



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the eighth periodic report of Costa Rica*

Visibility of the Convention and the Optional Protocol thereto

1. The State party provided information in its report on multiple capacity-building activities on human rights and women's rights for public officials and indicated that training courses for judicial and administrative officials have been conducted (paras. 5, 6 and 9).¹ Please provide information on:

(a) Measures taken to raise awareness, specifically among women, including women affected by poverty, internally displaced women, indigenous women, women of African descent, women with disabilities, women who have been deported to the State party from other countries, migrant women and rural women, regarding their rights under the Convention; and please indicate the steps taken to translate the Convention into indigenous languages and to make it available in accessible formats;

(b) Decisions in which judges have referred to provisions of the Convention in deciding court cases, including family law, criminal law, civil law and labour law cases.

Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery

* Adopted by the pre-sessional working group on 3 March 2022.

¹ Unless otherwise indicated, paragraph numbers refer to the eighth periodic report of the State party (CEDAW/C/CRI/8).



plans, women and girls are not relegated to stereotypic gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan:

(a) Address and are aimed at effectively preventing gender-based violence against women and girls;

(b) Guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery and, in particular, the design and implementation of recovery programmes;

(c) Are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.

3. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement and physical distancing, do not limit access for women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

Legislative framework and definition of discrimination

4. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on:

(a) Measures taken to adopt a comprehensive definition of discrimination which protects women against direct and indirect discrimination, including intersecting forms of discrimination, in both the public and private spheres;

(b) Legislative and policy measures taken to address intersecting forms of discrimination faced by women;

(c) Legal remedies and compensation available to women who are subjected to any form of gender-based discrimination, in particular women belonging to ethnic and national minority groups, migrant, refugee and asylum-seeking women, women with disabilities, older women and women and girls living in rural areas.

5. Please provide information on measures taken to amend the Criminal Code to legalize abortion at least in cases of rape, incest or severe fetal impairment and decriminalize abortion in all other cases, as well as provide women with access to high-quality post-abortion care. Please indicate the measures put into place to prevent maternal mortality and to protect the life and health of women facing at-risk pregnancies and women who are victims of forced pregnancies in the context of recruitment for trafficking and gangs.

Access to justice and legal complaint mechanisms

6. Please provide information on:

(a) Concrete measures taken to institutionalize and expand a public legal aid service which is adequately funded to ensure the legal representation of women without sufficient means in criminal, civil and administrative proceedings relating to gender-based violence and discrimination;

(b) Steps taken to strengthen the capacity-building and women's outreach activities carried out by the Information and Guidance Centre of the National Institute for Women;

(c) Steps taken to ensure that judges, prosecutors and police officers handle cases of gender-based violence and discrimination against women in a gender-sensitive manner and expand mandatory capacity-building to judges, prosecutors, lawyers, law enforcement officials and mediators on women's rights, including their right to access to justice;

(d) Steps taken to design a strategy aimed at guaranteeing access to justice by indigenous women, women of African descent, refugee and asylum-seeking women and women with disabilities, which addresses linguistic barriers and establishes and disseminates information on effective legal remedies and procedures enabling women to claim their rights.

National machinery for the advancement of women

7. Please provide information on:

(a) Mechanisms to ensure coordination between the Ministry on the Status of Women and other national mechanisms to implement legislation and public policies on gender equality;

(b) Measures taken to strengthen the capacity of the national gender unit network in order to better coordinate the implementation and monitoring of national policies in the area of gender equality;

(c) The mandate, budgetary allocations and capacity of the municipal offices for women's affairs for addressing women's rights and gender equality at the local level;

(d) Measures taken to ensure collaboration with women's organizations in the national machinery for the advancement of women;

(e) Measures taken to strengthen coordination between institutions of the inter-institutional platform and ensure that the Convention is implemented in a manner that is harmonized with the recommendations of other international and regional human rights mechanisms;

(f) Mechanisms to promote participation of and consultations with women's organizations, in particular those for indigenous women, women of African descent and women with disabilities, in the adoption and implementation of public policies and programmes by the national machinery for the advancement of women, especially the National Institute for Women, municipal offices for women and gender units at the municipal level;

(g) Measures taken to mainstream gender equality across sectoral policies, in particular the public policy against racism and racial discrimination for the integral development of indigenous women and girls and women and girls of African descent.

Temporary special measures

8. Please provide information on temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, applied during the reporting period to accelerate the achievement of substantive equality between women and men, in particular in the areas of education, employment and economic empowerment. Please provide updated information on the directive issued by the Executive President of the National Training Institute (PE-464-2017) providing that in fields with low female participation, such as metalworking, vehicle mechanics, marine and electrical engineering and materials technology, women's access to training is guaranteed, regardless of where they live (para. 27). Please indicate whether the measures also

apply to the private sector and the steps taken to adopt temporary special measures to increase the participation of women in formal employment.

Stereotypes and harmful practices

9. Please provide detailed information on measures taken to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, including awareness-raising and educational programmes and media campaigns to convey positive images of women as active participants in economic, social and political life and on the impact of those measures. Please indicate measures taken to address discriminatory gender stereotypes and negative portrayals of women, including all forms of objectification of women in the media and advertisements, and the results of those measures. Information received by the Committee indicates that there are high rates of adolescent pregnancy and child marriage in the State party.

10. Please provide information on:

(a) Steps taken to mainstream gender equality into the education curriculum, in both formal and non-formal education, and impact assessments of capacity-building activities with respect to women's rights and gender equality;

(b) The number of reported cases, prosecutions, convictions and sentences imposed on the perpetrators of harmful practices, in particular child and/or forced marriage, and of neglect and abandonment of women and girls with disabilities, disaggregated by region and age of the victim;

(c) Efforts made to analyse and address gender-based stereotypes as a root cause of gender-based violence against women.

Gender-based violence against women

11. Information received by the Committee indicates that there is a high prevalence of gender-based violence against women in the State party, including femicides, disappearances and psychological and sexual violence, and that there have been high numbers of reports of domestic violence during the COVID-19 pandemic. In the light of the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on the measures taken to develop a comprehensive long-term strategy to combat gender-based violence against women.

12. In particular, while the adoption of the national policy for addressing and preventing violence against women (2017–2032) has been noted (para. 5), please indicate the measures taken to:

(a) Prevent all forms of gender-based violence against indigenous women, women of African descent, women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and women human rights defenders;

(b) Ensure the prosecution, conviction and punishment of perpetrators of gender-based violence against women, including sexual violence and domestic violence perpetrated during the pandemic;

(c) Collect data on the number of prosecutions and convictions of perpetrators of sexual harassment or abuse or other forms of gender-based violence against girls in schools, for the past five years; programmes addressing the root causes of such violence; and the number of teachers having received specialized training and the number of girls having benefited from protection, redress and psychosocial support;

(d) Prevent cases of gender-based violence against women in institutions, in particular detention centres, psychiatric hospitals, centres for persons with disabilities and centres for minors, and ensure that all types of institutions are supervised by independent authorities;

(e) Provide victims with effective protection, rehabilitation and remedies, including compensation, even in the absence of the involvement of criminal law enforcement officers;

(f) Ensure that rural and indigenous women and girls and women and girls of African descent who are victims of gender-based violence have effective access to protection orders, shelters and psychosocial counselling;

(g) Collect statistical data on gender-based violence against women, for the past five years, disaggregated by age, ethnicity, disability, the relationship between the perpetrator and the victim and the types of sentence imposed on the perpetrators;

(h) Provide accessible information to women with disabilities on available remedies and redress in cases of gender-based violence directed against them;

(i) Expand the coverage of shelters in the State party; and please provide information on the number and accessibility of shelters for women and girls who are survivors of domestic and other forms of gender-based violence, including women with disabilities, and on the support available to victims.

Trafficking and exploitation of prostitution

13. Please provide information on:

(a) Measures taken to prevent and eliminate trafficking in persons, in particular women and girls, including awareness-raising campaigns and community networks that address the heightened risks for girls in marginalized and rural areas, women and girls with disabilities and those at risk of gender-based violence and child and/or forced marriage;

(b) Measures taken to improve international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and harmonizing legal procedures aimed at the prosecution and punishment of perpetrators;

(c) Measures taken to build the capacity of the judiciary and the police to effectively investigate cases of trafficking and exploitation of prostitution in a gender-sensitive manner.

14. Please clarify whether women in prostitution in the State party are subjected to administrative fines or criminal penalties. Please describe measures taken to ensure access to health care, including HIV testing and treatment, and modern contraceptives, including condoms, for women in prostitution and to provide exit programmes and alternative income-generating opportunities for women who wish to leave prostitution.

Participation in political and public life

15. The Committee notes that, in the State party, only 9.7 per cent of mayors are women (para. 41). Please provide updated information on measures taken, including temporary special measures, to promote the equal representation of women in political and public life at all levels. Please provide updated data on the representation of women in political and public life, including the number of women who stood for election in the most recent national, regional and municipal elections and the number of women working in the foreign service and in international organizations. Please

provide information on measures taken to ensure the implementation of gender parity in executive posts. Please provide updated data on the extension of the increased representation of women in the political sphere to all public sectors, in particular the judiciary, including the police, and the public service and security sectors. Please provide information on measures taken to better understand and address the barriers to the representation of women in the political sphere.

16. Please indicate whether specific goals and timelines have been adopted, including for women belonging to ethnic minority groups, for example, through statutory quotas for the parliament, political parties, public administration and the foreign service and for senior government positions. Please elaborate on the outcomes achieved, supported by data. Please describe the State party's legal framework with regard to political harassment and measures to promote the political participation of women on an equal basis with men. Please indicate measures implemented by the State party to support women candidates in campaigning for elections. Please provide information on training on gender equality provided for politicians, journalists, teachers, local officials and civil society leaders.

Education

17. Please provide information on:

(a) Enrolment rates in primary, secondary and tertiary education among girls and women, disaggregated by location in urban or rural area, whether the student is of indigenous or African descent, disability status and migrant or refugee status;

(b) Measures taken to provide girl students, in particular indigenous girls and girls of African descent in the dry corridor and women and girls with disabilities, with access to the Internet and technological devices to ensure remote schooling during the COVID-19 pandemic as well as with the accessibility of inclusive online learning methodologies and, for girls with disabilities, with individualized support;

(c) The school dropout rate among girls for the past five years and please indicate how the State party addresses dropout due to early pregnancy and the stigma attached to it, gender-based violence in the school environment, forced recruitment by criminal groups and the internal displacement of girls;

(d) Measures taken to ensure mandatory age-appropriate education on sexual and reproductive health and rights at all levels of education, including on responsible sexual behaviour and modern contraceptives;

(e) Women's career choices, disaggregated by age and location in urban or rural area, and measures taken to encourage women and girls to choose non-traditional fields of study, such as information and communications technologies and science, technology, engineering and mathematics;

(f) Measures taken to address gender stereotypes in curricula and textbooks;

(g) The coverage of continuing education programmes and scholarships available to women for enrolling in such programmes.

Employment

18. Please inform on:

(a) Measures taken to promote access to formal employment for rural women, women with disabilities, indigenous women, women of African descent and migrant and returnee women;

(b) The impact of the Girasoles initiative (para. 19);

(c) Measures taken to ensure social protection for women working in the informal economy, including the recognition of maternity leave, paid sick leave and retirement pensions, and protection against work-related diseases for those in the agricultural, industrial, service or fishing sectors;

(d) Measures taken to facilitate the reconciliation of family and work responsibilities between women and men, including the provision of affordable childcare facilities and allowances for women heads of household.

Health

19. In the light of the concern expressed by the Committee in its concluding observations on the previous periodic report of the State party (CEDAW/C/CRI/CO/7, para. 31) and information received by the Committee concerning setbacks in access for women to sexual and reproductive health services, please provide information on measures taken to:

(a) Legalize abortion at least in cases of rape, incest or severe fetal impairment and decriminalize abortion in all other cases, as well as provide women with access to high-quality post-abortion care;

(b) Adopt technical guidelines for therapeutic abortion and conduct awareness-raising campaigns to prevent the stigmatization of women seeking an abortion;

(c) Raise awareness about modern forms of contraception and ensure access to safe and affordable contraception for women and adolescent girls, in particular in rural and remote areas;

(d) Protect pregnant women during childbirth, sanction obstetric violence, strengthen capacity-building programmes for medical practitioners and ensure regular monitoring of the treatment of patients in health-care centres and hospitals, in line with the recommendations issued by the Ombudsman's Office.

Disadvantaged groups of women

20. In view of the intersecting forms of discrimination faced by disadvantaged and marginalized groups of women in the State party, please provide information about the situation of the following groups of women:

(a) *Migrant, refugee and asylum-seeking women.* Please indicate measures taken to reduce the delays in refugee determination procedures and decisions on appeal, including by increasing the human, technical and financial resources of the Refugee Unit, the Commission on Restricted Visas and Refugees and the Administrative Migration Tribunal. Please inform on measures taken to reduce application fees and remove administrative barriers to obtaining identification documents faced by refugee and asylum-seeking women and girls in order to ensure their effective access to employment, health care, housing and education; please provide information on concrete measures taken to ensure the protection of all migrant women, including undocumented migrant women, who are at particular risk of violence; please report on the efforts made to strengthen labour inspections conducted at the workplaces of migrant women, including private households; and please include examples of efforts to take an inclusive and non-selective approach to upholding the principle of non-refoulement and a gender-sensitive approach to continuing refugee inflows and asylum claims, including in procedural matters, in line with the rights covered under the Convention and the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women;

(b) *Rural women*. Please provide information on measures to increase access to land for rural women and access for such women to loans and income-generating opportunities and on measures to increase access to education, employment, social protection in both the formal and informal sectors, means of economic empowerment and health services for rural and indigenous women and women of African descent;

(c) *Indigenous women*. Please provide updated and detailed information on specific measures taken to address the inequalities faced by indigenous women, which are compounded by the intersecting forms of discrimination to which they are subjected; and please provide information on all measures taken to bridge the gap between indigenous women and other women in the State party and on the steps taken to review laws and policies, with the participation of indigenous women, to ensure that they can fully enjoy their rights to adequate housing, education and family and private life without discrimination or fear of segregation, forced eviction or displacement;

(d) *Women with disabilities*. Please provide updated information on measures taken to include women and girls with disabilities in all policies and strategies to promote equal opportunities for women and men, in particular with regard to education, employment, access to justice, protection against violence and access to sexual and reproductive health-care services and poverty reduction programmes; please report on how free and informed consent is ensured for women with disabilities prior to any medical treatment and on any existing exceptions to that universal right; and please indicate measures adopted to protect women with disabilities living in institutions from violence and abuse and to eliminate practices involving physical and mechanical restraints.

Climate change and disaster risk reduction

21. Please describe steps taken to integrate a gender perspective into national policies on climate change in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please specify any measures taken to ensure the effective participation of women in decision-making processes on climate change adaptation, disaster risk reduction and land and environmental resource management. Please provide information on:

(a) Measures taken to mainstream a gender perspective into national disaster risk reduction management and relief and recovery strategies;

(b) The involvement of women in the formulation and implementation of disaster risk reduction, post-disaster management and climate change policies and programmes;

(c) Measures taken to provide relief and recovery for women affected by natural disasters.

Marriage and family relations

22. In the light of the concern expressed by the Committee in its concluding observations on the previous periodic report of the State party ([CEDAW/C/CRI/CO/7](#), para. 43), please provide information on:

(a) Measures taken to address the consideration of the specific needs of women and children in determining child custody in cases involving gender-based violence in the domestic sphere;

(b) Measures taken to discourage the use of "parental alienation syndrome" by experts and by courts in custody cases;

(c) Steps taken to adopt guidelines on the recognition of unremunerated domestic work for purposes of distributing joint marital property and on compensation for the economically disadvantaged spouse, for use in divorce proceedings, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution;

(d) Measures taken to ensure that women enjoy adequate legal protection during de facto unions and upon their dissolution.
