



# 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 prior to the submission of the tenth periodic report of Uruguay\*

#### General

1. In order to enable monitoring of the implementation of all areas covered by the Convention, please provide information and statistics, disaggregated by sex, age, ethnicity, disability, nationality and location, on the current situation of women in the State party. In the light of the Committee's previous concluding observations (CEDAW/C/URY/CO/8-9, paras. 24 (b), 30 and 42),<sup>1</sup> please indicate measures taken to improve the collection of data, to use those data for policymaking and programme development and to measure progress made towards the implementation of the Convention.

#### Legislative and policy framework

2. Please provide up-to-date information on the content and current status of the bill on equality, including a timeline for its approval. Please also provide information on the content and status of implementation of the national strategy for gender equality for 2030, including information on the budget, staff and technical resources allocated for its implementation. Please provide information on steps taken to amend legislation that is discriminatory towards women, as recommended by the Committee in its previous concluding observations (para. 12 (c) and (d)). Please also provide information on effective measures taken to implement articles 311 and 312 of the Criminal Code (as amended by Act No. 19.538 of October 2017) on femicide, the act on gender-based violence against women (Act No. 19.580 of December 2017) and the act on trafficking in persons (Act No. 19.643 of July 2018), in particular at the local level and in rural areas.

3. With reference to the Committee's previous concluding observations (para. 12 (a) and (b)), please provide information on steps taken to give sufficient visibility to the Convention, the communications and inquiry procedures provided for under the Optional Protocol thereto and the Committee's general recommendations, in particular general recommendation No. 33 (2015) on women's access to justice, in order to make

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\* Adopted by the pre-sessional working group on 15 March 2019.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



them an integral part of the training of judges, lawyers, prosecutors, police officers and other law enforcement officials. Please also provide information on the measures taken to adequately address all intersecting forms of discrimination against women belonging to disadvantaged groups, including Uruguayan women of African descent, women with disabilities, migrant women and women living with HIV, through a holistic approach.

#### **Access to justice**

4. In the light of the Committee's previous recommendation (para. 14 (a)), please provide information on measures taken to increase and facilitate access to the specialized family courts with the competence to hear cases related to gender-based violence against women throughout the State party, in particular in rural and border areas. Please provide information on the decision of the Supreme Court of Justice to dissolve the working group on gender policy and discontinue the participation of the judiciary in the regional programme for social cohesion in Latin America relating to the creation of an observatory on gender-related issues.

5. Please provide information on steps taken to ensure that women are aware of their rights under the Convention and are enabled to claim those rights, including through unimpeded access to justice and the provision of legal aid. Please also provide information on relevant cases brought before the courts on discrimination against women and their outcomes, indicating whether the Convention was invoked before the courts.

#### **Women and peace and security**

6. Please provide information on resolution No. 075/2018 of February 2018 on the establishment of the twenty-fifth Office of the Criminal Prosecutor of Montevideo as the Office of the Special Prosecutor for crimes against humanity. Please also provide information on whether the State party plans to establish a corresponding court to hear crimes against humanity. Please provide information on the status of the case relating to the sexual abuse and torture of 28 women carried out between 1972 and 1985, which was reopened in April 2018 by the Office of the Special Prosecutor. In the light of the Committee's previous recommendation (para. 22), please also provide information on steps taken to provide redress, compensation and psychosocial support to women who were victims of human rights violations during the de facto regime in the State party from 1973 to 1985.

#### **National machinery for the advancement of women**

7. In the light of the Committee's previous recommendation (para. 16 (a)), please provide information on steps taken to upgrade the National Women's Institute to the ministerial level, with the authority to directly coordinate all public policies and strategies for gender equality, and ensure that it is adequately funded. Please also provide information on the steps taken towards all ministries creating a five-year gender-sensitive budget, as well as information on measures taken to determine the budgetary resources needed to ensure that gender equality objectives are met. Please also provide information on the programmes and activities of the observatory on gender-related issues, in particular those carried out in accordance with articles 18 and 19 of Act 19.580 on gender-based violence against women and the collection and provision of data. Please indicate the extent to which the national machinery has increased its efforts to collaborate with civil society, including non-governmental organizations and associations that promote the rights of women, in particular Uruguayan women of African descent and women with disabilities, in line with the Committee's previous recommendation (para. 16 (c)).

8. Please provide information on measures taken to allocate sufficient human and financial resources to the National Human Rights Institution and the Office of the Ombudsman, as recommended by the Committee in its previous concluding observations (para. 14 (f)) and by the subcommittee on accreditation of the Global Alliance of National Human Rights Institutions in 2016.

#### **Temporary special measures**

9. Please provide information on measures taken to promote and accelerate the de facto equality of women and men, including through the adoption of temporary special measures to increase access for Uruguayan women of African descent with regard to the areas of economic, social and cultural rights and political participation, as well as in political life and education (paras. 10 (b), 28 (a) and 32 (c)), in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures. Please also explain whether the Convention is used as a legal framework for the adoption and implementation of such measures. Please include information on the enforcement, monitoring and outcomes of the measures, supported by statistical data.

#### **Stereotypes and harmful practices**

10. Please provide information on effective steps taken to counter current trends and campaigns that oppose gender equality, including the spread of gender ideology discourse, as well as steps taken by the State party to exercise its due diligence obligation and raise awareness of women's human rights and international standards among all sectors of the population. Please also provide information on the outcome of the steps taken in this regard. Please provide information on the implementation and monitoring of measures taken to change attitudes concerning the traditional roles of women in the family and in society and on the effectiveness of such measures. Please indicate the measures taken to address stereotyped portrayals of women, including Uruguayan women of African descent, lesbian, bisexual and transgender women and migrant women, in the media. Please also indicate whether the State party has adopted a comprehensive policy, targeted at women, men, boys and girls, to combat such traditional stereotypes, as previously recommended by the Committee (para. 18 (a)).

#### **Gender-based violence against women**

11. Please provide information on the financial and human resources allocated for the implementation of Act No. 19.580 on gender-based violence against women and on any challenges or barriers encountered during the implementation of the act. Please also provide information on measures to increase resource allocation in order to strengthen the capacity of the judiciary, the police, prosecutors and other law enforcement officers and on measures to ensure the distribution of sufficient resources to rural and border areas. Please provide information on steps taken to increase the inter-institutional response system to gender-based violence, as stipulated in Act No. 19.580, and measures taken to provide early detection and psychosocial care. Please also provide information on specific measures taken to address the high incidence of gender-based violence against women facing intersecting forms of discrimination, in particular Uruguayan women of African descent, women with disabilities and transgender and migrant women, and to prevent gender-based violence, including domestic violence.

#### **Trafficking in women and exploitation of prostitution**

12. Please provide information on the definition of trafficking included in Act No. 19.643, on trafficking in persons, and whether it is fully compliant with the

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Please also provide information on the financial and human resources allocated for the implementation of the act and any barriers encountered. Please provide information on the investigation, prosecution and punishment of trafficking offenders and indicate whether there are policies in place to provide assistance and legal support to women and girls who are victims of trafficking. Please inform the Committee about mechanisms established for the identification of victims of trafficking, as well as on referral mechanisms. Please also inform the Committee about measures taken to ensure that asylum applications are handled in a gender-sensitive manner, taking into account the age of the applicants, in order to respond to the specific protection needs of women and girls who are victims of trafficking, and to ensure that temporary residence permits, protection and support are provided to all such victims. Please provide information on exit programmes for women who wish to leave prostitution.

### **Participation in political and public life**

13. Please provide information on the implementation of Act 19.555, adopted in 2017, which established an electoral gender quota system without a time limit, including information on resources allocated for its implementation. Please also provide information on steps taken to extend the application of the act to the electoral system at the regional and local levels, the executive branch and in public administration.

14. Please provide information on measures taken to convert the special commission on gender and equity of the law chamber into a permanent commission. Please also provide information on other measures taken to significantly increase the number of women in elected and appointed bodies, in particular in decision-making positions in the public sector, including the legislative, the executive, the judiciary, the diplomatic service and in senior positions in the Government, and in the private sector, at the national, regional and local levels, in line with target 5.5 of the Sustainable Development Goals. Please provide information on mechanisms available for monitoring the impact of such measures. Please also indicate steps taken to raise awareness of the importance of the participation of women in decision-making and leadership positions and of the empowerment of women.

### **Nationality**

15. Please provide information on the adoption of legislation to protect the human rights of stateless women who are not refugees and reduce their risk of discrimination, in line with the Committee's previous recommendation (para. 30). Please also provide information on measures taken to enable access for those women to documentation and provide them with access to basic social services and opportunities for resettlement, as well as on measures taken to adopt a data-gathering system with regard to stateless women, as previously recommended by the Committee.

### **Education**

16. In the light of the Committee's previous concluding observations (para. 32 (a)), please provide information on measures taken to address its concern that girls are dropping out of formal education owing to early pregnancy, in particular in rural areas and disadvantaged urban areas, and that adolescent girls of African descent are disproportionately affected. Please also provide information on measures taken to diversify vocational choices for women and men and to encourage women and girls to choose non-traditional areas of study, such as in engineering and technical fields. Please inform the Committee about measures taken to increase the representation of

women in decision-making positions in academic institutions and to increase the number of female professors in universities, as recommended by the Committee in its previous concluding observations (para. 32 (c)).

17. Please provide information on measures taken to promote human rights education in schools, which includes a focus on the Convention and addresses the empowerment of women and girls. Please also provide information on measures taken to ensure the integration into the school curricula of mandatory, age-appropriate sex education, including education on sexual and reproductive health and rights and focusing on the prevention of early pregnancy and sexually transmitted infections, as well as on patriarchal attitudes and violence. Please also inform the Committee about measures taken to facilitate the reintegration into the education system of adolescent mothers, including by combating the cultural stigma through awareness-raising campaigns and by providing affordable care for their children.

### **Employment and social security**

18. Please provide information on measures taken to increase the participation of women in the labour market and to narrow the gender pay gap. In the light of the Committee's previous recommendation (para. 34 (a)), please also provide information on measures taken to design and effectively implement strategies and time-bound targets to promote access for women, in particular women of African descent, to diverse types of formal employment. Please provide information on initiatives taken to address vertical labour market segregation effectively, including results achieved through the implementation of priority measures to increase the number of women in management positions.

19. Please provide information on strategies to strengthen the national care system in order to provide support for women workers whose responsibility is to care for children, older persons and persons with disabilities. Please also provide information on initiatives taken to achieve the equal sharing of family responsibilities between men and women. Please provide information on measures taken to prevent and monitor the sexual harassment of women in the workplace, including data on the number of complaints, as well as on cases filed with the competent authorities and courts.

### **Health**

20. Please provide information on the steps taken to provide fully equipped and staffed childbirth facilities in the State party in urban, rural and border areas. Please also indicate whether the mother's insurance coverage affects her ability to gain access to a childbirth facility close to her home.

21. Please provide data on the number of child and adolescent pregnancies in the State party, as well as on the number of abortions, disaggregated by age, ethnicity, location in urban or rural area and the relationship between the pregnant woman and the father, if available. Please also provide information on measures taken to prevent child and adolescent pregnancy, as well as on measures to protect children and adolescents who are victims of sexual violence, and describe how the State party guarantees access for victims to justice. Please provide information on the availability of abortion services by region throughout the State party. Please also provide information on measures taken to ensure that access for women to abortion is not impeded by conscientious objectors and that reproductive health service providers are diligent and conscientious in meeting the deadlines established under the act on the voluntary interruption of pregnancy (Act 18.987). Please also provide information on steps taken to monitor the implementation and raise awareness of the act on the right

to sexual and reproductive health (Act 18.426) and Act 18.987 among women, health-care providers and the general public.

**Rural women**

22. Please provide information and statistical data on the situation of rural women, disaggregated by age, ethnicity, disability and nationality. Please also provide information on whether the Ministry of Livestock, Agriculture and Fisheries has incorporated gender mainstreaming into its policies, including mainstreaming a gender perspective into policies on family farming. Please provide information on changes made to the family production registry to include women as co-owners.

**Women in detention**

23. Please provide information on the situation of women in detention, in particular regarding the planning and design of facilities for women and how security is ensured, prisoner classification is conducted and access to food, health services and family visits is ensured.

**Marriage and family relations**

24. Please provide information on steps taken to raise the minimum age of marriage to 18 years for women and men, as recommended by the Committee in its previous concluding observations (para. 46 (a)). Please also provide information on the provisions in existing legislation relating to ownership and management of property upon dissolution of marriage. Please provide information on the mechanisms in place to protect the economic rights of women upon dissolution of de facto unions, as recommended by the Committee's in its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution.

**Additional information**

25. Please provide any additional information deemed relevant regarding legislative, policy-related, administrative and any other types of measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report of the State party. That may include recent laws, developments, plans and programmes, ratifications of human rights instruments and any other information that the State party considers relevant. Please note that, further to the issues raised herein, the State party will be expected to respond during the dialogue to additional questions posed by the Committee within the framework of the Convention.

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