, it is valid to consider written press as a legitimate voice in media as political parties and, thus, to know their position (Vincent, 2015). The choice of press as data sources also responded to empirical motives, provided that the stories of the main publications of the national and local print press, like the ones used in this study, were the only public source available to study the analysed government measures.
There is a long tradition in social sciences that proves the value of newspaper files for information collection (Antunes, 1977; Franzosi, 1987; Earl, Martin, McCarthy & Soule, 2004; Mueller, 1997; Olzak, 1989). Nevertheless, several studies also mention some risks of using newspaper information as data for social analysis. In protest studies, criticisms are mainly focused on selective information of certain events by newspapers ("selection bias"), as urban bias in which newspapers prioritise urban centre news or the exceptionality or size of the event bias, meaning more dramatic news or the ones with high numbers of victims are prioritised (Oliver & Meyer, 1999, McCarthy, McPhail, Smith & Crishock, 1999), leaving aside more everyday news.

**Figure 2. Number of News on State Measures**

![Figure 2: Number of News on State Measures](image)

The exceptionality bias was evidenced by the coverage of some femicides, and the measures taken in said cases. We sought to amend this bias by using the specific category PC: Individual to Case. This way, we tried to control the amount of news on the same event and the measures taken regarding that specific case. In both countries, news selection bias
was monitored by reading the whole daily edition of each newspaper, instead of using a sampling or indexes method. Furthermore, the selection of the newspapers included the ones from localities far away from the country's capital and in culturally diverse, indigenous, rural and border areas.

As figure 3 shows, in both countries the press considered as relevant the information referred to different types of violence. However, a clear emphasis is made on publishing news referred to domestic and sexual violence, and femicide. There is broader news, but the general rule is that press do not cover all types of violence. To amend said exceptionality bias, newspapers from different regions and editorial lines from each country were included.

FIGURE 3. TYPES OF VIOLENCE COVERED BY THE MEDIA (IN PERCENTAGES)

Source: own elaboration.

---

5 The selection included the newspapers with greater circulation in each region.
On the other hand, given the lack of availability of continuous and systematic information from alternative sources on measures regarding violence against women and the response from society, this method becomes a privileged source for its study in any Latin American country.

For each piece of news in Argentina and Chile, the following data has been coded:
- date of the piece of news
- type of violence mentioned
- who was/were affected by the violence
- context or place of the violence
- measures and actions against violence (by the government and civilian society)
- adoption motive
- responsible organisation
- co-responsible organisation
- month in which the measure was implemented
- obstacles for its implementation

Finally, all the coders held regular standardisation and cross-checking meetings to ensure the consistency and reliability of the information, while the principal investigators review the categorisation made.

**FIGURE 4. NUMBER OF NEWS PER PROVINCE AND NATIONALLY: ARGENTINA**

Source: own elaboration.
Secondly, semi-structured personal interviews were conducted over Zoom with civil servants and civilian society representatives about government measures and topics related to violence against women in Chile (23)\textsuperscript{7} and Argentina (22). The interview guide and informed consent were approved by the ethics committee at the Faculty of Philosophy and Humanities at the Universidad de Chile and the Universidad de San Martín, and all the interviewees were notified of their rights and the investigation’s scope and objective. With some exceptions (Argentina: 2\textsuperscript{8}, Chile: 3), all the interviewees agreed that their name and surname were included in the investigation’s final report and the products derived from it. The questions asked were intended to enquire about government measures implemented by both countries to hinder violence against women during Covid-19 pandemic, the motives for their adoption, implementation, population who they intended for and obstacles and challenges in their adoption.

The interviewees were selected based on intentional sampling criteria (Marradi, Archenti y Piovani 2007, p.222). Female officers in hierarchical and decision-making positions in national and provincial ministries, congress, state bodies responsible for violence, the police, town halls, civilian society organisations and the judiciary were interviewed.

\textsuperscript{7} One of the interviews was conducted in writing by e-mail.
\textsuperscript{8} One of the interviewees requested not to mention her name in the case development, but to mention it in the final references.
selection of people was also guided by the measures that were enacted during the study’s period. Moreover, the newspapers and the researchers from each country reviewed official documents to identify approved measures as well as government’s decisions regarding violence against women. On the basis of this information, referents for interviews were selected.

Some questions included issues such as the ways in which the information on gender-based violence was being documented and gathered; new initiatives and measures taken to prevent, address and document gender-based violence; factors that influenced the adoption of measures; ways in which measures were broadcast, obstacles and challenges for their implementation, and allocated budget.

The semi-structured interviews provided us detailed information allowing to deepen in those points where the newspapers’ data was not enough or available - either because they were not reported by the newspapers, or they did not give comprehensive information. Additionally, the interviews allowed us to enter in the story of the people who made the decisions or demanded the measures; to revive how and why the public policies were designed or the specific measures were adopted; to disclose the complexity of the implemented measures; to listen about the non-implemented and non-necessary ones; to understand the scope of the measures and their obstacles to reach all the population. All the performed interviews were coded with Atlas-ti software (Friese, 2014).

A list of the adopted measures by both countries was made from the press follow-up and the performed interviews. The measures were categorised according to the table included in the Appendix. Among them we can find measures against domestic or gender-based violence in general terms, as well as specific measures against certain types of violence, like cyberstalking, gynaecologic or obstetric violence, or sexual violence. In the chart a comprehensive review of the measures and used categories, as well as their description can be found.
CONTEXTUALISATION OF COUNTRIES
ARGENTINA: A DECENTRALISED FEDERAL COUNTRY

The National Constitution established that Argentina is a federal republic made up of twenty-four federated constitutional units, twenty-three provinces, and an autonomous city. It also stipulates that each province must institute and design a third level of government, which is known as municipality or department. Every level has exclusive authorities and functions that coexist with other government levels. In this sense, it is a multilevel state. According to Escolar (2009), from a legal approach, federal political regimes constitutionally ensure the existence and political empowerment of the government sublevels. However, it is not accurate to indicate that there is a clear division between each level, since the government levels share obligations and responsibilities, and government decisions have an impact on other state levels (Leiras, 2013).

Furthermore, Argentine federalism is decentralised. According to Leiras, “Argentina is a politically and administratively decentralised federation with a high geographical concentration of productive resources and wide inter-provincial inequalities” (Leiras, 2013, p.3), which does not detract its federal character, but shows that as provincial governments are politically autonomous, they are also economically dependent and vulnerable.

In terms of implementation of public policies, Leiras argues that provincial governments are political structures that “constitute pillars of the political and constitutional architecture of Argentina” (2013, p.28). In relation to policies in Argentina, the political and administrative empowerment of each sublevel encourages provinces to design and implement public policies. Regarding policies issued by the national government, the representation of the provinces in the Senate Chamber, and provincial interests is essential for the formation of majorities that support national decisions (Leiras, p.2013). In this sense, the Argentine Republic has national, provincial, and municipal policies in coexistence. The implementation of national polices at sub-national levels depends on the quality of the so-called intergovernmental relations and coordination, i.e., the establishment
of communication, coordination, and decision-making systems between different
governments levels, such as formal and informal or less institutionalised character (Jordana, 2002).

In relation to governing bodies in gender matters, Argentina currently has a Ministry of
Women, Gender and Diversity. For its federal character, provinces and municipalities have
their own institutional design, so it is possible to find in some provinces like Córdoba and
Buenos Aires, province ministries for gender matters. Nevertheless, in most Argentine
provinces, gender mechanisms do not have ministerial level.

The Institutionality of Gender in the Argentine Republic

As mentioned above, Argentina has three government levels: state, provincial and
municipal or local, and the country’s administrative design allows each level to have gender
bodies which are, therefore, driven by progress in gender mainstreaming that has had
emphasis since the 1990s on the international protection system and the increase in the
incorporation of gender offices at different government levels. In this section we
contextualise on the ruling body for gender policies in Argentina.

Raúl Alfonsín’s government (1983-1989), who democratically assumed after seven years of
civil-military dictatorship, created the National Commission for Women in 1983, under the
Secretariat of Human Development and Family of the Ministry of Health and Social
Action. In 1987, the Directorate would take hierarchy of the Undersecretariat.
Subsequently, Carlos Menem’s government (1989-1999) transformed the Undersecretariat
into the National Commission for Women (CNM), through National Decree 1426/92, under
the National Executive. The Constitutional reform of 1994 organised the CNM of the Head
of Cabinet, under the Nation’s President. At this time, the CNM would be the governing
body for gender policies (Rodríguez Gustá, 2018). According to Rodríguez Gustá, the
CNM lost its hierarchy after 1999, and in 2002 it became part of the Ministry of Social
Development, which meant that gender issues would be subordinated to social issues.
From 2003 to 2015, Argentina was governed by Néstor Kirchner (2003-2007) and Cristina Fernández (2007-2011; 2011-2015). All three presidential terms occurred during what researchers call in the region the “pink tide” (Friedman & Tabbush, 2020). According to Tabbush et al. (2020), during these years the CNM suffered “budgetary erosion, and the loss of the institutional relevance” (2020, p.115). Although agreements and alliances were made, such as the national 144 line launched in 2013, the efforts were insufficient against the demands on gender inequality (Rodríguez Gustá, 2018).

In 2017, in Mauricio Macri’s government (2015-2019), the CNM became the National Institute for Women, acquiring status of State Secretariat, under the Ministry of Social Development. During this, the National Institute for Women developed the first National Plan for the Prevention, Assistance, and Elimination of Violence against Women (2017-2019).

In December 2019, the coalition government “Everybody’s Front” (“Frente de Todos”) comes into power assumes with Alberto Fernández and Cristina Fernández heading the presidential ticket (2019-2023). One of the campaigns promises by the president was the hierarchisation of the National Institute for Women, and, hence, with its assumption the Ministry of Women, Gender and Diversity was launched. The Ministry was created through presidential decree 7/2019, with a ministerial status under the National Executive. Its minister is Elizabeth Gómez Alcorta, a lawyer specialised in criminal law, political science, and sociology, who has also litigated on behalf of indigenous women leaders.

Policies against Gender-Based Violence

Argentina has an extensive regulation to address gender inequalities and policies for the advancement of women. A pioneering Quota Law, which in 1991 allowed for a 30% quota for women’s access to national elective charges (Law 24,012). The incorporation of women into the legal sphere allows for certain advances in terms of rights (Borner et al., 2009).

---

9 Available online http://servicios.infoleg.gob.ar/infolegInternet/anexos/330000-334999/333138/norma.htm [consulted on 06/06/2021]
10 In 2017, this law was replaced by Law 27,412 on Gender Parity in Political Representation areas.
We are particularly interested in notifying the legislation on gender-based violence. In this regard, for length we shall focus on the most relevant regulations in this sphere. In 2009, Law 26,485 on Comprehensive protection to Prevent, Punishment and Eradicate Violence against Women was passed. This law's text is established under the governing principles of 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 and the Convention on the Rights of the Child. In addition, it broadly defines types and modalities of the gender-based violence. It is noteworthy that Argentina has ratified the CEDAW through Law 23,179 as of June 1985 and, since 1994, it has constitutional hierarchy (art. 75, sec. 22, CN), and in 2006 the CEDAW Optional Protocol was approved. Regarding the regional instrument, the Convention was ratified by Argentina in 1996 through Law 24,632.

In relation to gender-based violence, Law 26,792 was passed in 2012 which modified article 80 of the Criminal code, including femicide as an aggravating circumstance of simple homicide (section 11). Furthermore, other aggravated crimes related to gender-based violence were included (sections 1, 4 and 12). In 2018, through Law 27,452 known as Brisas’s Law, the Economic Reparation Regime for Children Victim of Gender-Based Violence was established. On the other hand, Law 27,499 on Mandatory Gender Training for all Persons on Violence against Women was enacted in 2018, which establishes mandatory training on gender-based violence for all persons in all three branches of government.

As noted, in 2019, the Ministry of Women, Gender and Diversity was created. Since its founding, the ministry has presented several programmes. In July 2020, the National Action Plan on Gender-Based Violence was introduced which suggests mainstream actions in conjunction with state bodies and agencies. Its formulation has more than 140 actions planned and was under the responsibility of the Secretariat for Policies against Gender-Based Violence.
Data on Gender-Based Violence

National data provided by the Women’s Office of the Supreme Court of Justice indicate that in 2020 there were 251 direct victims of femicide. For said year, the rate per 100,000 women was 1.09. In 2019 the data was similar, with 252 direct victims of femicide whose rate was 1.1 per 100,000 women.

Statistics from the Ministry of Women, Gender and Diversity show that in the same year 108,403 calls to the national 144 help line for victims of gender-based violence (a helpline created under Article 9 of Law 26,485) were received. A comparison developed by the Ministry found out that due to the mandatory lockdown measures the number of monthly calls to the 144 helpline was higher in all months when compared to 2019. The report presents data from April 2020 to October 2020, having a 21.4% increase in calls compared to that period during 2019.

On access to justice and case handling, the Office of Domestic Violence, in its 2020 report, indicated that it assisted approximately 50% fewer cases compared to 2019.

CHILE: A UNITARY STATE

According to Article 3 of their Political Constitution, Chile is a unitary state governed by a presidential system. Territorially organised, from north to south, its sixteen regions are divided into provinces and districts, so that the functions of the government and administration are distinguished at national, regional, provincial, and district levels.

The same article asserts that the state's administration shall be functionally and territorially decentralised or deconcentrated in its case, according to law. However, "a real political decentralisation cannot be appreciated. We can glimpse an effective assignation of functions to town halls, but this was not accompanied by a greater democratisation of their administration" (Soto, 2020: 26).

12 https://www.argentina.gob.ar/generos/linea-144/informacion-estadistica
The president of the Republic is head of state and government, as well as co-legislator of legislative power, and possesses the exclusive initiative to draft legislation related to financial or budgetary administration of the state. In turn, the legislative power is made up of different ministries, responsible for adopting government priorities and goals as part of the Government Plan, based on the previously mentioned and the allocated budget, establish their own strategic planning.

The Institutionality of Gender in the Republic of Chile

During Patricio Aylwin’s government (1990-1994), the first president after the re-establishment of democracy in Chile, the National Women’s Service (SERNAM) was created based on the advances of international law in this area.

Michelle Bachelet (2006-2010; 2014-2018), the only female president in the history of Chile, during her campaign promised for her second turn in office the creation of the Ministry of Women and Gender Equity, a commitment that she fulfilled as part of the fifty measures for the first hundred days of her government. Through Law 20,820, the Ministry of Women and Gender Equity (MinMujeryEG) was created, aiming to “collaborate with the President of the Republic in the design, coordination and evaluation of policies, plans and programmes intended to promote gender equality, equal rights and the elimination of all forms of arbitrary discrimination against women.

Within its scope of action, the same law states that it “may propose temporary measures, plans and programmes that imply concrete advantages for women, or that prevent or compensate for disadvantages that may affect them in the public, political, labour, social, economic or cultural spheres, with the objective of achieving the greatest equality possible between men and women”. In addition to the Minister and Undersecretary, the Ministry has Regional Ministerial Secretariats in the different regions of the country, which will ensure the coordination of the programmes developed at regional and local level, as well as the actions undertaken with resources from the Ministry.
There is also an Inter-ministerial Committee on Equal Rights and Gender Equality, whose function is to collaborate in the implementation of policies, plans and programmes aimed at equal rights between women and men, considering gender perspective in state decisions.

Finally, the law establishes the creation of an Advisory Council, made up of ten people recognised in matters of equal rights and gender equality to advise the Minister, and a Civil Society Council as a consultative and autonomous body in its decisions, ensuring the strengthening of the participatory governance.

Within the Ministry’s organisational structure there are Women's Centres and Centres for the care of victims of sexual violence. Currently, there are 111 Women's Centres across Chile, which receive women over eighteen years of age who live or have experienced gender-based violence from their partner or ex-partner, where psychological, social, and legal support is provided. There are three Care and Reparation Centres for Women Victims of Sexual Violence, located in the most populated regions of the country: Metropolitan, Valparaíso and Biobío.

In addition, there are foster homes to protect women (and their children) victims of domestic violence from their partner, ex-partner, or cohabitant, who are in a serious situation and at vital risk. These homes provide accommodation, food, and services, as well as psychosocial and legal care, and support for the re-elaboration of their life plan.14

Despite the creation of the Ministry, National Women and Gender Equity Service (SERNAMEG) remains with the mission of “strengthening the autonomy and full exercise of rights and duties of the diversity of women, through the implementation and execution of Policies, Plans and Programmes for Gender Equality and Equity, considering the territorial approach and contributing to the cultural change required to achieve a more equal society between women and men in the country”15.

14 Ministry of Women and Gender Equity https://minmujeryeq.gov.cl/?page_id=1359 Visited on 16th June
Since the beginning of the pandemic, under Sebastián Piñera’s second term of office (2010-2014 (2018- ), three ministers have taken office: Isabel Plá; Macarena Santelices, who only lasted a month; and, finally Mónica Zalaquett, previously Undersecretary of Tourism and member of parliament. The current minister is member of the Independent Democratic Union (Unión Demócrata Independiente, UDI) party, part of the governing right-wing coalition, a conservative party on moral issues and opposed to policies like abortion or equal marriage.

**Regulations against Gender-Based Violence**

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (OAS, 1994) has been law in the Republic of Chile since 11 November 1998. According to Article 5 of the State’s Political Constitution (1980), international treaties in force ratified by Chile, are incorporated to the internal legislation and constitute law of the Republic (CEVI, 2020).

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (CEDAW) was ratified by Chile in 1989, and in January 2021 the country ratified the Optional Protocol to the Convention. Both CEDAW and the Optional Protocol seek to ensure that state parties commit to condemn discrimination against women in all its forms, and to pursue by all appropriate means and without delay a policy to eliminate discrimination against woman. In relation to the national legal framework on gender issues, Chile has a variety of regulations, but we will focus on those that are most closely related to the violence itself.

Firstly, Law 20,066 from 2005 defines domestic violence (DV) as “any abuse that affects the life or physical or psychological integrity of the person who is or has been the spouse or in cohabitant relation with the offender. In the latter, domestic violence against women would imply any physical and/or psychological mistreatment by the spouse or cohabitant”
The previous year, Law 19,968 created the Family Courts, with specialised judges and with the objective of concentrating family matters in one jurisdiction, through the verbal, flexible and concentrated procedures, providing greater speed and efficiency to improve access to justice.

In 2012, Law 21,013 categorises a new crime related to common abuse and increases protection for people in special situations, as minors or disabled people. Subsequently, in 2019, Law 20,480 introduces the concept of femicide into national legislation as the most extreme form of violence against women, with sentences ranging from fifteen years and one day to life imprisonment. In the same year, Law 21,153 was created, which penalises sexual harassment in public places through an amendment to the Criminal Code that incorporates punishments for “a) the capture or diffusion in public places of images of someone else’s genitals without their consent; b) sexual harassment against people over fourteen years of age carried out by surprise; and c) in addition to the penalisation of sexual harassment in public or places of free access without the consent of the victim and that may cause a hostile or humiliating intimidating situation against the victim”.

Currently there is a government bill on women’s right to a life free of violence (Bulletin 11077-07), in the second constitutional procedure in the Senate. “This bill seeks to take a comprehensive look at the problem of violence against women, and to strengthen the institutional responses that are currently offered to women who are victims of violence, aiming to prevent, address and punish all forms of violence, from the domestic to the ones committed against women in other areas and spaces, and contributing to a cultural change in favour of equal rights and the protection of women’s dignity” (MESECVI, 2020, p.3).

The role of the feminist movement has been key to achieving advances in terms of legislation and public policies. Through massive mobilisations that have even transcended national borders, such as Las Tesis, and various actions to influence public policies, they have achieved historic victories like the approval of the three-causal abortion law in 2017.
Data on Gender-Based Violence

According to the results of the Survey on Violence against Women in the Domestic Sphere and Other Spaces 2020 (ENVIF-VCM), two out of every five women (41.4%) between fifteen and sixty-five years old indicated that they had been victims of violence at some point in their lives.\(^\text{16}\)

According to MinMujeryEG’s data, as of 16\(^\text{th}\) June 2021, in Chile there were seventeen committed femicides and sixty-four attempted femicides, while in 2020, forty-three attempted femicides were counted.

Meanwhile, in May 2020, the Minister informed that since the beginning of the pandemic, calls to the Ministry and Chilean police (Carabineros de Chile) have increased by 60%\(^\text{17}\) on average, while complaints have decreased by 14%.

\(^{16}\) https://equidaddegenero.mineduc.cl/assets/pdf/Material%20Adicional/Presentaci%C3%B3n%20de%20Resultados%20V%20ENVIF-VCM.pdf

\(^{17}\) https://minmujeryeg.gob.cl/?p=40152
COUNTRY ANALYSIS
ARGENTINA

Measures Taken by the State to Prevent and Address Violence

The press analysis and interviews show that a wide variety of measures were taken at national and provincial levels in Argentina to address violence against women during the Covid-19 pandemic (for a comprehensive review of the measures, see appendix). The implemented measures coincided with the creation of the Ministry of Women, Gender and Diversity in December 2019, which strengthened pre-existent programmes, like the 144 line for counselling, and created new ones, such as the financial assistance plans for women victims of violence. The measures adopted had different approaches, degrees of implementation, and faced a series of obstacles.

Based on official information and interviews, in March 2020 the national government warned that preventive and compulsory confinement measures could lead to an increase in gender-based violence cases, and a decrease in the available resources to women in these situations (Page 12, 9th April 2020). Therefore, the Ministry of Women announced the adoption of inter-institutional coordination measures and new policies, including the red face mask, to strengthen assistance for people in situations of violence during the health emergency framework.

However, the first mapping of the measures based on the press analysis, provided us a limited overview of their application in the country. This is because in 16% of all the articles published in 2020, no reference was made to the measures to address violence and in 60% of the news that did mention it, they were “case-specific measures”. In other words,
the print media devoted a significant portion of its space to narrating specific actions – such as the arrest of a person – in the context of an act of violence.

When we analyse the measures mentioned by the press that are not case-specific, there is a wide diversity of whereof and most of them have a similar hierarchy, as can be seen in Figure 6.

**FIGURE 6. IMPLEMENTED MEASURES: PRESS SURVEY (IN PERCENTAGE)**

As can be seen in figure 6, there are several measures that the press covers in similar ranges. Even so, the dissemination measures implemented stand out with major relevance (16%) and in second place the legislative measures or bills to address violence against women (13%). The former includes dissemination and communication campaigns on social media, TV and radio to increase the cover of the 144 line, as part of the breadth of coverage dedicated for the attention and consultancy of people in situations of gender-based violence. In addition to the previous measures, the press also undertook important coverage
and similar impact on many other measures, such as those to request help, for institutional coordination, for training, to collect data or conduct surveys on violence, legislativemeasures, plans or bills to address violence, as shown in figure 6.

In many cases, quarantine and social distancing limited physical mobility and increased the economic vulnerability of women experiencing violence (UN Women, 2020). Furthermore, at the beginning of the pandemic, aid services were limited in their functions, exacerbating the problem. In this sense, an important measure implemented by the national government a few days after the lockdown began, was the exception of confinement measures for people in situations of gender-based violence. The Ministry of Women coordinated with the Ministry of Security the procedures to ensure circulation in exceptional cases, prioritising the safety and protection of women. Nevertheless, the measure received poor press coverage. According to one of the interviewees, said measure was not sufficiently publicised and the security forces themselves were unaware of it, “there are lots of cases of people who have gone out

**FIGURE 7. IMPLEMENTED MEASURES. MENTIONS BY THE INTERVIEWEES (IN PERCENTAGE)**
with children in the first days of lockdown and the police have punished or assaulted... single mothers without a caretaker to look after their children..." (Majdalani, 2020).

From the perspective of the interviewees, most of the implemented measures correspond to institutional coordination actions against violence (see figure 7). For instance, in the sphere of the Ministry of Security, a guide to file complaints of gender-based violence in households was adopted, and police officers were trained.

"And one important thing is the protocol for access to justice with a gender perspective, which we signed along the Ministry of Justice, the Ministry of Security, the Public Fiscal Ministry, and the Public Ministry of Defence, is an instructive so that police personnel go at the place in which a person is in a violent situation, and not the opposite. We (Ministry of Women) built up the protocol" (Varsky, 2020).

Another measure that emerged from the inter-institutional coordination was the provision of hotels and other accommodation places for people in situations of gender-based violence. This was achieved through agreements between the Ministry of Women and unions and university organisations for its use during quarantine. On the other hand, institutional coordination can be observed in measures adopted between agencies and authorities of the national and provincial Judiciary to ensure access to justice for people in aforementioned situations in the health crisis framework. In particular, it was agreed to promote measures to expand the complaints handling channels. In this regard, the interviewees mentioned that, besides the difficulty in filing the complaint, there is a serious problem in the processes, which worsen during the pandemic. "There are still female judges who think that the woman made the complaint to annoy the man, and not because there has been violence. You still find female judges who do not consider economic violence as a type therefore, they do not count it. I think the most terrible thing is that indirect violence (to name it) towards children is not understood as part of violence to suspend communication regimes or to take measure" (García, 2020).

As mentioned in the contextualisation chapter, intergovernmental coordination in a federal
country such as Argentina is essential for the implementation of public policies. With obstacles, as we develop later, an interviewee mentioned that from the central State "What was also done was to generate specific connection channels with the provinces, since the issue in a federal country, with twenty-four electoral districts, CABA\textsuperscript{22} and 23 provinces, is what the national ministry can do in occasions does not reach everyone" (Chiarotti, 2020).

The interviewees considered as relevant, besides institutional coordination measures, the ones focused on dissemination and assistance request. As said by the interviewees: "Another adopted measure... was the red face mask, which functioned with pharmacies to which the victim could go to without restriction and where women who asked for the red face mask warned about her situation of violence, and measures were immediately taken to see how they could help her" (Chiarotti, 2020).

As mentioned above, the dissemination measures were focused on communication, via social media, TV, and radio, from the different campaigns against violence and actions to increase the extension of the national 144 helpline.

Over the years, many territorial social organisations have built programmes and policies to prevent violence. In this context, civilian society interviewees mentioned the workshops, meetings, and trainings they carried out before the pandemic and held creatively using social media during the peak months of lockdown, and, as the measures and mobility restrictions were released, in parks and outdoor places (Ferreyra, 2020). Among the measures mentioned by the interviewees who are part of the government, some are aimed at preventing violence: proposals related to masculinities, to care tasks and education in sexual and reproductive health.

*From the National Plan, the National Programme for the Prevention of Violence is created for the first time at national state level... We designed this line of work on masculinities without violence, which precisely seeks to generate public policies to reverse or de-construct cultural patterns of hegemonic masculinity that construct

\textsuperscript{22} By CABA, it refers to the Autonomous City of Buenos Aires.
and configure practices of gender violence... We are also facing a study that is going to be done nationally, of work experience with men or masculinities, at federal" Aguilar, 2020).

"Campaigns were also carried out, one of them to share care tasks between men and women in the Covid period. The campaigns were very good, and they even held conversation with companies... in fact, young women increased their tasks impressively, since in addition to everything that was done before, they now have teaching tasks" (Chiarotti, 2020).

Most of the measures are aimed at addressing violence against women as a generic problem, so the state’s responses did not focus on particular forms of violence. In other words, no measures were found specifically referring to psychological, sexual, economic, digital, and obstetric or gynaecological violence, yet many measures were implemented to address the emergency. In some interviews the lack of attention and training to address specific violence were mentioned.

"At the moment there are statements of repudiation, a 12-year-old girl who was forced to give birth to twins because of rape, the girl’s health state is unknown and, well, obviously the ILE23 was not guaranteed. This already happened in the Jujuy province. So, it is something very difficult for us to move forward and there are pending issues concerning sexual and reproductive health and, of course, in terms of ensuring rights. Especially from our girls"(Chaher, 2020).

The economic measures adopted (Potenciar Trabajo [Work Empowerment], Acompañar [Accompany], Hacemos Futuro [We Make a Future] and other pre-existing programmes) merits a special mention. They seek to respond to one of the main reasons why women remain in the homes with perpetrators of violence, and is related to economic dependence (Ferreya, 2020; Chiarotti, 2020). The Acompañar programme of the Ministry of Women,

---

23 The Legal Termination of Pregnancy (ILE) refers to the right to abortion in the following situations: a) if the pregnancy is the result of rape, b) if the pregnant life or health is in danger (Law 27.610).
Gender and Diversity, for instance, aims to strengthen people’s economic independence in situations of gender-based violence by providing a financial benefit and strengthening support networks. Nevertheless, the interviewees mentioned that effective access to the programme is very bureaucratic and difficult as agreements must be signed between the Ministry of Women and the town halls to join the programme, and then people are interviewed by professionals to verify if they qualify. "For example, so far there is (in Jujuy) no adhered town hall..." (Chaher, 2020). That is, beyond its objective, it does not work as an immediate and rapid response in the health crisis context.

As can be seen in figures 8 and 9, both press analysis and interviews, a wide variety of measures can be observed. However, civilian society representatives sometimes criticise that the measures are designed for upper-middle class, urban, white women.

"Women do not approach - or approach to a lesser extent - due to a whole series of stereotypes - of who will receive them - that reproduce them. Just as in their communities the violence is normalised and part of, well, they must put up with it and so on... And the system is designed thinking on "women" in plural, but the woman they have in mind is white, because it does consider her needs and forms. Say, for instance, in first place they do not have translators. And secondly, they do not consider, for example, that they tell them to leave their community, they do not conceive it, because in their form, cosmogony, and way of life in community they cannot leave" (Ruiz, 2020).

"(The) issues of disabled, older and indigenous women are still pending... they are related to access to health, education, and obviously justice" (Chaher, 2020).

Regarding to whom or to which groups are the measures intended for, in figure 9 the largest number of mentions refers to measures for indigenous, migrant, trans or sexual diverse women. In other words, in the interviews there are many references to measures (or lack
and need of them) for some vulnerable groups suffering gender-based violence. In words of Morales, “One of the many measures that we have presented... incorporates the possibility to attend from interdisciplinary teams in different territories, communities, with an inter-cultural approach, even bilingual, as here are indigenous communities with non-recognised mother tongue, which is also gender-based violence, because it is a language transmitted through women, as in the case of Guaraní population” (Morales, 2020).

As can be seen in figure 9, there are also several references to measures aimed at men. Among them, both the national and some provincial governments implemented lines of work on masculinities as prevention policies for gender-based violence. “The masculinities (axis) is a priority for us. The first challenge is working with men, involving them, and the second, to be able to build with them precisely a deconstruction, reflection, critical view at how a hegemonic masculinity is constructed” (Aguilar, 2020).

**FIGURE 8. WHOM THE MEASURES ARE INTENDED FOR ACCORDING TO THE INTERVIEWS (IN PERCENTAGE)**

Source: own elaboration based on interviews and coded with Atlas-ti software
In Argentina, there are territorial and access to service differences, besides difficulties in the process that a victim must follow. On this matter, most of the measures are focused on providing initial counselling, at times very basic. However, accompaniment or a follow-up of the process was not offered. In some places, this accompaniment is provided by civilian society organisations. “We receive some cases where they tell us their wish to report a situation of violence and, at the police station, officers do not file the complaint, so we directly accompany them to the prosecutor’s office” (Territoriale, 2020). On the other hand, in the cases in which they do file the complaint, they do not receive assistance to follow the legal process, “women who are immersed in the legal process... are completely taken by the litigation, alienated from the issues of having their life judged in a court, and impoverished, because perhaps they cannot take a job from 7:30 a.m. to 13:30 they may have to be in court and, if they do not assist, will lose their rights (García, 2020). In the interviews, the gender supporters programme is considered as a good initiative. As Melisa García (2020) indicates, the programmes could function as intermediaries between the state institutions and the communities.

On the other hand, some of the measures mentioned in the press and interviews were initiatives implemented by civilian society organisations. Such is the case of the collection and production of statistical information, although some officials mentioned them as official proposals. Up to the time of writing this report, data on measures for statistical collection related to gender-based violence were produced by social organisations and civilian society bodies.

Factors that Influenced the Adoption of Measures

According to the analysis of the press articles, the main reason for adopting measures is the large number of cases and complaints of violence. As can be seen in figure 9, this factor appears in 56% of articles referred to a measure. The implementation of legal measures or public policies appears in the press as the second reason that influences the adoption of measures. For instance, this is the case of adhesion and implementation in the provinces...

---

24 The Supreme Court of Justice of the Nation (CSJN) produces statistics and publishes an annual report on femicides in the country and at the time of writing this report, the 2020 report was published. Beyond the CSJN report, in the press articles and interviews there is no mention of any tool or resource available to the general public with statistics on gender-based violence complaints or victimisation surveys.
rand town halls in 2020 of the Micaela Law,\textsuperscript{25} which creates an institutional training programme on gender and violence against women aimed at "training and sensitising" all public officials at the different state levels.

The rest of the reasons mention in the press, all in less than 5% of the articles surveyed, are civilian society claims, the recommendation of international organisations, private sector initiatives, many other reasons (see figure 9). Among the articles, we can highlight news on complaints from international bodies, such as Amnesty International (El Tribuno, 27/08/2020), claims from civilian organisations (El Tribuno, 16/08/2020) and relatives of victims of femicide (El Tribuno, 28/08/2020) requesting responses from the State.

\textbf{FIGURE 9. REASONS FOR THE ADOPTION OF MEASURES, ACCORDING TO THE PRESS (IN PERCENTAGES)}

![Figure 9: Reasons for the adoption of measures, according to the press (in percentages)](image)

Source: own elaboration based on press survey.

The analysis carried out from the interviews shows other information (see figure 10). For the interviewees, the factor that influenced the most in the adoption of measures was clearly the claims and civilian society demands (71%). As interviewees said: "There was a lot of

\textsuperscript{25} The Micaela Law (Ley 37,499) was enacted in 2019 and establishes mandatory training on gender-based violence for all people working in the public service in the Executive, Legislative and Judiciary of the Nation. The law was named in commemoration of Micaela Garcia, a 27-year-old girl victim of femicide at the hands of Sebastián Wagner.
social demand since practically April-May for the state to respond to situations of violence" (García, 2020).

In the Jujuy province, claims from social movements and civilian society organisations escalated rapidly during 2020. Groups of people in different localities organised themselves to demand measures to stop gender-based violence due to the femicide and disappearance of several women during the lockdown months.

"What we saw that happened with these femicides, was that this year it surpassed - or transcended- the women’s groups and all of society came out to say enough. The provincial government did not live up to the demands of the massive popular uprising, which had also broken with quarantine held up in the province. That is why I say it marked a turning point. And well, the provincial government sent to the legislature the creation of a law that formed a special committee to search for missing women and girls, which was an adjective law, rather than a substantive one" (Chaher, 2020).

On the other hand, the adoption of measures in response to civilian society demands is important given that many women public officials from the Ministry of Women and other government bodies, during the period of this research, came from civilian society organisations or had worked with social organisations and movements before working as a public officer. As an official at the Ministry of Women, Genders and Diversity states:

"I believe that we have the responsibility to take a lot of this coming from civilian society. We understand that the ministry is the product of a large social mobilisation in our country, with gender and feminist issues, and there is an obligation to listen, to see that demand, and to respond to it. Imagine the Plan, which is like a management guide for the next two years, was drawn up and discussed in a participatory forum, precisely because we understand the need to listen to and receive proposals. Many of the actions were constructed in these forums, and proposed by the organisations, and it is not just a matter of listening to take them, but, also, to carrying it out" (Aguilar, 2020).
The interviewees also mentioned the number of cases as a reason for the adoption of measures (23%), as well as theoretical reasons (9.8%) and recommendations from international organisations (8.9%). Under theoretical reasons we include interviewees expressions related to an in-depth study of the violence phenomenon and the need to adopt new measures to address it. In this regard, an official from the Ministry of Women, Genders and Diversity suggests that:

“We come from an effectively more secure perspective, where the response is the judicial complaint in general... The State cannot offer as sole response the judicial complaint, given that we understand that behind this conception, the gender-based violence problem is a problem of individual security. And we support that these problems imply a complex social scheme, with subjectivities that will not always
respond the same in the same contexts... We speak of intersectionality as a way of understanding the approach to violence. In other words, we cannot think of a public policy as a kind of canning that will work equally throughout the country... The policy deployed by the ministry, which responds to this intersectionality approach, not as a theoretical concept, but as a methodological perspective, and of praxis” (Linares, 2020).

As for recommendations of international organisations, the interviewees refer to links, economic support, training, and programmes carried out with UN Women, the United Nations Development Program (UNDP), the Spotlight Initiative26 and the European Union.

Effectiveness Level Achieved and Obstacles faced in the Implementation of the Measures

Policies to prevent and control the spread of Covid-19, such as lockdowns, confinement and mobility restrictions exacerbated domestic violence. Therefore, as already mentioned, the Argentine government introduced a battery of measures to address violence against women and girls in 2020. The measures were disseminated through different media and social media. Still, in the press and interviews analysis we found major obstacles in the implementation, that are intertwined with the response achieved against forms and cases of violence, the territorial scope of the measures, their adaptability level to specific situations, as well as knowledge level and training of personnel who implement the measures.

Response Achieved

The officials interviewed (Aguilar, 2020; Linares, 2020; Varisky, 2020) mentioned that measures were designed with indicators that allow for measuring and evaluating their impact, as well as verifying their functionality. According to Aguilar (2020), from the Ministry of Women, Genders and Diversity, in general, the measures have a semi-annual expiration,

---

26 The Spotlight programme in Argentina provided resources to social organisations, advised the Council of Women in Jujuy and the Sendero Seguro Programme, among others (Territoriale, 22/10/2020).
so at the time of conducting the interviews they still had no measurement or results. Nevertheless, said official pointed out that for each case they write a follow-up report, evaluate the impact on the population, the issues that could be developed and those that could not, number of people trained, etc. Yet, none of the interviewees provided information on impact evaluations or analysis and data on the implemented measures, plans and programmes. "I do not know - and I told you at the beginning- of any evaluation report on the measures taken. Perhaps there is, I do not know" (Chiarotti, 2020).

The government published some indicators\(^2^7\) on 144 line with information on the number of communications - by modalities and types of violence- that were recorded during the health crisis period. One of the pieces of data provided by the Ministry of Women is that communications to 144 line were higher each month regarding 2019 from the beginning of confinement until October 2020. However, the information available at the time of writing this report was still partial and, as an official said "we still do not have results on how many migrants or indigenous people called. In fact, it is related with improvement being made and 'the burden of that information', that maybe was not loaded before, then a non-speaking Spanish person called, but you do not know if she did not speak that language for being a foreigner, an indigenous, so she did not speak Spanish. So, this is the most qualified type of information we are going to acquire, and we will see results soon" (Varsky, 2020). Although the telephone line is designed to operate nationally, e.g., its operation was not adequate and other helplines were introduced (A. Martínez, 2020).

On the other hand, civilian society organisations warned that the increase in calls and requests for assistance to the different communication lines increased exponentially and operators could not respond all calls:

"What I can tell you is that they could not cope and are extremely collapsed, and that this gave us an enormous amount of work, of spontaneous demand from

\(^{27}\) https://www.argentina.gob.ar/generos/linea-144/datos-publicos-de-la-linea-144-ano-2020
women, especially given that they did not respond or cut off the lines, or whatever. Because the system collapsed a bit, and not specifically due to Covid. It collapsed because gender-based violence is an issue that needs to be addressed for a long time, and just now the visible treatment needed was given at state" (García, 2020).

Another of the adopted measures was the automatic extension of protection measures for victims of violence that expired during the health crisis. Most of the provinces adhered to the measure that was celebrated by social organisations. Until the beginning of quarantine, if a woman had a measure and validity period expired, to renew it she had to demonstrate new facts which made a precautionary measure necessary:

“That created major difficulties. Now, we suddenly find ourselves in virtuality and all automatically without mention of cause having been extended. Something that is very important, fundamental and that is where you realise, again, how power is concentrated in the Judiciary in extremely patriarchal ways, as before, a woman was required to prove the presence of violence, and even demonstrate that said violence continued to exist in order to maintain said measure. Now we are in virtuality and there is no problem to extend them” (García, 2020).

In general, and according to the information gathered from the press and interviews, at the time of writing this report, the government had neither conducted (nor published) systematic evaluations to evaluate if the adopted measure were adequate state responses to the context. Nevertheless, civilian society organisations expressed various criticisms on the measures, especially the implementation gaps, that in the pandemic context not only did not improve, but worsened and became more evident (Serafinoff, 2020; G. Martínez, 2020; García, 2020). The digital gap and lack of gender training appear as major obstacles for the measures to achieve their objectives. Below we will develop these gaps and difficulties encountered in the measures and the responses provided to address violence against women in the health crisis context.
Obstacles

As mentioned in previous sections, the Argentine press dedicated little space to covering the adopted measures to address violence against women. And, where the measures are mentioned, the news and articles provide an overview of them, without detailing their implementation, effectiveness and obstacles or challenges encountered. This way, figure 11 exhibits that in almost 88% of the articles there are no mentions of obstacles. Furthermore, the obstacles referred to difficulties in the functioning of the Judiciary (3.76%), movement problems as a result of mobility restrictions (2.35%), and difficulties produced by the lack of resources (1.88%).

**FIGURE 11. OBSTACLES MENTIONED BY THE PRESS (IN PERCENTAGE)**

The meagre description of the obstacles by the press can be contrasted with details provided in the interviews. Both officials and leaders and activists of social organisations agree that the implementation of measures was a complex task with great challenges. We can
categorise said obstacles as follows: structural or pre-existing obstacles; the ones related to territorial diversity and federal characteristics; difficulties to implement the measures to several population groups; the ones derived from power struggles or ideological postures; the ones related to access to services, the Judiciary, and the lack of information and data; other obstacles and lack of incorporation of other forms of violence.

Structural or Pre-Existing Obstacles

The interviewees mention many obstacles derived from lack of resources, equipment and personnel trained or educated with a gender perspective and who work in violence assistance (Ruiz, 2020; Morales, 2020; A. Martínez, 2020; Pombo, 2020). From shelters that look like prisons, to personnel who do not know how to take complaints, to helplines that nobody answers. However, beyond resources, a major problem is the inability of the personnel that assist female victims of violence to identify forms of violence, to take the complaint seriously, and to value the victim’s discourse (Ruiz, 2020; Chiarotti, 2020).

Public officials lack gender training, they are unaware of stereotypes and power asymmetries, but so are women and society as a whole (García 2020): “women experiencing violence need to understand what violence is, because we all live in an extremely patriarchal and highly stereotyped world, where they tell you that ‘if they hit you’ it is violence, I do not know... extreme things, but micro-machismos and violent bonds and its toxicity, are still extremely installed” (García, 2020). In other words, in different ways, the interviewees express that there is naturalised violence in society and many women do not recognise themselves as violence victims (Chiarotti, 2020; García, 2020; Officer, 2020). For this reason, training is essential for the implementation of other measures.

According to the interviewees, most women prefer filing complaints with the police, and here is where training problems or lack of specialised personnel attending gender-based violence and taking complaints correctly appears. Plus, this generates problems with the
procedure, precluding the proceeding of the complaint (Ruiz, 2020).

Another difficulty mentioned in the interviews, linked with structural and pre-existing conditions, is the lack of connectivity, access to a cell phone or mobile device, and knowledge on how to use information and communication technologies, particularly in some areas of Argentina. “The apps... (to carry out digital procedures) require technological skills that not all women have, and then, in many cases too, there are families with only one mobile phone, not one per person. And, also, as happened in other contexts, a mobile phone is a good that can be easily exchanged for money, so there has also been situations that I know of women who sold their mobile phones to get some money” (Pombo, 2020).

Obstacles related to Territorial Diversity and Federal Characteristics

Argentina’s federal character presents the need to generate spaces for dialogue and coordination. As stated above, intergovernmental relations are central to the functioning of a country with these characteristics. Among the measures disseminated by the Ministry of Women, Genders and Diversity, we find recommendations to provincial and municipal (or local) governments to address violence. In this context, it is also worth mentioning that numerous inter-ministerial round tables have been established and that the Federal Council of the Ministry of Women, Genders and Diversity functioned, and gathered the governing bodies concerning gender issues of the twenty-four jurisdictions in the country. Despite this, an obstacle mentioned by the interviewees is linked to the Argentine federal system, since the implemented policies at said level must be discussed and reviewed at subnational level. In other words, subnational units enjoy relative autonomy and “measures adopted at a provincial level can reinforce, complement, limit, or go further than federal ones. In the Argentine case, it was the provincial governments acting in conjunction with the national government, responsible for implementing many of the measures adopted by the federal government” (Behrend and Karamaneff 2021, p.177).
"It is a consuming-time work as it is articulated with each of the provinces. That is the main obstacle during the pandemic, but it is always in the need of each decision taken. For it to reach the entire national territory, it implies additional work and coordination with local authorities" (Labozzetta, 2020).

On the contrary, in occasions and for various reasons, policies adopted at a federal level do not reach the whole federalisation. Some interviewees pointed out that this was the case of the 144 line, which the reach of national line was not enough outside the CABA. In particular, it was mentioned that in the Jujuy province, numerous telephone lines were disseminated, even by operators in call centres.

Territorial diversity also presents specific difficulties for the implementation of measures against gender-based violence. As mentioned above, there are areas where access to services is highly limited and geographical location is also an impediment -due to lack of roads, distances, climate- for accessing any help or advice (Pombo, 2020; Morales, 2020).

"Being able to access mobility to reach, i.e., a police station or unit to find a department such as the women’s council... is highly difficult as they do not have means of transport, connectivity or phone service to file a complaint or request for assistance by phone; there are numerous obstacles restricting and limiting access to justice" (Territoriale, 2020).

Difficulties in Applying the Measures to Various Population Groups

Women in more vulnerable situations may face even higher risks or additional obstacles to access services, the implemented measures or to flee situations of violence (UN Women, 2020). Such is the case of older women, adolescent, disable, trans, migrants, and indigenous women who could not reach various measures. According to some interviewees (Jordan, 2020; Majdalani, 2020; Ruiz, 2020), the dissemination of measures was carried out mainly via social and digital media, to which indigenous and older women do not have access. In fact, some indigenous people do not speak or read Spanish and there are no interpreters, which also affects deaf women: "For instance,
in the case of indigenous people, illiteracy is another problem, or actually a barrier. Generally, the mother tongue is not Spanish, nor their language” (Varsky, 2020).

“For instance, with WhatsApp28 lines a major barrier for deaf women was solved, although that aspiration of having comprehensive services with a disability perspective and even an inter-cultural one is still missing or in process... (in other countries) the migration condition can be an explicit barrier, still in Argentina it is not a barrier for violence assistance services, but there are implicit barriers, if you like, cultural biases that still persist. So, I think it is very encouraging to see that this is being incorporated in official discourses; although, I still believe that there is one more step to be taken to make it reality or to territorialise it”(Majdalani, 2020).

Some migrant, indigenous and LGTBI+ women at times suffer discrimination and violence that are not always manifested. In this sense, and according to the interviewees, some women prefer not to file a complaint for fear of being re-victimised, discriminated and even subject to institutional violence (Ruiz, 2020).

In other words, some interviewees pointed out that the measures are aimed at an ideal woman, leaving out those who do not fit in this model: “There were problems with the assistance of 10-14 years old pregnant girls in some provinces. They took advantage of the confinement to deny access for legal termination (ILE) of their pregnancy” (Chiarotti, 2020). And sometimes, those assisting victims of violence are not prepared to do so for women out of that stereotype (Ruiz, 2020; Majdalani, 2020; Jordan, 2020).

Obstacles Related to the Lack of Services that Address Gender-Based Violence

According to the interviewees, in some localities, for different reasons, it is difficult to access services that deal with gender-based violence cases. The interviewees mentioned assistance problems (such as lack of gender training), lack of dissemination and knowledge

28 The 144 helpline was also extended to WhatsApp during Covid-19 pandemic.
on services, restricted opening hours, lack of availability and means of transport to access care centres, interruption, and lack of continuity in some services, and services with deficiencies or duplication of activities.

Ruiz explains that there is a lot of service duplication in a context of very scarce resources. For instance, many government bodies and departments (police, prosecutor’s office, violence office, hospitals, executive, among others) take complaints and civilian society organisations facilitate access to the complaint. Nevertheless, there are a few services that provide in-depth or early interventions. On the other hand, there is scarce coordination, communication, and knowledge between and on services. Also, there is a need to standardised processes and protocols (Ruiz, 2020).

"Something we have been complaining about for a long time - and which is something we are always working hard on- the main difficulty is still the resistance in police stations to take complaints, for example... Recently this is a recurring problem. Where we end up having to pick up the phone and directly communicate with a prosecutor, since there is a woman in a neighbourhood telling us she went to police station and they did not want to take the complaint, this is real, and I would say that it happens weekly" (Territoriale, 2020).

Isolation measures often led to the suspension of informal jobs where many women were employed, thus exacerbating situations of vulnerability and economic dependency. This resulted in additional obstacles to access help and assistance services under violent conditions. Furthermore, with lockdown, the consequent closure of schools, care places and mobility restrictions deepened inequalities in distribution of domestic and care tasks, opening gender gaps (Díaz Langou, 2020) and increasing women and children’s exposure to gender-based violence (Bradbury-Jones, Ishman 2020).

"The pandemic exposed that domestic chores, even when delegated to other workers, are also done women. It put in evidence that us women oversee the mental
and physical burden of being responsible for care tasks and what is called mental housekeeping. So undoubtedly in gender terms, the pandemic detriment was there, without a state policy to make up for it, yet I do not know if there could have been either. This is where we start talking about patriarchal systems and structures from" (Derdoy, 2020).

Obstacles Related to the Judiciary

One of the major obstacles mentioned by the interviewees is the lack of gender perspective in Judiciary, complemented by the lack of education and training: "It (gender training) is still being read as ‘well, it is an extra, well add it’, but as if it were a separately matter and not as one of the many necessary ingredients to be able to apply everything else" (García, 2020).

The lack of training is also problematic in the judicial process, since many women, as mentioned above, do not identify themselves as victims of violence and this affects them in the justice system. Examples of women victims of violence that when asked by the judge answer the contrary abound, given that they do not recognise the modalities and types of violence.

Another challenge for justice mentioned in the interviews is the slowness of the processes, complaints that do not advance in the justice system and the lack of timely reaction in matters of necessity as protection measures, devices, homes (Majdalani, 2020; Chaher, 2020). According to an interviewee, during lockdown, judicial measures that affected female victims of violence were adopted. At the beginning of the health emergency, for instance, communication regimes for separated parents were suspended, yet incorporated into exceptions regime29 in May. This measure allowed the perpetrator to use the children in common to continue to abuse the ex-partner or mother.

29 Administrative Decision 703/2020.
"Even when everything is suspended in terms of justice and extremely urgent things...the communication regimes were enabled... This brought a strong upsurge in justice... where many violent parents used this resolution to take it into justice (to see the children) and the justice system allowed it. The above, brought a strong upsurge in family justice. Because it broke the idea of enabling, if possible, to become an obligation... In virtue whereof, there were neither clarifications, nor anything else, but it was simply left to the judges’; discretion, which also generates a great complication" (García, 2020).

Obstacles Derived from Power Struggles or Ideological Positions

Throughout the interviews, the need for institutional coordination was mentioned (as we observed in previous sections). However, the lack of coordination and dialogue between political sectors and civilian society organisations appears as a deep-rooted and complex problem which hindered the implementation of some measures.

Political tension and lack of dialogue are evident in provinces with different political postures from the centre government, which hinders the implementation of the measures. In the Jujuy province, for example, after several femicides in September 2020, political conflict was evident. Various social organisations, along with members of the Frente de Todos (Everyone’s Front) coalition (to which the president of the nation belongs, but is opposition in Jujuy), called for changes in policies to address gender-based violence, demanded justice and the resignation of political authorities, such as the President of the Gender Council and the provincial Ministry of Security.

For an interviewee, the provinces opposed to the national government sometimes resisted measures or set obstacles to applying them: "When they ordered the use of face masks throughout the nation, in CABA they opposed; and the same happened with confinement order" (Chiarotti, 2020).

---

30 It refers to MSD Resolution 132/2020 which establishes exceptions to social confinement in cases of duty of care of children and adolescents by their parents or guardians.
Obstacles Related to the Lack of Information and Data

A relevant issue is the lack of statistics data and indicators on violence cases and complaints to inform public policies and evaluate measures. Nor is there collected data with a map of civilian organisations and available services to attend gender-based violence cases. Civilian society organisations are often responsible for producing statistical information and collecting existing data.

According to the interviewees there are also problems in uploading data and in the classification: "in general, the victims’ data are is not uploaded either, so you cannot, for example, select the universe of female victims (because they do not upload the victims’ data); if there are trans people you do not know if they are uploaded as feminine or masculine; well, it is ... it’s cumbersome" (Labozzetta, 2020).

At a subnational level there are also difficulties in figures: "they say that within the provincial women's council they have an observatory of cases, let's say a violence and a femicide observatories, etc. Well, the observatory itself - or the reports, numbers that observatory is supposed to analyse- are nowhere to be found, except when the head of the provincial women's council speaks in public and says a couple of figures. But there are no official reports from the provincial government that give a status of the situation, a picture, with official figures. Beyond what they can show you in Power Point" (Chaher, 2020).

There are several reasons for the lack of statistics and one of them is that "in small cities, personnel sometimes dismiss complaints"; (Calandrón, 2020). In November 2020, the Ministry of Security launched the unified system for registering complaints of gender-based violence (URGE system), with a federal perspective, whose objective is to articulate all country records and, therefore, unify the form in which the complaints are being taken, and moreover, will be used as database to cross-check the information (Calandrón, 2020). As part of the URGE system, a training system for personnel was introduced. In addition to
computerisation, the training aims to avoid prejudices in taking a complaint, to avoid moral evaluations, advice, and opinions of those receiving the complaint, to avoid re-victimisation of the person who filed the complaint and not to minimise the reported situations (Calandrón, 2020).

Other Obstacles (Multifactorial Obstacles)

For some interviewees, the lack of presence added to the lack of connectivity and access to devices and knowledge on their use, constituted an obstacle for the implementation of measures and gender-based violence programmes (Pombo, 2020; G. Martínez, 2020). For other interviewees, it opened new possibilities for coordination and agility at work (Calandrón, 2020).

Another factor that makes access difficult to prevention measures and the ones that address violence is religion and the church as an institution. According to the interviewees, in the province of Jujuy the church (Catholic and Evangelical) opposed the implementation of comprehensive sex education in schools and expressed their opposition to the decisions of the Provincial Women’s Council for their outspoken stance in favour of legalising abortion. Even the Gender Adviser was harassed and threatened (A. Martínez, 2020). In this sense, one of the interviewees mentions that in some small localities, far from urban centres, religion permeates in all life spheres and violence against women is silenced (G. Martínez, 2020). On the contrary, religious beliefs are accompanied by conservative, sexist cultures and practices reproducing gender inequality and hinder access to any measure (A. Martínez, 2020).

This is linked to another obstacle, which is women’s centres and gender-based violence assistance services are in some localities very scarce and, when they do exist, they function as a "counter". To rephrase it, they are institutions waiting for women to arrive in search of help and they do not actively seek cases of violence in places where it abounds. There is no plan to detect or diagnose violence (G. Martínez, 2020).
Another difficulty in addressing violence, which emerged from the interviews, is related to the process after a complaint has been filed. That is, complaints and claims about the follow-up by the authorities and police on the assigned measures for each case (García, 2020; Paniagua, 2020). Although this is not a problem that appeared during the Covid-19 crisis, it was heightened during lockdown: "on several occasions when a migrant woman called the police to report that the exclusion is being breached, well, it is not easy for her to get someone to go to their house, control the situation and detain the expelled man, excluded from the house, that is a challenge for me, what happens afterwards" (Pombo, 2020).

Some interviewees also mention the lack of dissemination and ignorance of the measures among certain groups of women in areas far from urban centres. There are areas where it is not known if and how the measures reach them (Morales, 2020).

Lack of Incorporation of Other Forms of Violence

According to the interviewees, several forms of violence were not considered in the implementation of measures during the lockdown period, among others they mention sexual violence, obstetric violence, economic violence, digital violence, street violence (related to local rites and celebrations), some forms of institutional violence and human-trafficking.

“For two years now, we have been running the ‘no vale todo en carnaval, en carnaval no vale todo’ (not everything is worth it at a carnival, at a carnival not everything is worth it), a campaign which this year was quite popular in many places, beyond province borders, and we believe that it is not just about handing out leaflets at carnival, but for the prevention of violence. It is much more: it is being present with a battery of measures, ranging from public places to social media, with circuit information focus on prevention, but also if you were raped at a carnival ball,
or while walking the street at a carnival, you have to be able to get to a hospital, you have to know there is a kit that applies to you, at that precise moment, not a week or a month later, but at that moment; if you also want to complain, there are organisations, institutions, that are going to accompany you in these complaints" (Jordan, 2020).

The interviewees do not agree on their opinion on measures in the health field. Some argue that the delivery of contraceptives was ensured (Chiarotti, 2020). Meanwhile others pointed out that in some localities the delivery of fertility control methods was interrupted, as well as sexual and reproductive health examinations and, at times, access to legal termination of pregnancy (Jordan, 2020; Territoriale, 2020; Morales, 2020; Pombo, 2020). These differences between the interviewees possibly the account of diverse situations across the country. "I think the most complex thing for me was ILE, ..., although it was considered an essential service and in many places the service continued to be provided, as the teams were fragmented and go in sections, it already implies that there is less capacity of response, since there are fewer shifts" (Pombo, 2020).

According to the interviews, one of the forms of violence that was not adequately addressed and that multiplied during the lockdown period is gender-based violence in digital environments (García, 2020; Majdalani, 2020; G. Martínez, 2020). In other words, the use of Information and Communication Technologies (ICT) through any means of data transmission (phones, internet, social media, email, among others) to exercise gender-based violence: "We have many daily harassment, threats and identity theft cases on social media, that they had added them to pornographic pages, well, all that endless issues, where some of them have been regulated by the penal code, and others have not, and the great digital limbo that nobody would be attending, and to me it seems like that is a big debt. The digital issue is not settled as I said. Nor it is mentioned, hence, it does not exist, it is invisible" (García, 2020).

Regarding sexual violence, the interviewees did not mention any concrete measures to address it. Nevertheless, they did mention that it is not very visible (Jordan, 2020), that it is
not recognised as such (Ruiz, 2020), that there are few complaints (Derdoy, 2020) and lots of ignorance about it and how to address it, and that is also connected to problems of human-trafficking and disappearances (Chaher, 2020; Territoriale, 2020).

"The first step is to know how to recognise that you are in a context of gender-based violence... well, physical violence is the most identified; while sexual not so much, because we also saw that in marriages, you understand that you are sexually available, meaning you have no choice... that consent within marriage is not understood, especially, above all, we also saw it in women of indigenous populations, apart from the fact that it is a very difficult topic to talk with them" (Ruiz, 2020).

"We believe that human-trafficking is something where no measures are being taken. That makes us understand there is a government concern about what is happening in relation to this particular problem. I mean, it is not the same, since human-trafficking is a problem that occurs throughout the country, but we are in a border area (Jujuy), so that exacerbates the problem even more, which we believe is an issue that the government is not working on" (Territoriale, 2020).

Although a campaign was created in relation to co-responsibility of care, some interviewees indicated that measures were not implemented in connection with care and the distribution tasks within homes (Derdoy, 2020). Mental health care (Pombo, 2020) and economic violence, which is a widespread problem (Paniagua, 2020), also appear as problems that have not been addressed.

Although measures were adopted to address forms of state violence involving the security forces (Calandrón, 2020) and prevention campaigns were initiated, more subtle forms of violence were not considered. That is, institutional violence such as discrimination or mistreatment by institutions towards certain groups due to their customs, clothing, stereotypes of women that are sustained and disseminated (Morales, 2020).
State Response to the Pandemic on Issues of Violence against Women

As mentioned throughout this document, states all over the world adopted measures to reduce the transmission rate of Covid-19, as well as to mitigate the social and economic consequences of confinement. In this context, and as previously mentioned, the MESECVI recommended that the states implement measures in four areas: a) public policies to prevent and address violence against women and girls; b) access to justice; c) institutional strengthening; and d) information and statistics (OAS, 2020). Hereunder, a brief analysis comparing the adopted measures by Argentina in accordance with these recommendations will be made.

Regarding policies for preventing and addressing violence, the Argentine government made agreements with unions and university organisations to provide accommodation for victims of violence. However, an adequate dissemination of whereof was not done, so, even though access to accommodation is coordinated by organisations, it would have been important for women to know about this possibility. The channels for receiving complaints were increased and taking complaints in homes was implemented with the inclusion of instructions for police personnel. Nevertheless, no follow-up measures were taken after the complaint was made. Phone lines were strengthened, and alternative means of communication were created to request information, but responses were insufficient, with long delays in attention and collapsed lines. Also, the lines were not suitable for calls from places far from the country’s capital, which, in many provinces, led to the dissemination of jurisdictional phone numbers.

As measures to prevent violence, training in masculinity was conducted for security forces personnel and workshops on the same topics were held by the Ministry of Women.

In the judicial sphere, the automatic extension of judicial protection measures that could expire during quarantine was adopted, but access to justice was limited for women victims of violence. On the other hand, lockdown exception was ensured so that women could
make complaints or request help. The measures were broadly aimed at gender-based violence but did not address some said specific forms such as cyber violence, sexual violence, obstetric violence, workplace violence or sexual and reproductive rights, for which there were problematic cases that got press attention during the period under review.

The dissemination of the measures was through various means, such as TV, social media and some public institutions including banks, pharmacies and means of transport. However, the dissemination did not reach certain country’s localities and population groups. Particularly, indigenous, disabled, and migrant women did not receive information on the measures as they were not disseminated in other languages nor were there any interpreters to assist them.

Specific measures for women deprived of liberty in federal prisons, as well as surveys to detect populations with greater vulnerabilities and house arrests were implemented.

Regarding institutional strengthening, since the beginning of the pandemic, the Ministry of Women, Gender and Diversity coordinates the Federal Council of MMGyD to articulate resources and tools within the health emergency framework and to strengthen national, provincial and municipal measures. Nonetheless, political differences with some subnational units hampered the implementation of some measures. Several ministries along with civilian society organisations carried out numerous actions and programmes. Agreements were also promoted along some private sector companies with measures to address violence, such as the red face mask with pharmacies, but they seem to be isolated agreements dependant on the will and interest of the parties involved.

Few measures particularly considered specific groups such as LGBTI+ community, older, indigenous, disabled women or girls who were not contemplated in most of the measures. On the contrary, measures are not necessarily adapted to all national realities, having difficulties to reach rural population, rural sectors, or indigenous communities.

---

31 In general terms, the measures taken involved the LGBTI+ population, such as the mobility exception or the inclusion of this population into programmes from the Ministry of Social Development. Nevertheless, there are no specific measures for this population, which must be addressed and considered differently due to the characteristics of the impact of gender-based violence.
COUNTRY ANALYSIS

The last recommendation is aimed at collecting information and disaggregated statistics to obtain empirical data and improve the execution and implementation of the generated public policies. In its Action Plan against Gender-Based Violence, the MMGYD devoted an axis to information management, transparency, and monitoring. The policy plan outlines several actions (including the creation of an Integrated System of Cases of Gender-based Violence (SICVG) to produce information by the strengthening of gender indicators. The main measures in this area are the strengthening and integration of existing systems for consultations and complaints.

For its part, the Ministry of Security implemented the Single Registration System for Complaints on Gender-Based Violence\(^{32}\) (URGE) to centralise the information on complaints in all country’s jurisdictions, to standardise police personnel’s actions and the organisations involved, and to objectively determine the risk of each situation.

On the other hand, and although the Argentine State also produces and publishes some statistical data on femicides or calls to helplines, as of today there are no indicators that account for conditions of vulnerability, risks, unemployment level, among other variables, that women and girls suffer during the lockdown. In this context, the production of data in Argentina on gender matters has been the reason for the recommendation of the Special Rapporteur in her report on violence against women (United Nations, 2017)\(^{33}\)

\(^{32}\) Resolution 408/2020
\(^{33}\) https://acnudh.org/load/2017/08/mujer.pdf
CHILE

Measures Taken by the State to Prevent and Address Violence

In the country, the press survey and interviews showed that several measures to address violence against women in the context of Covid-19\textsuperscript{34} pandemic were adopted. Some of the measures are new, such as the face mask \textsuperscript{19,35} while others are modifications to existing measures to give them continuity and adapt them to specific scenarios, like the capacity extension of the 1455\textsuperscript{36} phone, an information line and assistance from the Ministry of Women and Gender Equity (MinMujeryEG).

Most of the adopted measures are addressed to domestic or gender-based violence in general terms, as well as some specific measures against other types of violence, such as cyberstalking, gynaecological or obstetrical violence, or sexual violence.

As can be observed in figures 12 and 13, the measures are not aimed at addressing specific forms of violence, but to face domestic violence, the fundamental form in which they are intended, or in addressing any form of gender-based violence. This in accordance with what is stated by the interviewees, in the sense that the measures are general, but that not all forms of violence are regulated in our legislation. Additionally, it is also part of the interviewees' criticism that in the long run the measures do not address all types of violence and are mainly focused on the domestic sphere:

“Most of the gender-based violence is not punished, so what one was looking for was domestic violence due to quarantines; or also sexual violence” (Crispi, 2020).

“We have to abstract gender-based violence from different types of criminal offences, because it is not regulated as gender-based violence. So, on one hand, you have physical violence, that is specifically punished, with a more family-orientated sphere in our legislation, and it basically has the law on domestic violence. And on

---

\textsuperscript{34} To review all the measures identified in the country, see appendix. The measures are related to the corresponding categorisation.

\textsuperscript{35} The face mask \textsuperscript{19} is a form to request help that was coordinated with some pharmacies in the country, to which women can go to, and the pharmacy contacts the 1455 line or Carabineros of Chile (Urrutiala, 2020; https://minmujeryeg.gob.cl/?page_id=39626).

\textsuperscript{36} The attention capacity was doubled from 6,000 monthly calls to 12,000. Additionally, a silence channel was implemented, through coordination with Facebook, and a chat was created (Urrutiala, 2020).
the other, you have sexual violence, which also has anticipatory measures" (Ortiz, 2020).

**FIGURE 12. IMPLEMENTED MEASURES: PRESS SURVEY (IN PERCENTAGE)**

Source: own elaboration based on press survey.

**FIGURE 13. IMPLEMENTED MEASURES ACCORDING TO THE INTERVIEWEES (IN PERCENTAGE)**

Source: own elaboration based on interviews and coded with Atlas-ti software.
Figures 12 and 13 also show that although there is an important range of adopted measures, not all of them have the same level of impact. The press survey shows that the measures to request assistance were the ones with most coverage, either because the government disseminates them more or because the press itself considered them more relevant. The interviewees also mentioned that these measures are disproportionate compared to the others, including interviewees from the government, so they also ended up giving them more relevance, and compared to other measures, were the most applied and disseminated ones.

The press information shows us that the dissemination measures, such as the information that was installed at the country’s neighbourhood banks (cajas vecinas), generated a communication impact, which was precisely the objective in such cases for the information to reach the population. In third place of relevance, there are measures that have not been a government initiative, such as legislative measures or initiatives that depend on civilian society, which have been adopted to deal with a phenomenon that they consider has not had sufficient governmental response, and which also includes the information gathering that has not been issued from government bodies. The other measures had little or no press coverage.

For the interviewees, in addition to the measures to request assistance, the institutional coordination carried out to address violence is important:

“Coordination with the Prosecutor’s Office and Carabineros (Chilean police) were made, and agreements with the Director of Carabineros and Mr Jorge Abott were signed to allow women to make complaints, or to go to a police station without having problems if it was during the curfew, or if the district was in lockdown” (Urrejola, 2020).

“What that protocol also promotes the most is coordination. Have a look at your jurisdiction, contact SERNAGE, the Public Ministry, the Ombudsman Office...
and the police and see how to ensure that complaints are received" (Officer Technical Secretariat for Gender Equality, 2020).

"Also in the framework of the femicide law, an intersectoral circuit is established, where in the service there, we also activate jointly with other institutions - which are part of this intersectoral circuit- to incorporate and offer accompaniment, obviously to the families that have been victims of consummated femicide, and, on the other hand, to women who have been victims of attempted femicides" (Figueroa, Vega, and officer from SERNAGEG, 2020).

There is also inter-institutional coordination between the Prosecutor’s Office, Carabineros, the MinMujeryEG, and the Ombudsman for Children (Muñoz, P., 2020). In addition, there is a derivation to the corresponding regions. E.g., in the case of calls to the 1455 phone line. The cases that correspond to the Araucanía region and that require new attention, are referred to Regional Directorate of the Regional Service of Women and Gender Equity (Suazo, 2020).

On the other hand, the new action protocols adopted received many mentions, for example, in the Carabineros sphere, the training that was developed in many areas; pharmacies when adopting the face mask 19; and the extension and continuity of the shelter and other care services, such as psychological ones.

“The Family Prevention and Protection Zone (ex DIPROFAM) has planned, through internal communication channels, to issue instructions at the national level, regarding procedures for domestic violence where the victims are women, specifically during the current State of Constitutional Exception, at the territorial operational level as well as at the Carabineros Communications Centre (CENCO), in regard to the follow-up of procedures and their priority; this, in accordance with Circular No. 1,774 as of 28/01/2015” (Zonafam, 2020).
"And there, we also worked with a training programme that the United Nations Development Programme provided us, which has just finished, where they taught us what the remote reception and attention must be like. An exceptionally good protocol, made by psychologists and specialists, I have been reviewing it, and the truth is that it is very complete and profound. Each person went through three workshops, and each lasted for eight hours, and almost 400 women went through these courses. So, the previous face-to-face attention was now also complemented with this online one" (Figueroa, Vega, and officer from SERNAMEG, 2020).

Finally, the interviewees also emphasise the initiatives that come from civilian society. For example:

"The women were told ‘report it’, but no tools were given to women and girls to be able to identify the situations of violence they were suffering. That role was assumed by women organisations, women in territories, and feminist groups. Not the state, mainly..." (Maturana, 2020).

"A network of organisations and groups coordinated, working at community level, or making themselves available to attend emergencies about violence against women. The Chilean network against violence and the 8M coordinator, groups at territorial level, such as the furies of Ancud, were there" (Maira, 2020).

There are several measures aimed at ensuring the maintenance of services, such as those issued by Carabineros,38 to allow women to move in case of being victims of violence, or by the Judiciary, so that trials on violence continue to be processed,39 as well as to ensure complaint channels, and new ways to present evidence,40 among others.

Although a series of measures were adopted to address the violence, beyond those for requesting assistance or information, great emphasise was finally set on these. The call was

---

38 Quarantine exceptions were established for crime victims, such as of domestic violence.
39 Supreme Court Act S3-2020.
40 Mainly electronic means were established for the receipt of complaints and the presentation of evidence, but a shift system was also established to ensure that those without access to electronic resources could access justice.
to communicate with the channels enabled by MinMujeryEG, which is a non-comprehensive response to the violence and that there is no accompaniment to women throughout the process, from the information request, access to the assistance they need, accompaniment in court, access to shelters or foster houses, to support to get out of the situation of violence. Even fewer prevention measures are present in the adopted policies, and neither are measures aimed at the institutional strengthening or the production of information and statistics.\footnote{See the recommendations sphere provided by the MESECVI (OAS, 2020), mentioned in the introduction.}

In relation to the types of violence that are addressed, in figure 14 it is possible to observe those indicated by the interviewees, where the most covered form of violence by the measures is domestic, and so is gender-based violence in wider terms, but the specific measures are more focused, as well as typified in the national legislation, on the most common forms, as stated above.

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{chart14.png}
\caption{Types of violence addressed by the measures (in percentage)}
\end{figure}

Source: own elaboration based on interviews and coded with Atlas-ti software.
In other specific types mostly mentioned by interviewees from civilian society organisations, we can find domestic violence, violence perpetrated by state agents, sexual violence, and obstetrical or gynaecological violence, and rather than mentioning forms of violence addressed by the measures, these are forms of violence that have not. In relation to violence perpetrated by state agents, the interviewees refer to violence committed by Carabineros in the Araucanía region (Pérez, 2020; Galdames, 2020; Hernández, 2020) or the one committed against activists in the context of the social protests (Pérez, 2020; González, 2020; Hernández, 2020).

For instance, regarding violence in the context of social mobilisations, Danitza Pérez (2020) states: “the government did not take part in any of these complaints, in any of them, neither diversities, nor girls, no one... And the response they gave is that ‘they had no authority’; because the phenomenon of violence today, legally, does not have a framework law that refers to violence, and I do not know- it is still within couples, so it makes SERNAMEG say ‘no, it has nothing to do with me, so I do not take part.

In relation to obstetrical or gynaecological violence, the interviewees refer to the lack of services, such as examinations or GES\textsuperscript{42} care (Román, 2020; Maturana, 2020; Galdames, 2020; Peña, 2020), to the defective contraceptives provided during the period\textsuperscript{43} (Montecinos, 2020; González, 2020; Peña, 2020) or to the lack of implementation of the three-causal law for the voluntary termination of pregnancy (Maira, 2020; González, 2020).

Sexual violence has some period-specific measures and continuity of previous measures. In some cases, lawyers or psychologists are provided by women’s centres (Suazo, 2020). There is also a women’s centre that specifically addresses human-trafficking (Figueroa, Vega, and offices from SERNAMEG, 2020). It was decided to increase the number of care centres from the current three to seven (Maturana, 2020); and in the judicial sphere the continuity of the processing of trials of sexual violence was ensured (Ortiz, 2020). However, problems related to reproductive rights and the lack of specific measures for the period were strongly criticised.

\textsuperscript{42} Explicit Health Guarantees (GES).
\textsuperscript{43} The government provided a batch of defective contraceptives, causing more than twenty women to get pregnant without being aware,
Factors that Influenced the Adoption of the Measures

The press analysis shows that the main factor for the adoption of measures by the government and other parties is the high number of complaints or cases, a reason that appears in 77% of the articles that refer to some measure. Other reasons mentioned, but all in less than 10% of the articles, are civilian society demands, the recommendation of an international body, the implementation of a law or policy, or a variety of other reasons (see figure 15).

**FIGURE 15. REASONS FOR THE ADOPTION OF MEASURES, ACCORDING TO THE PRESS (IN PERCENTAGES)**

![Diagram showing reasons for adoption of measures](image)

Source: own elaboration based on press survey.

The analysis based on the personal interviews shows a different picture. Although the interviewees also mentioned that the high number of cases was a significant reason for the adoption of the measures (22.8%), the demands of civilian society (35.8%) stand out, and theoretical reasons (17.1%), international experience (15.4%), and recommendations of international bodies (8.9%) appear much more strongly than in the press analysis case.
The complaints of civilian society were frequently used, although the interviewees refer to this to argue about the motives for the adoption of the measures, as well as to refer to the fact that pressure was applied, but in the end the government took no action nor would listen:

“On the other hand, the Minister created an advisory council, where over thirty women of different types met. Women from academies, foundations, different associations, civilian society, parliamentarians, etc. attended. It was carried out in three groups, and it lasted for two months. We met once a week on Monday mornings, and each group worked, in turns, on the development of the matters. Once it finished (this week), all the requests we worked on, were handed over to President Piñera” (Urrejola, 2020).

“I had the idea of installing a round table where we could invite as many organisations as possible. Collectively we elaborated an agenda that had already been modified by reality itself, and it was directly linked to the condition, the situation of the women amid the pandemic... I started to invite different
organisations. There were around 107 or 117 of us, I am not sure, but different organisations from civilian society were always signing up, from the different areas where women are working nowadays, and it has been a very profitable dialogue. We managed to draft a very good agenda in three-four months, with short, medium, and long-term measures, and with a commitment that I am currently developing, to establish the basis for a disaster act with a gender dimension and approach” (Muñoz, A., 2021).

"Now, as public officers, and here I have to put myself in this union role for which I am being interviewed, we have been absent, and we have reported this, in all matters related to this management, mainly of government, with the different authorities that has had the head, because there have been changes, and we have not been part of the policies design specifically on issues of violence against women" (Madariaga, 2020).

"There is a sort of roundtable run by the director of the National Women’s Service, with women’s organisations. That is an information and dialogue space which did not exist before and it is quite interesting. That has not been reflected into tangible or concrete results. However, it has allowed women’s organisations to receive information about what is being doing, and to be able to raise concerns. Still, I could not tell if it has had an impact on changes, on how they are being addressed" (Maturana, 2020).

Thus, the participation of civilian society organisations in various instances, such as the one created by the President of the Senate44 or the one organised by the MinMujeryEG itself, still, did not necessarily lead to specific measures by the government. Moreover, many of the measures to which the interviewees referred are initiatives of civilian society, which were mentioned in the first section of this chapter. Therefore, in relation to the measures that properly issued from state bodies, there is a criticism that civilian society was not considered:

---

44 This initiative was reflected in the document “COVID 19 Gender Agenda. Make public policy with a gender perspective in situations of crisis” (Agenda de Género COVID 19. Hacer política pública con una mirada de género en situaciones de crisis), by the President of the Senate of Chile.
"But I would say that one characteristic that this violence policy has had in the contingency plan, is that it was defined without the participation of civilian society organisations. They have been defined and implemented without participation... What has been done is they informed us, some organisations, it is not even a piece of information like the assembly of all the organisations, but it has been informed to those that participle in the advisory council, or other spaces" (Maturana, 2020).

"In parallel, I wanted to say, and it is very important to mention, that a roundtable was established at the Senate, which sought from the first moment, that arose from the pandemic situation, and with concern on these violence and other gender issues, which are also transversal, and, without a doubt, related to this. It raised the design of a gender agenda for the Covid-19 emergency, and that had a roundtable in which we are part of as an association from day one. It also raised a joint proposal with more than eighty women, feminists, and society organisations organised from the civil service, where it specifically proposes a short agenda with immediate measures, and even a budgetary and legislative agenda, addressing longer-term measures, and it was not heard until July of this year, by the new Minister Zalaquett, whose today’s appointed minister, and from whom we still have no response as a formal roundtable for each of the proposals made and suggested to address this" (Madariaga, 2020).

Thus, the main reason for the adoption and implementation of the measures was the increasing number of cases of violence that resulted from the implementation of the lockdown and other measures against Covid-19. The following quote clearly proves the magnitude of said increase:

"In general, on the calls side we have had an explosive demand. In 2019, the 1455 phone line received about 4,500 calls per day. That number did not have much activity, 4,300, 4,200, 4,500... it varied around these numbers all year. When the pandemic began in March, we reached 8,000 calls. In other words, almost twice the amount we normally had. Then, in April we reached 14,000, imagine going from
4,000 to 14,000. In May, we reached 16,000 and it was the peak month, the highest month that we had. And then in June and July it dropped slightly, reaching about 10,000 calls or so, but in the last two months (August and September) it has remained around 13,000 calls per day. Moreover, it is important to mention that from May onwards we started to receive silent complaints. The past year, there were no silent channels, but this year we included them, and I would say that its demand in the order of about 3,000-2,000 calls per day. So, if you think about it, in the end there would be around 16,000 calls approximately. Among the different complaints that we receive, today we have about 16,000 compared to last year where we had about 4,500. It is more than three times” (Urrejola, 2020).

For theoretical reasons, we categorised all those expressions of the interviewees where there was a deeper analysis of the violence phenomenon, which added to the specific context, made them anticipate the need to adopt measures. In this regard, the following reasons were expressed: family tension as a result of the lockdown; the need to focus on the prevention of violence; the need to incorporate as many parties as possible in the design of gender and anti-violence laws and policies; the double and triple shift that relapse on women, where they have to do their jobs, housekeeping, and taking care of those who need it; the insufficiency of the complaint channels; the need to facilitate the work of prosecutors and investigations; the need to have silent channels product of the permanent presence of the perpetrator and victim in the same space (Urrejola, 2020; Figueroa, Vega and officer SERNAMES, 2020; Suazo, 2020; Muñoz, A. 2020; Reuca, 2020; Ortiz, 2020; Hernández, 2020).

In terms of international experience, the interviewees allude to the observation of what was happening in Europe, added to the coordination they have with international organisations and women’s ministries in Peru, Argentina, Colombia, and Spain; the information exchange between the Judiciary of Mexico, Puerto Rico, Ecuador, Argentina; and the example taken from Spain for the adoption of face mask 19 (Urrejola, 2020; officer of Technical Secretariat for Gender Equality, 2020; MinMujeryEG, 2020; Hernández, 2020).
Finally, in relation to the recommendations of international organisations, the interviewees refer to the links or joint work with UN Women, the Inter-American Development Bank, the United Nations Development Programme, and to the information obtained from the studies of international organisations (Urrejola, 2020; Muñoz, A. 2020; Figueroa, Vega, and officer SERNAGEP, 2020; Maturana, 2020).

Effectiveness Level Achieved and Obstacles Faced in the Implementation of the Measures

Para evaluar el nivel de efectividad alcanzado con las medidas adoptadas se ha realizado un análisis de la respuesta lograda frente a formas y casos de violencia, del alcance territorial que han tenido, su nivel de adaptabilidad a situaciones específicas, así como el nivel de conocimiento y capacitación del personal que debe implementar las medidas. Estos temas fueron abordados por las entrevistadas fundamentalmente como obstáculos identificados para la aplicación de las medidas, que será la forma en que se abordará en esta sección. Los obstáculos, por su parte, abordan una amplia gama de temas, que van desde obstáculos de las políticas de violencia previos a la pandemia, obstáculos específicos relacionados con el acceso a la justicia y funcionamiento del Poder Judicial en casos de violencia, aplicación de las medidas a diversos grupos y en diversos territorios, entre otros.

Response Achieved

The measures addressed by the MinMujeryEG are part of a Plan, with a weekly follow-up from March until August 2020, where the follow-up began to be fortnightly and then changed to a monthly basis (Urrejola, 2020). Notwithstanding the foregoing, there is a perception among the interviewees that the measures were not adopted for the follow-up of the situation of violence experienced in said period and to which extent the measures were an adequate response to the context (Muñoz, A., 2020). On the other hand, in general the Ministry itself recognised that there is a lack of impact studies on the effectiveness of the plans and programmes, and, in particular, the pandemic period which has also made it difficult due to its economic restrictions (Figueroa, Vega, and officer of SERNAGEP, 2020).

---

45 Training was provided to the MinMujeryEG and SERNAGEP personnel.
46 In this case, there was even collaboration through economic and technical resources that resulted in remote training.
In relation to the call centre, the follow-up consisted of daily checks of the incoming calls, waiting times, and response times, realising where they needed to be more careful. They also observed that when the number appeared on TV, calls significantly increased, and hence they prepared for when that was going to happen. At the peak time, when they received 16,000 calls, the capacity was exceeded, but people called again, or the provider returned calls (Urrejola, 2020). The increase in calls reflects that this measure was effectively known and used by the population, although a disparity regarding other implemented measures was also observed (Crispi, 2020; Peña, 2020).

In the case of WhatsApp, it was hired to carry out 300 daily assistances with an average of 100, so in that case the expectations were fulfilled. In addition, in the period when the call centre was most exceeded, they tried to focus on WhatsApp, which had more available capacity (Urrejola, 2020). The chat also has a follow-up which was constantly monitored by the Ministry (Urrejola, 2020).

Regarding face mask 19, and how it will be shown further on, civilian society organisations have been critical for its implementation. At the round tables in which the organisations participated, they talked about the cases received through this channel, which were very few: e.g., in the first report, there were sixteen cases at national level (Pérez, 2020). In fact, since its implementation until October, only sixty people were attended nationally, 65% of which were from small towns (Urrejola, 2020). The dissemination, through Caja Vecina manage to rely on 30,000 sites nationally (Urrejola, 2020).

Meanwhile, the Judiciary had not assessed the protocol effects at the moment of the interview. The first thing they intend to evaluate is the number of admissions, which it is known that in the case of the Family Courts it dropped in March and April 2020, but then began to rise. Subsequently, a survey of perception of the use of the tools is contemplated, as well as the development of a more specific analysis of the processed cases (officer of Technical Secretariat for Gender Equality, 2020). The Public Ministry has also been observing that there are many suspended trials, but they have not evaluated how the causes
of violence against women have progressed and the problems that could have occurred in this period. The analysis has not been performed since the pandemic has not finished yet, and it is considered that they ought to focus on advancing in this period before making the evaluation. Furthermore, because there are not enough personnel to undertake this task (Ortiz, 2020).

On their behalf, Carabineros has indicators regarding the number of calls to the Family Phone line, the number of complaints referred to the Public Ministry and Family Courts, as well as officials undergoing training nationally (Zonafam, 2020), but they do not indicate if they will perform a more thorough evaluation than the collection of these data. Civilian society organisations consider the unawareness of the violence data in the context of the pandemic to be a complex issue. On one hand, it is indicated that there was no greater knowledge of the measures, or what they involved, but with greater reason, its application and impact are not known: there is no information on precautionary measures requested and provided, the cases of flagrant domestic violence known during the period, as well as with the adopted measures taken by Carabineros (Maturana, 2020).

On the other hand, the agenda carried out by the Presidency of the Senate, with the participation of civilian society organisations, was not put in force. It was handed to the Ministry, but then it was not implemented (Muñoz, A., 2021; Crispi, 2020).

The evaluation of organisations is critical, as it shall be reviewed hereunder, regarding the lack of a comprehensive view of violence, and the absence of a focus on prevention. Additionally, with respect to the pre-existing measures, such as shelters which have limited periods of permanence and with respect to the number of children, or the assistance provided by Carabineros, the vision is also quite critical (Galdames, 2020).

Obstacles

The Chilean press in the period tangentially addressed the adopted measures against violence due to the pandemic. Of the total of articles that faced issues of violence against
women (278), 22.3% did not mention any measure, 27.7% mentioned the measures that affected a particular case, where half of them refer to a governmental or other organisation's measure to address the violence against women. Nevertheless, most of these articles only mentioned the measures, without making further analysis of them, their implementation, or obstacles. This can be observed in figure 17, where 75.2% of the articles do not mention obstacles, making press-based analysis very partial. Said obstacles are a variety that is not included in main analysed categories (13.7%), difficulties related with the mobility restrictions of quarantines (6%), difficulties related to the Judiciary's functionating (3.4%), difficulties related to the functionating or action of the police (0.9%), and problems with the access or knowledge of technological resources (0.9%). In consequence, the most important analysis of this section is based on the interviews.

**FIGURE 17. OBSTACLES MENTIONED BY THE PRESS (IN PERCENTAGE)**
Structural or Pre-existing Obstacles

A substantial problem is related to the fact that there is an extremely specific set of violence forms regulated by the legislation,⁴⁷ such as domestic or sexual violence, which limits the possibility to address violence in a comprehensive manner (Ortíz, 2020; Crispi, 2020). Other forms of violence, such as sexual harassment, have been gradually incorporated, and more strongly from a cultural view, but not in the approach to public policies nor associated resources (Maira, 2020).

In addition to the legislation, one of the substantial difficulties is related to the vision of violence against women and how to address it. The interviewees refer to the lack of emphasis on polices aimed at promotion and prevention that have a comprehensive and intersectional approach, which translates into measures aimed towards very specific forms of violence, as well as other consequences, such as not having adopted a comprehensive sexual education project, that there are only three repair centres for sexual violence throughout the country, the education on gender or violence and the design of public policies are not incorporated, that there are no protocols for gender-based violence, in spheres such as health, and that are not incorporated into sectors of the population with specific problems and experiences, as childhood and adolescence⁴⁸ (Pérez, 2020; Maira, 2020; Muñoz, P., 2020; Crispi, 2020).

In the case of the pandemic, the fact that prevention is not considered in the design is criticised, which meant that focus was on the information-oriented measures, such as phone platforms or the face mask, but not on providing a comprehensive response that considers other forms of violence. The measures are not aimed at providing tools to identify violence, they do not consider working with community organisations, nor they considered a legal, medical, and professional support service, permanent through time (Muñoz, A., 2020; Reuca, 2020, Román, 2020; Maturana, 2020; Maira, 2020; Peña, 2020; Maturana, 2020).

⁴⁷ See Chile’s contextualisation chapter.
⁴⁸ Specific problems to address are, e.g., the intervention and reparation measures for children of women victims of femicide, or the long waiting lists for reparation programmes, included in the case of sexual violence (Muñoz, P., 2020).
Maira, 2020; Figueroa, Vega, and officer SERNAGEG, 2020). Additionally, this vision implies that an exclusive problem of the MinMujeryEG, and that other ministries, such as the Ministry of Health do not consider the need to take charge (Román, 2020).

Furthermore, there is a criticism related to the fact that violence against women is not considered a priority, with the consequence that the needed resources are not being invested (Muñoz, A., 2021; Maira, 2020; Hernández, 2020). For example, Adriana Muñoz (2020) refers to a telematic follow-up project for precautionary measures, which various governments reject due to its cost. On her behalf, Patricia Muñoz (2020), includes other used arguments, such as that the machines do not work or that it is not possible to reach it in case of an alert.

Women’s shelters and the teams of MinMujeryEG do not have adequate resources nationally, which implies that they are over-demanded not allowing for a proper response. There is a lot of staff turnover, an unsatisfactory salary and they are required to perform a multiplicity of functions (Maturana, 2020; González, 2020). Shelters rarely have space, but the Ministry does not consider it a problem, because they only contemplate capacity nationally and offer shelters in other regions, but for the women this means to leave everything, including their support networks or children (Pérez, 2020). There are only three centres for the sexual violence attention nationally; thus, they cannot respond to the demand (Peña, 2020). From the National Association of Officers (Asociación Nacional de Funcionarios y Funcionarias) of the MinMujeryEG they argue that at least a budget the double of the current one is required, and that is in a scenario without a pandemic (Madariaga, 2020). The lack of budget is also at municipal level. For the Women’s shelters of Vílcún Town Hall, the issue translates into the difficulties of having a multidisciplinary team, adequate to respond to their demand, but efforts have not been successful, which means that the demand must be prioritised (Reuca, 2020).

Public policies are also not made with an intersectional approach, which means that there are many sectors that are completely marginalised from them. Women who are disabled are
absolutely excluded of policies and have great difficulties in accessing the bare minimum. So are trans women, who have not been considered nor included in the debates of the policies applied to them, which along with the ignorance of their reality, leads to inappropriate policies to be applied, with a lack of sensibility, or as if they do not exist. Policies do not include interpretation on other languages, or cultural aspects, which has an impact on migrant or indigenous populations (Maira, 2020). In the case of girls and teenagers, they are not on the MinMujeryEG’s objectives. Therefore, they are not included in their policies, but they are also not coordinated with the Office of Undersecretary for Childhood, which has not elaborated prevention functions of violations of their rights, which we can see in the absence of specific campaigns and actions (Muñoz, P., 2020).

Another problem mentioned by the interviewees, is the lack of capacity to follow-up on policies or measures, so we do not know if they reach the target population and how they do it. This transcends the government sphere and reaches union organisations, such as the health one, which sends guidelines on how to handle violence cases, but they do not know how they are received and applied by the personnel (Officer of MinMujeryEG, 2020; Crispi, 2020).

In the judicial sphere, there is ignorance and a lack of training on violent matters, which results in problems with the assistance required for people. Revictimization, the fact that these causes are not considered important, the lack of information on the process and steps to follow. This is partly illustrated in the following extract: "... in general, in the Judiciary there is no understanding of the social problem that occurs with gender-based violence against women. There is a lot of ignorance of what it means, and that has many effects on how people are assisted, on the procedure that is applied, and the resolutions taken" (officer of Technical Secretariat for Gender Equality, 2020). According to what is stated by the same interviewee, there is a culture that does not understand that it must treat people properly, that they must explain to people what is going on, beyond the resolution of the case. Likewise, the need to coordinate with other state bodies is neither understood. This is considered to be an issue beyond the Judiciary, which goes beyond the work of its officials.
In addition, there is not a strict supervision of the protection and precautionary measures, which leads to their non-compliance, and there is a neglect of the protective perspective, which results in the lack of referrals for women and their children (Muñoz, P., 2020).

Courts and judges are independent for the resolution of cases, which implicate a great heterogeneity in the treatment of the matter. There are differences in all spheres, from the agendum, the organisation of the trials, their knowledge, inter-institutional coordination, with Courts that have made great advances and others in which there are great challenges. Moreover, there are difficulties in the production of evidence, prejudices regarding victim’s testimonies, expert reports that take a long time, and lack of quality of the reports provided by the women’s centres (Officer of Technical Secretariat for Gender Equality, 2020; Ortíz, 2020).

Another substantial problem is related to the duality of the procedure for domestic violence causes. Women file complaints in Family Courts, which if considered as habitual abuse, are derived to the Prosecutor’s Office, for which the psychological violence matters are not serious, so they are not investigated, and the same happens with other domestic violence cases. On the other hand, they do not consider other family issues that may be processing in parallel, such as visits or food, which implies a partial look at the problem and a lack of awareness of the violence against women phenomenon (Maturana, 2020; Officer of Technical Secretariat for Gender Equality, 2020; Pérez, 2020; Peña, 2020). Furthermore, in criminal issues the number of prosecutors dedicated to domestic violence issues is insufficient for the number of cases, which implicate that each one oversees over two hundred cases (Peña, 2020). Nevertheless, the emphasis is strongly placed in domestic violence and injuries, excluding other forms of violence and population groups (Muñoz, P., 2020).

In addition, and beyond the exclusive scope of the Judiciary, it is criticised that there are services offered to various organisations, which are similar and not mutually coordinated, and reflects a lack of planned vision on the problem of violence. The sphere where the
coordination is clearer is regarding femicides, but not to other forms of violence (Maira, 2020; Palacios and San Martín, 2020). In the same line, but in particular regarding the reporting channels, these are not coordinated. There is no exchange of information between Carabineros, the Investigation Police and various types of Courts, which has an impact on women’s risk evaluation (Madariaga, 2020).

There is also ignorance of the problem and a relativisation by Carabineros to receive complaints or provide support to the victim, which is related to training. The response is cold, unwelcoming, unguided, and, in many cases, ends up discouraging the complaint (Officer of Technical Secretariat for Gender Equality, 2020; Reuca, 2020; González, 2020). In the context of the pandemic, they have not received special training; hence, the problem remains. The Investigations Police do not like to investigate cases of domestic violence, since they are intended to investigate more important crimes (González, 2020; Muñoz, P., 2020).

The lack of training in gender matters is a problem that transcends various spheres of assistance, from Carabineros, the judicial sphere, the Prosecutor’s Office, the medical area, among others (Pérez, 2020; Crispi, 2020). In the latter, the professional programmes do not address gender-based violence. Therefore, the personnel prefer not to get involved with the subject to avoid making a mistake (Crispi, 2020). This is particularly important on issues where there is also resistance, such as with abortion, meaning that no information nor benefits are provided (Maira, 2020). The trainings carried out are not permanent and do not allow people who take them to understand the dimensions of a phenomenon as complex as violence against women (Hernández, 2020).

Obstacles Related to Territorial Diversity

Territorial diversity, access to technology and services translate into specific disadvantages for the implementation of the measures against violence in both normal and the context of the pandemic. The connectivity problem with rural and indigenous women hinders the application of the measures, such as WhatsApp or phone lines. In areas farther afield,
luckily, they have access to a mobile phone, but with difficulties in accessing reception and many times there is no Internet. Added to this digital gap, although this is not exclusive for indigenous or rural women (Figueroa, Vega, and Officer from SERNAMESG, 2020; Officer from MinMujeryEG, 2020; Reuca, 2020; Ortíz, 2020; Maira, 2020; Galdames, 2020; Palacios and San Martín, 2020). For instance, in winter it is difficult to reach some houses in the Lonquimay district, where there is a lot of violence, or in the Araucanía region in general, which has areas where there is no communication at all; hence, the measures such as 1455 phone simply does not work in these sectors, besides the long distances (Suazo, 2020).

According to the interviewees, rurality is another evident problem in La Araucanía, where there is a stronger machismo culture than in urban sectors. This is exacerbated in the case of Mapuche women, who do complain due to a cultural and language motives, as the services do not necessarily have interpreters (Suazo, 2020; Reuca, 2020; Galdames, 2020; Palacios and San Martín, 2020). In the cases of girls and teenagers, there are additional problems in the rural context that are not present in the city one and, hence, are not being addressed, like child labour or them having to take care of their younger siblings (Muñoz, P., 2020).

At municipal level, there is a great variety among services and much of this depends on the positions of the mayors. For instance, Vílcún town hall which is led by a female mayor and has a women’s shelters, but this is not the case of every other town hall (Reuca, 2020). The same happens in the health sphere, where Centres for Mental Health (Cosam) had a varied response: while some adapted the situation and started to provide care via videoconference, others suspended the care and sent their professionals to help with the Covid situation (Crispi, 2020). According to an interviewee, some town halls have a beneficiary network; so not all people can access them. That is quite common at least in the south of Chile (Galdames, 2020).
**Difficulties in Applying the Measures to Various Population Groups**

Although the MinMujeryEG includes all women in its policies, when looking at specific groups it can be observed that many are excluded, or that the policies or measures do not reach them. It is criticised that the design of the measures considers an ideal woman, heterosexual, leaving aside girls, indigenous, adults, migrants and any other women who do not fit into this category (Pérez, 2020; González; Peña, 2020; Palacios and San Martín, 2020).

In relation to polices in both normal times and in the context of the pandemic, there is a design that considers the ideal victim: “the ideal victim has to: keep quiet, gather her own evidence, go file the complaint, never contradict herself, overcome any kind of comments made by officials, and sustain the complaint, because if it is the woman herself who has suffered violence and she does not sustain her story, investigations do not persevere” (González, 2020).

In the pandemic, reaching migrant women has been complex, where there has also been an increase in human-trafficking cases. Girls and teenage victims of human-trafficking or sex trade, not only suffer from violence itself, but the stigmatisation of these illicit activities too. There are also difficulties in relation to disabled women, as in-person attention was already complex, but as for remote attention without interpreter it can be impossible, and the dissemination campaigns are not intended to them, as they do not incorporate specific formats that ensure inclusion (Figueroa, Vega, and Officer from SERNAGEG, 2020; Pérez, 2020; González, 2020; Muñoz, P., 2020).

In the case of girls, the situation is quite worrying: “Girls, are surely a very invisible population, because from the mandate of the service and the ministry, the policy is addressed to adult women; and I understand that there is no special policy regarding girls. In this case it would be, who is mandating this by law, the National Service for Minors
(Sename), then I presume that the situation of girls must be quite invisible, sharpening this, in addition to the context of the pandemic" (Figueroa, Vega and officer of SERNAMEG, 2020; Pérez, 2020; González, 2020; Muñoz, P., 2020).

In the case of girls, the situation is quite concerning: “girls are surely a highly invisible population, because from the mandate of the service or ministry, the policy is intended for adult women; and I understand that there are no special policies for girls, the National Service of Minors is the one in charge of them; thus, I presume that the situation of girls must be quite invisible, with the context of the pandemic exacerbating this” (Figueroa, Vega y Officer from SERNAMEG, 2020). Public policies do not address violence against older women either (Reuca, 2020).

Women who belong to sexual diversities, such as trans or LGBTI+ women, are also not expressly included in the design of measures. The personnel who receive complaints, or are the first contact, are not trained to deal with women with diverse sexual orientations or gender identity, so they do not receive adequate responses (Officer from MinMujeryEG, 2020; Madariaga, 2020; Montecinos, 2020; González, 2020).

Obstacles Derived from Power Struggles or Ideological Positions

One obstacle within the country was the joint work of institutions headed by people from different political positions. For example, the Presidency of the Senate assembled a roundtable to work on a gender agenda in the context of the pandemic, where over eighty civilian society organisations attended. On its behalf, the MinMujeryEG, instead of coordinating efforts, decided to create its own parallel roundtable, which brought together around thirty organisations (Muñoz, A., 2021; Maturana, 2020; Pérez, 2020). The following quote illustrates the problem: “So I discussed this with the minister (with whom I have a very good relationship) and asked why we should have a competition of women’s workplaces, while we could work together, but I do not know, let us say that the activity
became ideological. Although we never carried out an ideological activity, on the contrary, what happens is that we are feminists, and I think there is a distance between us and the government" (Muñoz, A., 2020). It is also mentioned that the government has a conservative approach and that on violence matters there is a lot of resistance and the progress we have achieved are thanks to the pressure from civilian society (Muñoz, A., 2020).

Moreover, in the pandemic period there were also changes in ministries in charge of the MinMujeryEG, which translated into vacancy periods, struggles in the feminist organisations sphere and different views and priorities established between March and June 2020, when Mónica Zalaquett took over, despite the fact that she has a conservative approach and is seen as a minister who is not necessarily going to make major changes, she is at least open to dialogue and to listen to different visions from different parties. The interviewees consider that the distancing between the Ministry and organisations is wide, that there is a setback in dialogues that were established. There is also a view that the change of ministers, and the fact that people who are not specialists in the field are appointed demonstrates a lack of interest in violence issues that affect women. In addition, the changes had an impact on the prompt adoption of measures (Pérez, 2020; Montecinos, 2020; Maira, 2020; González, 2020; Peña, 2020)

Ignorance of the Measures

There were problems with publicising the measures, which led people to appeal already known complaint channels or to be afraid to go out due to lockdowns and not knowing how they could file a complaint. There was also a lack of knowledge on the functioning of the measure, such as the face mask 19 or the measures adopted by Judiciary. In consequence, people could not thoroughly enjoy them. As for the case of the face mask, what happened was that people went to the pharmacy to purchase the face mask 19, as if it were a product, rather than understanding the fact they could request help through this channel (Urrejola, 2020; Ortiz, 2020; Pérez, 2020; González, 2020).
There is also unawareness of the shelters, their requirements and location, and how to access them, although this is not a specific measure or difficulty related with the pandemic, and there is even a sense of secrecy around them, as if they did not want to be open for the arrival of more women (Pérez, 2020; Crispi, 2020; Hernández, 2020). In addition, the shelters have a series of restrictions, such as not being able to access with adolescent children, forcing women to decide between receive this benefit or their maternity (González, 2020). In the case of the Ministry’s assistance channels, women claim that they call to file a complaint and they do not receive it, given that it is not their function, but this is also related to the communication which is being implementing (Pérez, 2020). One of the problems is that people knew what the measures were, but not of what they consisted, how they were implemented, and much less aspects like the associated budget (Maturana, 2020). From the Prosecutor’s Office a campaign for the dissemination of the measures was launched, but they did not have resources to do so; hence, the campaign did not have much dissemination (Ortíz, 2020).

Furthermore, the communication effort is limited and strongly focused on social media, but this does not reach the TV or radio, and of course it does not include alternative forms of communication for disabled women, older women, or women with a low-education level, considering the digital gap (Maturana, 2020; Pérez, 2020).

The lack of awareness on the measures not only reaches the population, but also those who must apply them. In the case of face mask 19, information was provided to officials, but they were not trained, which means that some of them even thought it was a specific type of face mask. The same has been done with Carabineros, who were trained, but not all of them (Officer from MinMujeryEG, 2020; Hernández, 2020). Face mask 19 and the dissemination agreement celebrated with Banco Estado were not officially communicated to women’s centre of Vílcún town hall, even when the information was expressly requested, with the consequences for the possibilities that this collaboration has for the implementation or dissemination of the measures. This lack of awareness has an even
greater impact, since the measures are not being implemented in some localities (Reuca, 2020). The measures were also not informed, and there was no further participation of the personnel from the MinMujeryEG (Madariaga, 2020).

Design Problems

The adopted measures to address violence were issued from the MinMujeryEG, but it was not a coordinated plan with other political parties or ministries, nor was it coordinated with the general measures adopted against Covid-19. In fact, the Minister was not included in the Covid round table until August (Maturana, 2020). The latter also failed to include sectors related to groups with a specific need, such as the children (Muñoz, P., 2020). One criticism of the interviewees is that in the design of measures they did not incorporate recommendations from international and civil society organisations, and that they were mainly aimed at orientation, but not at providing a comprehensive response (Madariaga, 2020; Maturana, 2020; Peña, 2020).

In the case of the face mask 19, the example of a measure implemented in Spain was taken, but its application in Chile did not consider the knowledge of the MinMujeryEG officers, of experts in violence matters, nor the specificities of violence in the country or cultural aspects (Madariaga, 2020). The fact that not all pharmacies, but only the ones belonging to chains, were included is also criticised (Peña, 2020).

The WhatsApp chat and 1455 phone are criticised given that their responses are too standard, and that they do not consider the violence experiences faced by women in the country and the different population groups, which could lead to revictimisation. Also, that the response is general and merely informative, without offering additional support to victims and mainly focused on domestic violence (Madariaga, 2020; González, 2020; Muñoz, A., 2020).
Difficulties within the Framework of Knowledge of Cases by the Judiciary

The courts specifically follow the protocol issued by the Supreme Court, each one adopting the measures that they deem necessary, which leaves space for inaction and a very great variation in the administration of justice. The protocol also includes human-trafficking crimes, injuries outside of the domestic violence framework, but since there is no law to punish them, it is up to the interveners to apply them (Officer from Technical Secretariat for Gender Equality, 2020).

There are also specific problems arising from cohabitation, such as the possibility to perform or not the trial, since both parties live in the same place. This occurs mainly in family cases rather than in criminal ones, but the first case is a problem due to the possibilities of having a new attack, and it is a challenge for the personnel and the institution. Moreover, the lack of face-to-face functioning of courts and other bodies meant that trials and the generation of other evidence, e.g., through ex officio, that have been significantly delayed, impacting on the postponement of cases (Officer from Technical Secretariat for Gender Equality, 2020; Pérez, 2020; Prosecutor’s Office, 2020).

There have also been questions on the due process, related to the virtuality measures or the incorporation of technological means for the evidence (Ortiz, 2020). For instance, there are criticisms related to the relaxation of procedures, particularly in complaints of sexual violence, where victims have been requested to send their testimonies via WhatsApp or email, risking the security of the testimony and the victim without the protection that international standards establish for these cases (Pérez, 2020).

There was a delay by the prosecutor’s office to be able to perform the request for precautionary measures, which allows the request and renewal to be made without much ado, but then there is much delay in conducting the trial, that can take three to four months, and which in a context of violence is unsustainable (Peña, 2020).

---

49 Self-agreement No. 53-2020 on the functioning of the Judiciary during the national health emergency.
There have also been difficulties related to the lack of budget that could allow for the implementation of more universal means of access, considering that there are areas where there is no Internet connection or where people are not familiar with the technological world (Prosecutor's Office, 2020).

**Lack of Incorporation of Other Forms of Violence**

There is a multiplicity of types of violence and/or assistance that have not been considered in the design of the adopted measures. For instance, in the health sphere examinations and medical assistance that should have been performed were suspended, such as the Pap test, the handing of fertility control methods, or the possibility of fathers to be present at the birth, leaving the woman alone in a process of such vulnerability or where there is obstetric violence, to which the handing out of defective contraceptives was added, resulting in a number of unwanted pregnancies (Román, 2020; Montecinos, 2020; Cristi, 2020; González, 2020; Peña, 2020; Hernández, 2020). On its behalf, sexual violence was not included in the dissemination campaigns, so there was no warning about the risk of an increase whereof, nor in the assistance in the sexual and reproductive health context, beyond the complaint, and the orientation in sexual and reproductive health matters that were launched in October (Maturana, 2020).

The non-incorporation of other forms of violence is related to the fact that the legislation only recognises specific and reduced forms of violence. In addition, measures that address other issues that mainly affect women are not necessarily included, such as mental health, care issues and the increase of domestic responsibilities, or the economic impact of the pandemic (Cristi, 2020; Maira, 2020). And in the set of measures some addressed to violence in digital media were also not included (Pérez, 2020).

The main measures, such as the communication and information channels, are not particularly addressed to sexual violence, which has characteristics that involve a lot of
guilt and require specially designed responses. Nor has this form of violence been addressed in respect to the consequences in the health sphere, like in the handing of emergency contraception or the possibility of voluntary termination of pregnancy (Maira, 2020). The carrying out of the termination of pregnancy is an issue that since the adoption of the law has had a varied throughout the territory, meaning that its access is not prompt and is revictimizing (González, 2020).

Finally, in the context of the pandemic, the problem of violence perpetrated by state agents in the framework of the social protest has also been neglected and not addressed (Maira, 2020; González, 2020).

**Multifactorial Obstacles**

The fact women are locked down with their perpetrators, added to the increase in unemployment, care work and reproductive tasks, implies that the decision to file a complaint is more complex than in normal circumstances: there is more dependency, less access to support networks, and more mobility restrictions, so the risk has increased (Pérez, 2020; Peña, 2020; Palacios and San Martín).

Other factors that affect violence are crime and drug trafficking, which for some interviewees was exacerbated during the pandemic, particularly risking women who exercise social or political leadership roles (Galdames, 2020).

Finally, the lack of presence brings several difficulties to services that benefit from it, such as psychological interventions, and also adds difficulties to the evaluation that a team can make, which adds to the work overload due to the pandemic conditions (Figueroa, Vega, and Officer from SERNAMEG, 2020; Reuca, 2020).
State Response to the Pandemic on Issues of Violence against Women

According to the stated in the introduction of this document, the MESECVI has made a proposal on the measures which recommends the states to implement during this pandemic period to address violence against women. Said measures were distributed in the following categories: a) public policies for the prevention and assistance to face violence against girls and women; b) access to justice; c) institutional strengthening; d) information and statistics (OAS, 2020). Hereunder a brief analysis to compare the measures adopted by Chile considering these recommendations is made.

In relation to policies for the prevention and assistance of violence, the country did not increase its shelters capacity, nor did it increase its allocated resources, but the demand did not reach its limits. A campaign to encourage their use in case of need was also not performed. There were also no shelters specifically intended for migrants and it was observed that the measures did not reach this group. The phone capacity was increased, and alternative channels of communication to request information were created, but the response was not designed to be comprehensive and to protect women at risk, nor did it incorporate home visits. Moreover, specific information guides for women and national communities were not designed either.

In judicial spheres, the assistance to causes of violence against women was reinforced, and the MinMujeryEG attempted to maintain psychological, psychosocial, and legal assistance, but as analysed, the response was heterogeneous all over Chile. A lockdown exception so that women could go and file complaints or request help was ensured. The measures did not address other specific forms of violence, such as cyberstalking and sexual violence or violence against sexual and reproductive rights, for which several problems in the analysed period were derived.

The dissemination of the measures was carried out through several means, such as TV,
social media, including information on pharmacies and banks, but it was observed that this was not enough to reach every target group and the various sectors across Chile. The information was not disseminated in other languages nor considering the need of disabled people. On the other hand, observatories were not reinforced to have specific information on the period, nor were evaluation reports available to the population. In fact, the evaluation of the measures in the period is an aspect that is in clearly need of improvement.

Regarding the measures to ensure the access to the justice, protection measures were not automatically extended, but their application and renewal were facilitated; measures of remote access were also included, mainly through technological means, facilitating access for the filing of complaints and the presentation of evidence, which led to some questions about due process. In addition, access to these resources varies across the country, generating imbalances in access. For people who do not have technological means, a shift system was established in Courts, but lockdowns made it difficult for the population to move. Moreover, access to evidence such as expert reports had significant delays during the period.

Specific forms of risk evaluation to women and girls were not included, and, on the other hand, the Judiciary established a specific protocol for cases of violence, but which did not include other issues that can be linked, such as the family sphere. Finally, there were no measures that could free those particularly vulnerable, nor ones to detain those who may represent a risk to life and integrity of women.

In relation to institutional strengthening, the Minister of the Min MujeryEG was not included on the Covid round table, except in an extremely specific period, in which the specific issue of violence was included on the pandemic discourse. A contingency plan was adopted, but mainly focused on the information and dissemination of the measures, in which civilian society organisations were not included. The measures were coordinated with other authorities, although it was observed that institutional coordination depends a lot on the will and interest of the parties involved.
Agreements for the dissemination and work on violence issues were promoted with parties such as companies, pharmacies, and banks, and from the research, we can say that there is no specific plan for the post-pandemic period.

The measures do not particularly consider specific groups of women, such as the LGBTI+ community, older adults, indigenous, migrants, disable people, or girls. Furthermore, they are not necessarily adapted to all national realities, having difficulties to reach the population in rural and remote areas or indigenous communities.

Finally, in terms of information and statistics, an aspect that presents particular weaknesses, since there are no specific statistics about the violence in the period, on the impact of this in women who work mainly in affected areas, implying an increase in their risk. Also, there is no information on violence in public transport, streets, or other contexts. In cases where evaluations have been done there are still very incipient, and focused on specific measures, to maintain a general overview or to have clarity on good practices.
CONCLUSIONS
CONCLUSIONS

This document reports on the performed research as part of the “State Measures to Prevent Violence Against Women in Times of Covid-19” project, funded by ANID and the Institute of International Studies at the Universidad de Chile. The project was based on the recognition that the measures implemented by states against the Covid-19 pandemic have had different effects on the population, among them the increase in violence against women. According to this, the objective established was to identify the measures adopted by two South American States: Argentina and Chile; to determine the influencing factors in their adoption, to identify the obstacles for their implementation and to evaluate the level of effectiveness achieved. The two chosen states for the analysis have implemented measures such as the ones referred to. Additionally, both countries present several differences, such as in territory, administration, and public policies in gender matters, making the comparison between them interesting.

The research undertook a broad concept of violence that addresses various manifestations, such as domestic and obstetric violence, cyberstalking, among others, which can be developed in many spheres, for instance family, community, or state, according to international definitions of violence. Likewise, the concept of intersectionality was taken into consideration, which implies including a series of social, biological, and sexual categories to gender analysis. This implies considering the analysis and impact of public policies, especially to different oppressions suffered by some groups of women, such as women of colour, indigenous women, women from different socio-economic backgrounds, women of diverse ages, disabled women, or LGBTI+ population.

Finally, for the analysis we considered Landman & Carvalho’s (2010) proposal to measure state response on human rights. Said proposal poses that those rights can be in principle, in policy or in practice, and regarding policy rights, it raises several particularly useful concepts for evaluation, such as: availability, accessibility, acceptability, and adaptability. Evaluation committees for the state’s compliance with the obligations established by international conventions, such as the MESECVI, follow the same path, establishing
progress indicators, that could be structural, of process or result. Said proposals shall be a
guide to compare Argentina and Chile´s responses on violence against women in the Covid-
19 context. Nevertheless, only the first two categories are considered, given that it is not
possible to assess the rights in practice or the result indicators with the information
available, since there is no statistic information that could provide us with a comprehensive
view on violence in all its dimension during the pandemic period.

Rights in Principle or Normative Framework on Violence against Women

As indicated in this research, Argentina and Chile have ratified international regulations on
women´s rights, like the CEDAW, and a violence-free life, like Belém do Pará Convention,
which are incorporated in their national regulatory frameworks. However, and as observed
in the contextualisation section, the definitions of violence included into their regulations
and policies vary significantly. While Argentina relies on a comprehensive law that widely
encompasses many types and forms of violence; Chile relies on a domestic violence law,
that regulates a specific type of violence. In addition, it has advanced in the regulation of
other forms of violence, such as sexual harassment or femicide, and has a comprehensive
government bill, which is fairly advanced in its legislative processing, but still not issued;
considerably limiting therefore the state´s action sphere regarding measures that could be
adopted on violence against women.

In the context of the pandemic, the implemented measures allegedly include violence in all
its dimensions. Still, when analysing the interviewee´s answers and press coverage, and
how it is shown in the chart of measures included in the appendix, it is possible to observe
that the emphasis was made on domestic violence. The attention on this direction is
understood, given that lockdown implies that families are permanently sharing the same
space and the considerable increase in violence generated during this context. However,
this implied neglecting or simply not considering other situations related to women´s rights
and, particularly, to live a violence-free life. In both countries, unattended spheres related to
sexual, obstetric, economic, street, and digital violence were mentioned. For Chile, the interviewees’ criticism was focused on the general conceptualisation of violence, which does not include all forms, that obviously had an impact in the context of the pandemic.

Regarding the motives that led the countries to adopt measures, in both cases the increase in the number of cases observed since the beginning of the pandemic was significant, forcing states to react. A difference between the countries is that in Argentina the pressure from civilian society organisations was much more relevant in the process of defining measures, while in Chile, the organisations were not heard until late in the pandemic period, when the measures were already defined. The same happened with the agenda presented by the Presidency of the Senate, which was developed with the participation of civilian society but was not accepted by the government. The experience of other countries, whether by the observation or pre-established linkages, allowed the exchange of experiences, and was much more relevant for Chile than Argentina. On the other hand, both countries had the support from international organisations, but the interviewees do not agree that this support had a major influence in the definition of measures, but rather in the adoption of specific measures or in the economic support whereof.

**Rights in Policies, Plans, Programmes, and Measures for the Realisation of Rights**

Besides the rights in principle or regulatory framework related to the adopted measures against violence, the evaluation of the state’s efforts to implement them is essential to determine if said measures reach the whole population and national territory. For this analysis we took the availability, accessibility, acceptability, and adaptability principles, mentioned in the theoretical framework.

**Availability**

As previously mentioned, the measures do not cover all violence spheres. Therefore, we
start from a reduced protection content. This way, when asked if the basic content of the rights is available for everyone, in both countries it can be observed that the implementation of measures had a significant variation across Chile.

In the case of Argentina, the available phone lines were not sufficient, and, in some provinces, additional lines had to be implemented; in the case of Chile, the implementation of the face mask 19 had inconveniences in both the capital and regions, but in regions this translated into a measure’s limitation that could be total. The inter-institutional coordination depends on ideological factors or views on gender and violence, which with the participation of people from different political parties or views, results in the non-implementation of measures or their implementation in such way that people do not have real access to them.

In both countries, we can observe that the officials’ training in different spheres, such as legal, health or political, is poorly developed, meaning that victim’s assistance, first reception, and the provided response are far from optimal. Besides the lack of resources, which leads to precarious conditions and insufficient personnel, also resulting in a poor response. These aspects are related to a structural situation and was not produced as a mere consequence of the pandemic.

Finally, and not particularly related to the measures adopted during the pandemic, the state response against violence, in both cases, are focused on partial measures, mostly referred to information and the possibility of filling a complaint but does not provide a comprehensive response that implies assistance, psychological, economic, legal supports, ensuring listening and respectful attention, and with an important highlight on prevention. In relation to comprehensiveness of the violence definition, Argentina is much more advanced than Chile, which still has a partial conceptualisation of violence, only including certain types.
Accessibility

Accessibility to measures is one of the most problematic aspects in the context of the pandemic. The analysed measures adopted by the states did not include mechanisms to ensure their availability for the whole population in need. In this regard, in a territorial and intersectional analysis we found considerable limitations.

At territorial level, the measures did not reach the entire population. In Argentina, the extent and diversity of the territory is added to the administrative aspect derived from its federal character, implying that adopted policies and measures at federal level must be sub-nationally discussed and reviewed, and that it also requires a greater coordination to effectively reach all corners of the territory. In Chile, decisions are adopted in a centralised manner, but still many measures require interinstitutional coordination to be effectively available in the territory, like the ones adopted legally, those related to the operation of the women’s households, or those related to police operation, and as already mentioned, the interinstitutional coordination as well as the appliance by several organisations, present significant heterogeneity.

In addition to the above, technical difficulties derived from the development in different areas of the territory, like access to phone service or the Internet, made it difficult to access one of the basic adopted measures, meaning phone lines or WhatsApp, or for the presentation and processing of lawsuits or complaints in courts of justice.

One of the most complex aspects is that the measures were not adopted nor implemented with an intersectional approach, that considers all diversity of women. Thus, disabled women are not necessarily informed of the measures, given that campaigns are not designed considering these aspects, but in case they are aware, they can hardly access them. Women from low socio-economic backgrounds tend to face difficulties to access Internet, technological devices and resources that allow them to survive if reporting the perpetrator.
The measures are not designed considering the LGBTI+ population; hence, the response provided in this context is inadequate or non-existent. The measures did not include interpretations nor cultural variations, limiting the access for migrant and indigenous population. Finally, the age factor was also not considered in the design. In consequence, the measures are not applied to girls or older women or there are several difficulties for them to access whereof.

Acceptability

Thinking about the relevance of the measures leads to reflecting about the type of adopted measures and those not adopted. For this, the final section of each analysis chapter is particularly relevant, called the state response to the pandemic on issues of violence against women, where a summary of the measures made in virtue of the recommendations suggested by the MESECVI’s Expert Committee, in addition to the sections related to obstacles. According to this information, and as mentioned, the adopted measures did not cover all forms of violence, only focusing on domestic violence. This form significantly increased during the pandemic, requiring specific measures, but forms of violence or attention or that increased and did not have a specific response were also neglected, such as the delivery of services related to reproductive health, or cyberstalking, among others.

On the contrary, the measures had a special emphasis on giving a first response to violence, essentially focused on information, but not necessarily on providing a comprehensive response. There were measures aimed at ensuring pre-existing services, in health and legal spheres, and services such as psychological and pre-existing services continued to function. However, prevention was not strengthened in comprehensive care, and as noted above, in covering and responding to other forms of violence. The measures also did not incorporate forms of evaluation that would account for the situations of violence during the period, nor the quality of the adopted state response.
As for the quality of the response, if we evaluate the most important measures implemented, we can observe the following: regarding phone lines, WhatsApp, or chat, in Argentina they had a poor response, resulting in some provinces having to replicate the measure; while in Chile, it was implemented in a better way, with access to problems in more distant sectors. The face mask 19 and the red face mask were not measures which efficiently reached the population, having more of a communicational impact rather than a really successful implementation.

Inter-institutional coordination measures are highly relevant and have allowed the implementation of current or previous measures, but vary depending on their leaders, their perspective on violence and political opinions. In consequence, it is necessary to work to advance in a way that could ensure that this job is performed homogeneously throughout the countries. In both scenarios, the Judiciary adopted measures to ensure the continuity of the cases related to violence. Regarding this, the detected problems were in the structure, poor personnel training, stereotypes, and in the design of a system that does not consider this problem as a relevant matter that requires an answer from the whole system.

Adaptability

Finally, the measures were adopted mainly at the central level by both states, but an evaluation and adaptation of them depending on the particularities of each territory were not considered, like in rural or distant areas. Nor was the adaptation for cultural groups considered, such as for indigenous or migrant populations. Furthermore, the neediness of specific groups of women, with special vulnerable situations or that exacerbate the risks of specific violence was also not considered, such as girls, female adolescents, older women, disabled women, women from low socio-economic backgrounds, and people with diverse sexual orientations or gender identities.
We hope that the results of this work can provide relevant information for the design of public policies to address violence against women, with a gender perspective and from an intersectional approach, whether during regular times as well as in crisis contexts. The analysis evidenced that the states of Argentina and Chile made significant efforts to provide a response to the extraordinary situation presented during the Covid pandemic. Nevertheless, there are problems that repeatedly arose from the interviews and press articles, which are coherent with studies on the matter that we consider important to address. In consequence, hereunder we provide some recommendations:

- Plan and implement policies to address violence against women that covers all its forms and significantly includes prevention.

- Plan and implement policies to provide comprehensive support to women victims of violence. This requires an intersectional and mainstreaming approach in all state spheres.

- Ensure that policies against gender-based violence reach the whole territory, considering the particular characteristics of the territory and the specific needs of the different population groups.

- Implement training that considers gender perspective from an early age for all society.

- Implement specific training intended for the judiciary and police officers and personnel who serve women and female victims of violence.

- Adopt measures to eliminate biases that limit the access of women to justice.

- Implement policies to eliminate stereotypes that mainly impact certain groups, such as women from diverse origins, migrant and indigenous women, and members of the LGBTI+ community.
RECOMMENDATIONS

- Strengthen coordination among different government levels or state departments.

- Adopt measures to eliminate institutional violence from all government spheres.

- Adopt measures that contribute to reducing the digital gap, decreasing inequality in internet access and Information and Communications Technologies.

- Strengthen and develop co-responsibility care policies to improve the access and continuity of women in the labour market.

- Strengthen links with civilian society and territorial linkage networks, for both the elaboration and implementation of gender equality policies.

- Establish permanent surveys on all types of gender-based violence, including an intersectional approach.

- Develop permanent evaluation mechanisms for the implemented public policies and measures.

- Develop budgets with a gender perspective.

- Increase the government budget allocated for the elimination of gender-based violence.


Economic Commission for Latin America and the Caribbean (ECLAC), 2013-2014 Annual report]. Addressing violence against women in Latin America and the Caribbean (LC/G.2626), Santiago, Chile.


Convention on the Elimination of All Forms of Discrimination against Women. (CEDAW) (1979)


https://equidadadegenero.mineduc.cl/assets/pdf/Materiales%20Aditivos/Presentaciones%20de%20Resultados%20V%20ENVIF-VCM.pdf
Law 19,968, creating Family Courts (Chile, 2004)
Law 20,066, on Domestic Violence (Chile, 2005)
Law 21,013 typifies a new crime of mistreatment and increases the protection of people in special situations (Chile, 2017)
Law 21,153 Amends the Penal Code to criminalise sexual harassment in public spaces (Chile, 2019)
Law 24,012 establishes a quota for representation in the legislature sphere (Argentina, 1992)
Law 26,485 establishes law on violence against women (Argentina, 2009)
Law 26,791 Amends the Penal Code and introduces the term femicide (Argentina, 2012)
Law 27,452 Establishes protection for sons and daughters of victims of femicide or
homicide in domestic violence context (2018, Argentina).
Law 27,499 Establishes gender perspective training for the three State’s branches.
(Argentina, 2019)
113-130). Maryland: Rowman
Follow-up Mechanism to the Belém do Pará Convention (MESECVI). (2017) Inter-
American Model Law on the Prevention, Punishment and Eradication of Violence
against Women in Political Life.
Follow-up Report on Implementation of the Inter-American Convention on the Prevention,
Punishment, and Eradication of Violence against Women, Convention of Belém do
causes and consequences, on her mission to Argentina. A/HRC/35/30/Add.3
OAS. (2020) Violence Against Women and the Measures to Contain the Spread of COVID-
19. Washington: OAS.
Oliver, P. E., & Meyer, D. J. (1999). How Events Enter the Public Sphere: Conflict, Location,
and Sponsorship in Local Newspaper Coverage of Public Events. American
Journal of Sociology, 105(1), 38-87. doi: 10.1086/210267

UN Women (2015). A framework to underpin action to prevent violence against women


Websites


Ministry of Women, Gender and Diversity, https://www.argentina.gob.ar/generos/linea-144/datos-publicos-de-la-linea-144-ano-2020

Ministry of Women and Gender Equity https://minmujeryeg.gob.cl


Regional Observatory on Planning for Development in Latin America and the Caribbean https://observatorioplanificacion.cepal.org/es/paises/chile


National Women’s Service https://www.sernameg.gob.cl

Argentine Interviewees: State Organisations


Del Valle Aguilar, María. National Director in Políticas de Prevención de las Violencias por Razones de Género. Buenos Aires, 05/10/2020


Labozetta, Mariela. Chief Prosecutor of Specialized Unit for Violence Against Women. Buenos Aires, 02/12/2020

Linares, María Martha. National Director of Asistencia Integral a las víctimas de violencia por razones de género. Buenos Aires, 15/10/2020

Martinez, Alejandra. President of the Council of Women (Jujuy). Buenos Aires-Jujuy 08/12/2020


Varsky, Carolina. Under-secretary of Special Programmes against Gender-Based Violence. Buenos Aires, 20/10/2020

**Argentine Interviewees: Civilian Society Organisations**

Chiarotti, Susanna. Lawyer, human rights activist, and member of OAS. Buenos Aires-Santa Fé 10/12/2020

Ferreyra, Silvia. National Coordinator in Mujeres de la Matria Latinoamericana (MuMaLá). Buenos Aires, 27/10/2020

García, Melisa. Founder and President of Abofem Argentina. Buenos Aires, 6/10/2020


Majdalani, Carla. Spotlight Initiative specialist in UN Women Argentina. Buenos Aires, 3/12/2020


Paniagua, Marta. Lawyer in Casa de la Mujer Mariá Conti (Jujuy). Buenos Aires-Jujuy, 15/12/2020

Pombo, Gabriela. UBA Teacher specialised in migrant women, consultant for International Organisation for Migration. Buenos Aires, 22/12/2020


Tamanini, Nadia. Member of Socorristas en Red. Buenos Aires, 22/12/2020
Territorale, Andrea. Member of Asociación Juanita Moro (Jujuy). Buenos Aires-Jujuy, 22/10/2020

Chilean Interviewees: State Organisations

Written interview responded by Zona Prevención y Protección de la Familia, Carabineros of Chile, 2/09/2020.
Figueroa, Vega and MinMujeryEG Official. Mitzi Figueroa, support professional in violence against women unit, SERNAMEG; Claudia Vega, social worker of VCM national unit, SERNAMEG; Santiago.
MinMujeryEG Female civil servant. Female civil servant in equality policies division. Santiago 26/10/2020.
Technical Secretariat Civil Servant for Gender Equity and Non-Discrimination of the Judiciary. Santiago 14/10/2020.
SERNAMEG Female civil servant. Professional in assistance, protection, and reparation programme on violence against women. Santiago.
Ortíz, Ymay. Human Rights Specialised Unit Director, Gender-Based Violence and Sexual Offences, Prosecutor’s Office of Chile, Santiago 20/10/2020.
Suazo, Sara. SERNAMEG Regional director Santiago and Temuco 02/11/2020.
Urrjejola, Claudia. Under-secretary advisor, Ministry of Women and Gender Equity, personal interview, 02/10/2020 Santiago.

Chilean Interviewees: Civilian Society Organisations

Crispi, Francisca. President of Gender Department in Chilean Medical College. Santiago 19/11/2020.


Maira, Gloria. Coordinator in Mesa de Acción por el Aborto Chile. Santiago 20/11/2020.


Palacios and San Martín. Vivian Palacios, ABOFEM member Wallmapu; Viviana San Martín, Regional director at ABOFEM Wallmapu. Santiago and Temuco 21/12/2020.


Perez, Danitza. Former legislative analysis director in ABOFEM. Santiago 04/12/2020.

## APPENDIX: CATEGORISATION OF MEASURES AGAINST VIOLENCE

<table>
<thead>
<tr>
<th>MEASURES</th>
<th>DESCRIPTION</th>
<th>ARGENTINA</th>
<th>CHILE</th>
</tr>
</thead>
</table>
| Dissemination measures                | Measures aimed at raising public awareness of the adopted measures.          | a) Specific communication campaigns to increase the outreach of information about the 144 line.  
b) Launch of the communication campaign #CuarentenaEnRedes (Quarantine on Networks) to provide support.  
c) Dissemination campaign on co-responsibility for care #CuarentenaconDerechos (Quarantine with Rights).  
d) Campaign to strengthen the rights of personnel of private households.  | a) Hazlo por ellas (Do it for Her) campaign to inform on complaint and guidance mechanisms for victims and the community.  
b) #TodoChileAlerta (All Chile on Alert) web platform  
c) Dissemination in national and regional media through the mechanisms’ authorities for seeking assistance.  
d) Silence video launched by SERNAMEG for women seeking guidance.  
e) Dissemination of assistance channels in neighbourhood banks (cajas vecinas) of the Banco Estado. |
| Mechanisms for requesting assistance  | Mechanisms for requesting the ministry or other organisations’ assistance or guidance (phones - Whatsapp - face masks). | a) National 144 line was reinforced.  
b) Direct contact lines via WhatsApp and email were enabled and the use of the app of 144 line was encouraged.  
c) The geolocated resource guide was made available to request assistance. | a) Reinforcement of the 1455 phone number to provide 24/7 attention  
b) The face mask 19  
c) Creation of a silent communication mechanism: chat 1455 and WhatsApp  
d) Pilot Plan for emergency bracelets. |
| Quarantine exception                  | Quarantine exception for procedures or requesting assistance due to violence. | Decree 260/2020: in case of force majeure, people in situation of violence are expected of the confinement measures.  | Complaint instructional states that in case of going out to file a complaint during lockdowns and curfews a special mobility permission is not necessary. |
| Inter-institutional coordination      | Coordination between state bodies or organisations for the adoption of measures or action in cases of violence. | a) Operation of the Federal Council of the Ministry of Women, Genders and Diversity (coordinated with gender bodies in the provinces).  
b) Creation of the Gender and Security Round Table (Ministry of Women and Ministry of Security).  
c) Creation of the Inter-ministerial Round Table to Address Gender-Based Extreme Violence with the National Ministries of  | a) Permanent coordination of the Intersectoral Circuit of Femicide (Circuito Intersectorial de Femicidio, CIF)  
b) Pilot Plan with Town Halls from the Metropolitan Region coordinating assistance to victims of violence with civilian security from each town hall and Carabineros (Chilean police)  
c) Agreement with the Ministry of Housing to  |
| Extension of the protection measures | Extension of protection measures in cases of violence. | Extension of the validity of protection or precautionary measures, decreed for domestic or gender-based violence (with provincial adhesion). | a) Self-agreement of the Supreme Court which establishes that family courts act ex officio to proceed with the review and renew of precautionary measures in force and close to expiration.  
b) National Fiscal Instructional so that all detainees for domestic partner violence pass to detention control, and in cases of non-domestic partner violence, such as for non-married couples, where it is instructed that the resulting injuries should not be classified as minor, even if they are clinically minor and the risk assessment merits it, go to detention control.  
c) Agreement with the Legal Assistance Corporation and the Ministry of Justice for women victims of violence in the context of social mobilisations to have psychological and legal assistance.  
d) Agreement with the Legal Assistance Corporation and the Ministry of Justice for women victims of violence in the context of social mobilisations to have psychological and legal assistance.  
| Security and Justice and Human Rights.  
d) Coordination with the Ministry of Security for the adoption of a guide for police effects.  
e) Coordination between the Ministry of Social Development and the Ministry of Women for the distribution of care plans.  
f) Creation of an Inter-Ministerial Round Table on Care Policies.  
g) Creation of an intervention protocol for gender-based violence cases in the context of the pandemic (Min. of Women, Min. of Justice and Human Rights, Min. of Security, National Fiscal Public Ministry, and Ministry of National Defence).  
h) The creation of a Follow-up Committee about women and LGBT+ population under gender-based violence between the National Ministry of Women of the province of Buenos Aires and the gender body of the CABA.  
<p>| expand support for the access to housing subsidy for women victims of violence, adding the rental subsidy as an option | expand support for the access to housing subsidy for women victims of violence, adding the rental subsidy as an option | expand support for the access to housing subsidy for women victims of violence, adding the rental subsidy as an option | expand support for the access to housing subsidy for women victims of violence, adding the rental subsidy as an option |</p>
<table>
<thead>
<tr>
<th>Request for assistance in other organisations</th>
<th>Request for assistance in other organisations than the existing, such as pharmacies, supermarkets or other.</th>
<th>The “Red Face Mask” in coordination with the Argentine Pharmaceutical Confederation.</th>
<th>a) The Face Mask 19 with the participation of 3,000 pharmacies throughout the country; b) Agreement with Banco Estado for the dissemination of information measures.</th>
</tr>
</thead>
<tbody>
<tr>
<td>National plan to address violence</td>
<td>Comprehensive or general plan to address violence in the context of the pandemic</td>
<td>National Action Plan Against Gender-Based Violence 2020-2022. It Accompanies the creation of the Ministry of Women, Gender and Diversity. Not exclusively related for the sanitary period.</td>
<td>a) Coronavirus contingency plan of the Ministry of Women and Gender Equity; b) COVID and Gender Agenda headed by the presidency of the Senate.</td>
</tr>
<tr>
<td>Adoption of new action protocols</td>
<td>New protocols regarding the pandemic or new measures adopted.</td>
<td>a) Recommendation guide of the Specialised Prosecution Unit on Violence against Women (UFEM) for the Nation’s public prosecutors. b) Intervention protocol to replace the usual proceeding of complaints by specialised organisations to ensure the access to justice for the person in a situation of gender-based violence in the context of the health emergency.</td>
<td>a) Judiciary protocol b) Attention protocol for Women Centres and Sexual Violence Centres c) Carabineros action protocol.</td>
</tr>
<tr>
<td>Training for officers or people in the spheres of interest</td>
<td>Training on violence or measures' implementation matters.</td>
<td>Training on gender and gender-based violence is mandatory (Micaela Law) for everyone who works in a public function (law prior to the pandemic but it is still implemented during the sanitary crisis).</td>
<td></td>
</tr>
<tr>
<td>Establishment, extension or maintenance of foster houses or victims’ care services</td>
<td>The establishment, extension or maintenance of foster houses or establishments to receive women victims of violence or at risk, extension, or maintenance of victims’ care services.</td>
<td>At provincial level, two new foster houses were extended and opened.</td>
<td>a) Extension of foster houses (MESECVI Doc. COVID 19 and answer to violence) b) Remote attention in Women Centres, through the provision of Tablets c) Care Centres for Women created by some Municipalities.</td>
</tr>
<tr>
<td>New channels or ways to file a complaint</td>
<td>New ways to file a complaint, like on the Internet, letter boxes, etc.</td>
<td>It was agreed that the Legislative Power and the Judiciary shall expand the complaints’ reception channels.</td>
<td>Filing complaints on a website.</td>
</tr>
</tbody>
</table>
| Use of technological mechanisms in courts | Use of new technological mechanisms for handling complaints in courts and cases follow-up. | Handling cases and trials via digital platforms (Zoom, Meet). | a) Development of trials and appearance at trials via digital platforms.  
b) Provide evidence via digital media. |
| Economic Measures to protect women | Economic measures such as bonds or withholding of the AFPs’ 10% withdrawal. | Acompañar (Accompany) Programme which is part of the National Action Plan against Gender-Based Violence 2020-2022. | Withholding of the AFPs’ 10% withdrawal for alimony debtors. |
| Measures against cyberstalking | Specific measures implemented against this type of violence. | | Cyberstalking dictionary in 100 words. |
| Coordination measures with companies or civilian society | Work coordination with companies or civilian society for the adoption of measures by said institutions. | a) Coordination with union and university organisations, which made available to the Ministry hotels and other accommodation places to be used by people in situations of extreme violence.  
b) The MMGyD set up the new Directorate of Territorial Coordination for Victim Assistance to strengthen territorial networks for the support of the community in situations of gender-based violence in the context of the Health Emergency.  
c) Agreements with several unions that made themselves available to the MMGyD, contributing union resources, their organisations and work to collaborate in the support and strengthening of assistance networks for women in situation of violence during the lockdown period.  
d) Alimentary support for transvestites and trans people was reinforced, coordinating with community | a) Coordination with the corporate union, particularly with the Confederation of Production and Trade (CPC)  
b) COVID Women Council, composed by members from the academy, civilian society, private sector, unions, female parliamentarians, and government bodies. |
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| Surveys or data collection                        | Information gathering, through surveys and other media.                                                                                                                                                   | a) Launch of a Covid impact survey, along UN Women  
   b) The IV Survey on violence against women was presented, but it is a pre-pandemic sample.                                           |
| Measures related to gynaecological/obstetric       | Specific measures implemented against this type of violence.                                                                                                                                               |                                                                                                                                  |
| violence                                           |                                                                                                                                                                                                             |                                                                                                                                  |
| Measure related to violence outside of the house   | Specific measures implemented against this type of violence.                                                                                                                                               |                                                                                                                                  |
| hold, such as in public transport or the street    |                                                                                                                                                                                                             |                                                                                                                                  |
| Measures related to sexual violence                | Specific measures implemented against this type of violence.                                                                                                                                               |                                                                                                                                  |
| Pre-existent measures not related to the pandemic  | Measures against sustained violence                                                                                                                                                                        | Many of the measures are actually prior to the pandemic and were maintained during its period.                                   |
| Support mechanisms provided by civilian society    | Mechanisms specifically provided by the civilian society and not by the State.                                                                                                                              |                                                                                                                                  |
| a) Legal and psychological support and accompaniment for victims of gender-based violence.  
   b) Shelter and support for people in a risky state.  
   c) Organisation networks that provide support to specific forms of violence. |                                                                                                                                  | a) Organisation networks working at the community level to address emergencies on violence against women.  
   b) Care line available by the school of midwives  
   c) Organisations providing psychological, legal or of varied assistance services. |
<table>
<thead>
<tr>
<th>Legal measure: new law, project, others</th>
<th>More permanent legal or regulatory adoption.</th>
<th>Law 6,186 IARA, declaration of public emergency in matter of gender-based violence (Jujuy province). It was voted during the pandemic and its punishment was due to the number of cases and the mobilisation in the province, but it is not a specific law for the pandemic.</th>
<th>Comprehensive violence government bill, currently in the second constitutional proceeding in the Senate. Its handling commenced prior to the pandemic.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forms in which gender-based violence is documented</td>
<td>How the information on gender-based violence is gathered.</td>
<td>The MMGyD is in the process of building an integrated system of statistics on violence. The official registry of femicides is not unique.</td>
<td></td>
</tr>
<tr>
<td>Continuity of the services/measures</td>
<td>Measure aimed at providing continuity for the services.</td>
<td>Establishment’s personnel were excepted from the duty to comply with the confinement measures to take care of victims of gender-based violence (DA 524/2020).</td>
<td>The Regional Ministerial Secretariats and the Women Centres are operating with in-site and phone appointments.</td>
</tr>
<tr>
<td>Communicational regime</td>
<td>Measure aimed at providing continuity for the services.</td>
<td>Establishment’s personnel were excepted from the duty to comply with the confinement measures to take care of victims of gender-based violence (DA 524/2020).</td>
<td>Temporary permission to move children from the mother or father’s household to the other progenitor’s household to spend the quarantine.</td>
</tr>
<tr>
<td>Gender supporters</td>
<td>Supporters to train, teach and detect cases of gender-based violence in the territory.</td>
<td>National Registry of Territorial Supporters in gender and diversity matters, as part of the National Action Plan against Violence (2020-2022). It was not a specific measure due to the pandemic.</td>
<td>Programme on the Prevention of Violence against Women, which provides interactive spaces of Awareness (virtual talks) and Training (virtual lectures) to become Juvenile Monitors.</td>
</tr>
</tbody>
</table>
State Measures to Prevent VIOLENCE AGAINST WOMEN in Times of COVID-19