



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Eighty-fourth session

### Summary record of the 1960th meeting\*

Held at the Palais des Nations, Geneva, on Monday, 20 February 2023, at 3 p.m.

Chair: Ms. Peláez Narváez

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*Eighth periodic report of Costa Rica*

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\* No summary records were issued for the 1958th to 1959th meetings.

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Eighth periodic report of Costa Rica* ([CEDAW/C/CRI/8](#); [CEDAW/C/CRI/Q/8](#); [CEDAW/C/CRI/RQ/8](#))

1. *At the invitation of the Chair, the delegation of Costa Rica joined the meeting.*
2. **The Chair**, welcoming the head of delegation of Costa Rica to the meeting, explained that the other members of the delegation would be participating via video link.
3. **Ms. Caravaca Zúñiga** (Costa Rica), introducing her country's eighth periodic report ([CEDAW/C/CRI/8](#)), said that discrimination against women resulted from a patriarchal culture that was deeply rooted in society and perpetuated inequalities. Attempting to eradicate discrimination without changing that culture would be a fruitless effort.
4. In recent years, public attitudes towards gender equality had evolved significantly in Costa Rica. Surveys showed that, between 2017 and 2021, there had been a significant increase in the proportion of men and women who recognized the concept of women's rights, supported the idea that more women should be in decision-making positions, believed that both men and women should be responsible for household chores, and condemned violence against women as unacceptable.
5. Although that shift in attitudes was welcome, it would not be sufficient. As in the rest of the world, the backlash against gender equality in Costa Rica had hindered efforts to build a more just society that was free from violence. The social crisis caused by the coronavirus disease (COVID-19) pandemic had deepened pre-existing gender inequalities, threatening to reverse the gains achieved through decades of struggle. A study carried out by the National Institute for Women in 2020–2021 had revealed that, during the pandemic, women had taken on a greater amount of unpaid domestic and care work, forcing them to abandon personal projects as they carried out such tasks.
6. According to the continuous employment survey, the unemployment rate had risen sharply between the first quarter of 2020 and the first quarter of 2021. That rise had affected women more than men and had particularly affected poor women, women heads of household, women working in the informal sector and women with a low level of education. For women who had kept their jobs, the digital divide and the burden of having to undertake additional care and domestic work had made it harder for them to adapt to the demands of telecommuting.
7. Although services intended to protect women from violence had been declared essential during the COVID-19 pandemic, the confinement measures imposed to curb the spread of COVID-19 had exposed women to a heightened risk of domestic violence, as it had become more difficult for them to flee violent partners. As a result, the number of complaints of physical violence had increased by almost 14 per cent between the first quarter of 2019 and the first quarter of 2020 and the number of recorded femicides had risen from 17 in 2019 to 28 in 2020.
8. In the area of health, the effects of the pandemic were also differentiated. A study carried out in October 2020 by various State and national academic bodies had shown that a higher percentage of women than men were reported to have had headaches, colitis and symptoms of anxiety and depression. Women with disabilities had been particularly affected, as the only medical centre in the country equipped to perform gynaecological examinations on women with motor disabilities had been temporarily transformed into a hospital specializing in the treatment of COVID-19.
9. During the reporting period, the Government had adopted legislation and regulations to protect the rights of women from all walks of life. More than 40 laws had been passed on issues such as trafficking in persons, public sexual harassment and gender-based violence. An increasing number of public policies mainstreamed a gender perspective or were aimed at establishing genuine gender equality. Such policies included the National Policy for Effective Equality Between Women and Men (2018–2030), the National Policy for

Addressing and Preventing Violence against Women (2017–2032) and the National Policy for Equality between Women and Men with Regard to Training, Employment and Enjoyment of the Outputs of Science, Technology, Telecommunications and Innovation (2018–2027). In line with those policies, government agencies were strengthening their gender mainstreaming efforts in all their work and make substantive equality a reality for women in Costa Rica. As a result, measures to promote gender equality were being defined in areas where gender mainstreaming had not previously been implemented, such as sports, recreation, climate change, finance and agriculture.

10. With regard to women's political participation, steps had been taken to establish gender parity in decision-making positions, especially in the executive and legislative branches, and to adopt regulations providing for women's participation at the grass-roots level. A law to prevent, address, punish and eradicate violence against women in politics had already been adopted and its implementing regulations were currently being developed. The National Institute for Women, together with other relevant organizations, had developed model regulations on implementing the law and had provided municipalities with technical advice on its implementation. The Government was committed to ensuring that women could exercise their authority in all forums on an equal footing with men without being subjected to any form of discrimination or violence. It worked to strengthen their leadership capacities throughout the country and also engaged in political advocacy in coordination with women's organizations.

11. In 2021, a greater proportion of women than men had enrolled in formal education and more women than men had graduated from both public and private universities. The net employment rate for women had stood at 48.2 per cent in the fourth quarter of 2022, which was only slightly below the pre-pandemic rate of 50.4 per cent. The unemployment rate for women had fallen to 16 per cent in the fourth quarter of 2022. However, the net employment rate for women was still lower than the rate for men and the unemployment and underemployment rates were higher. Despite being generally better educated than men, women continued to be overrepresented in the informal economy and in low paid sectors. The greatest levels of inequality were experienced by women with disabilities, migrant women, Indigenous women, women of African descent, rural women and women with low levels of education.

12. The State had taken legislative measures to improve women's employment conditions and strengthen the mechanisms for monitoring compliance with labour laws. In particular, it had made efforts to tackle the historical discrimination faced by women domestic workers, many of whom were migrants. The National Institute for Women worked with employers to improve women's access to formal employment, through programmes such as the Gender Equality Seal, in order to raise awareness of issues surrounding gender and employment and encourage employers to comply with the national standards on equality in employment. The Institute had also made significant investments in agricultural and agribusiness projects through its fund for the promotion of women's productive and organizational activities, FOMUJERES.

13. The State had begun gender mainstreaming in the national financial system. Strategies to encourage women to become entrepreneurs and take up formal employment had been developed but would be fruitless if the Government failed to address the unequal division of labour between men and women. In order to identify the scale of the problem, the second national time-use survey had been conducted in 2022 with a view to identifying the contribution made by women to the national gross domestic product through forms of work traditionally associated with them. Another important milestone was the adoption of regulations on paternity leave under the law to combat pregnancy and maternity discrimination at work.

14. Efforts were being made to formalize care work by enabling women carers to certify their skills through the National Training Institute. The Technical Standard for Therapeutic Abortion had been adopted, schemes to provide free contraception to adolescent girls and women had been updated and the use of emergency contraception had been approved. In line with those changes, medical staff were being trained to deliver quality care without discrimination.

15. Teenage pregnancy had decreased considerably in the country, accounting for over a fifth of all births in 2000 and just under 9 per cent in 2021. That result had been achieved thanks to the State's efforts to increase girls' and women's access to contraceptive devices, sex education and advice on sexual and reproductive health. Hospital practices had been changed to ensure the right of pregnant women and new mothers to receive quality care. In that connection, a law on women's rights to receive skilled, dignified and respectful care during pregnancy, childbirth, the postpartum period and when caring for newborns had been adopted on 13 January 2022. The Government acknowledged that further efforts would have to be made to improve the right to health for women belonging to vulnerable groups.

16. In recent years, forms of violence that had previously been seen as normal, such as street harassment and political violence, were now becoming recognized as violations of the rights of women and girls. The public had become more firmly opposed to all forms of gender-based violence. The strengthening of inter-institutional coordination between the bodies that made up the National System for Addressing and Preventing Violence against Women had brought services closer to communities through the local committees for the provision of immediate care and follow-up and a strategy to provide mobile support services. Those services would be strengthened under the country's national strategy to combat sexual violence against women, the gender road map (*ruta de género*).

17. The reform of the Act on the Penalization of Violence against Women had broadened the definition of femicide, establishing it as an act of murder committed against a woman because of her gender and not merely as a form of intimate partner violence. As a result of that legal change, perpetrators of femicide would face more appropriate punishments.

18. The Government acknowledged that the progress made in preventing violence and discrimination could not be considered complete until all women had benefited from it. In the light of that acknowledgement, a number of plans and programmes had been established to tackle intersectional forms of discrimination affecting Indigenous women, women of African descent, migrant women, women with disabilities, lesbian, transgender and intersex women, rural women and older women. In that connection, measures were being taken to increase their access to justice and their enjoyment of economic and labour rights, civil and political rights, and the right to health, among others.

19. The National Statistics and Census Institute, in partnership with the National Institute for Women, had made efforts to improve the quality of gender-related statistics in the country. The State and academia had conducted quantitative and qualitative studies with a view to gaining a deeper understanding of the inequalities faced by women. It would be necessary to sustain that research over time and ensure that it was not hindered by a lack of funding.

20. In 2023, the National Institute for Women would be celebrating the twenty-fifth anniversary of its founding as an independent body. Over the course of its existence, it had placed women's concerns on the national agenda, provided specialized support services and trained public officials in gender issues. It was imperative to strengthen mechanisms for the advancement of women in public institutions in order to promote gender mainstreaming in all government programmes.

21. **Ms. Bonifaz Alfonzo** said that the State party was to be commended on the progress it had made during the reporting period in a number of areas relating to women's rights, above all concerning legislative reform. The enactment of the law to strengthen the legal protection of girls and adolescent women in situations of gender-based violence associated with abusive relationships, Act No. 9406, commonly known as the "improper relationships law", represented a particularly important step forward. However, she wished to know whether the State party would consider broadening the scope of that legislation beyond sexual relations with minors to cover such violence against girls and adolescent women by adult acquaintances or strangers.

22. Owing to financial constraints and traditional stereotypes, some women still did not enjoy full access to justice. She would therefore welcome further information on how legal aid services functioned for women all over the country. In particular, she would be interested to know what services had been made available for migrant, refugee and asylum-seeking women and whether women with disabilities were provided with any specific legal support.

It would also be useful to have an account of the difficulties that women faced in reporting cases of domestic violence. She wished to know what reporting mechanisms had been made available for victims and what proportion of those accused of domestic violence were ultimately held to account for their acts.

23. **A representative of Costa Rica** said that there were still certain barriers to access to justice for women in her country. Although the Public Defence Service provided free legal aid and representation for women across the country in relation to maintenance proceedings, and for Indigenous women, more needed to be done for victims of domestic violence. However, the National Institute for Women was taking the necessary measures to remedy the shortcomings in the current system. The judiciary was also taking measures, including through the use of mobile courts, to address backlogs and reduce the amount of time taken to deliver judgments on cases involving violence against women. According to official statistics, 73 per cent of criminal cases brought under the Act on the Criminalization of Violence against Women had been dismissed and 39 per cent of the cases that had gone to court had resulted in acquittal.

24. For the last three years, the judiciary had been training judges on the eradication of stereotypes and the adoption of gender-sensitive approaches to judicial decisions. The Government had offered judges courses on that topic in accordance with a recommendation of the Inter-American Commission on Human Rights in 2022 and further training sessions had been planned for 2023. There would also be additional seminars presented by experts from the Office of the United Nations High Commissioner for Human Rights to members of the Constitutional Chamber of the Supreme Court and Labour Cassation Court.

25. **Ms. Caravaca Zúñiga** (Costa Rica) said that the Government was taking measures to improve access to justice as part of its gender road map. Plans were in place to establish a network of 31 regional protection centres known as Violet Dots (*puntos violeta*) offering free legal advice and psychological support services to female victims of violence. The Government was in the process of recruiting the legal professionals and psychologists required to open centres around the country. One of the aims of the strategy was to reduce the high rate of cases involving violence against women that were thrown out. However, it should be noted that the issues of legal aid for refugee women and women with disabilities were being addressed primarily through international cooperation.

26. **A representative of Costa Rica** said that the law on improper relationships governed sexual relations with minors where there was an age difference of at least 5 years between the persons concerned. As the law was intended to address the violence that was caused by such uneven relationships, no amendments to the law along the lines suggested by the Committee expert had been considered.

27. **A representative of Costa Rica** said that the law on improper relationships applied to cases where sexual relations took place between a minor and an adult, regardless of whether or not they were in a relationship. Sexual relations between persons who did not know each other therefore already fell within the scope of the legislation, provided that there was a sufficient difference in age between the parties concerned. However, there had been some debate as to whether it would be necessary to develop additional legislation aimed at preventing those sexual relations from occurring in the first place. As it stood, the adult could only be punished once he or she had engaged in sexual relations with the minor. No preventive action could currently be taken under the law to address the concerns of parents who were worried that their child was involved in a relationship with an older person that might take on a sexual dimension.

28. **Ms. Bonifaz Alfonzo** said that she wished to know whether there was any particular reason for the State party's delay in naming a new Chief of the Public Defence Service.

29. **Ms. Caravaca Zúñiga** (Costa Rica) said that she was unable to give an exact reason for the delay. A number of suitable candidates had been nominated but, despite growing pressure, the legislature had yet to reach a decision as to who would be selected for the role.

30. **Ms. Bethel** said that she wished to know how the mechanisms to ensure coordination between the Ministry on the Status of Women and other national mechanisms for the implementation of legislation and equality policies had been monitored and evaluated, and

how effective they had been; what the status was of the national gender equality policy and its related action plan, and how it advanced the rights of women; and how effectively the High-level Inter-Institutional Commission followed up on equality policies. She wondered what percentage of the national budget was allocated to the Ministry on the Status of Women and how it compared to the budget of other ministries. She would be interested to learn whether the National Council for Addressing and Preventing Violence against Women and Domestic Violence was able to fulfil its public reporting requirements, and how effective the Gender Equality Seal programme had been in identifying gender gaps in public institutions. She would appreciate information regarding the effectiveness of the inter-institutional platform for the implementation of the Convention and the human and other resources that it had been allocated. It would be useful to know how the support provided to women's organizations such as the National Forum of Indigenous Women and the National Forum of Women of African Descent had boosted their capacity to protect the rights of those women; how the Ministry on the Status of Women intended to strengthen services for women and improve dissemination of information about those services, especially in rural areas; and what steps the State party was taking to generate disaggregated data to improve policy and action with regard to the advancement of women's rights.

31. She wondered how Act No. 10001 on affirmative action for persons of African descent was enforced, what institution or person was responsible for implementing the Act, and how communities or persons of African descent could use the Act to advance their human rights. She wished to know whether the State party would consider adopting a comprehensive strategy on temporary special measures, together with a corresponding action plan, that covered all areas of the Convention.

32. **A representative of Costa Rica** said that since the submission of her country's eighth periodic report, additional institutions had been incorporated into the inter-institutional platform, bringing the total to 55. The platform comprised one or two public officials from each institution that advocated for women's rights as set out in the Convention. Since the platform was a coordinating mechanism, it did not have an independent budget or a dedicated team to manage it. The platform had proved very useful as it allowed detailed information to be collected on the action taken by all institutions, including the measures that they had adopted under the national policy for effective equality between women and men 2018–2030 and the national policy for addressing and preventing violence against women 2017–2032.

33. The National Statistics and Census Institute had developed guidelines on gender mainstreaming in the collection of data and production of statistics. Based on those guidelines, a manual had been published to inform institutions on how to mainstream gender in the production of statistics using surveys and public records.

34. **Ms. Caravaca Zúñiga** (Costa Rica) said that Ministry on the Status of Women was represented in the Cabinet and thus worked closely with representatives of various other ministries. Issues related to women's rights were therefore discussed at the highest levels of government, and the actions and commitments undertaken by all ministries in that regard could be monitored.

35. The National Institute for Women had a stable source of funding since it was allocated a fixed percentage of the national budget. The civil servants who worked for the Institute had job security and were able to specialize, and the Institute could plan long-term programmes covering periods of up to 10 years. The Institute also devised and implemented five-year action plans with the participation of numerous organizations.

36. **A representative of Costa Rica** said that the National Institute of Women, in cooperation with the United Nations Development Programme, had launched a pilot project to help eight public institutions obtain certification of compliance with a national standard on gender equality. According to the standard, public institutions must provide services with a gender perspective, compile data disaggregated by gender and work to improve their gender equality policies. The institutions were completing their women's rights diagnostics and beginning their policies and action plans. They were expected to receive their certifications in the coming years.

37. **Ms. Caravaca Zúñiga** (Costa Rica) said that the National Institute of Women had run various capacity-building initiatives in rural areas to strengthen the leadership skills of

women of African descent and Indigenous women and identify the needs of specific communities. Women from those communities and women's rights organizations from across the country participated in forums organized several times a year by the Institute. They discussed issues such as access to the labour market, discrimination in terms of access to land rights, housing and education. Steps were taken to raise awareness among rural women of the services offered by institutions at the local level and to enhance the participation of rural women in local government and development associations. Rural women played an important role in a women's fund dedicated to supporting female empowerment.

38. **Ms. Bethel** said that she wished to know what gender policy would guide action plans to support women of African descent and what the Minister on the Status of Women was doing to advance the rights of women, other than following up on the initiatives of other bodies.

39. **Ms. Hacker** said that she wondered what the outcomes had been of the campaigns and training programmes to combat stereotypes, how the impact of those campaigns and programmes had been measured, and what lessons had been learned. Similarly, she wished to hear whether campaigns to reduce machismo in public institutions had been a success, how their impact had been measured, what lessons had been learned in terms of how to reach male audiences to effectively tackle gender stereotypes, and what other measures the State party might adopt to encourage men to assume more responsibilities in areas such as childcare.

40. She would be interested to learn whether the surveys and studies mentioned in the State party's report covered experiences from all social groups and backgrounds; whether the data gathered had been published and, if so, where; whether the data had been presented in a manner that was accessible to the public; and what policy changes had been introduced as a result of the information gathered. It would be useful to know how the State party would address stereotypes that had given rise to harmful and discriminatory practices against women of African descent and Indigenous, migrant, older, lesbian, bisexual and transgender women.

41. **Ms. Bonifaz Alfonzo** said that according to information available to the Committee, many judges lacked understanding of women's rights and treated court hearings as reconciliation proceedings, in which women were required to negotiate under unfavourable conditions. She wished to know whether the State party recognized that issue and, if so, what measures the Government was taking to address it. She wondered what action the State party was taking to ensure that fathers made adequate child support contributions, given that many failed to pay or paid very little, especially in the wake of the COVID-19 pandemic.

42. **Ms. Caravaca Zúñiga** (Costa Rica) said that the Minister for Women's Affairs was a minister without portfolio and member of the Cabinet who could thus participate in government decision-making and use that platform to promote gender equality policies and action plans. The Government had developed a gender road map through which it intended to create safe spaces for women victims of sexual harassment and gender-based violence and Violet Dot protection centres where they could report violations of their rights and receive immediate care. It was also working on strategies to promote women's economic empowerment and political participation, which would be implemented by local authorities under the Institute's supervision.

43. **A representative of Costa Rica** said that the Government and universities carried out studies on gender disparities, the results of which were used to inform public policies. An annual study on gender gaps in the financial system had led to the establishment of guidelines to bridge those gaps by ensuring that women had equal and timely access to financial services. Every four years, the National Institute for Women conducted a study on the status of women's rights, through which it analysed relevant national statistics and indicators that gave an insight into the sociopolitical situation. Studies had proved to be instrumental in strengthening policy implementation and promoting cultural change. The Government undertook quadrennial surveys of human rights perceptions among adults to gauge the impact of its public awareness-raising campaigns. Following the enactment of legislation on improper relationships between adults and adolescents, a survey had confirmed the effectiveness of efforts to raise awareness of the dangers of such relationships.

44. **Ms. Caravaca Zúñiga** (Costa Rica) said that the Ministry of Education organized training workshops on gender stereotypes and that courses on non-violent masculinity had been taught to men employed in the public sector. No studies had yet been carried out on the impact of efforts to facilitate and encourage paternity leave. The Government had found that an effective way of combating negative gender stereotypes was to promote women's political participation and, by extension, alternative models of leadership.

45. **Ms. Manalo** said that she would appreciate an update on the status of the National Policy for Addressing and Preventing Violence against Women 2017–2032, a description of any progress achieved through that policy's implementation, an indication of whether a specialized centre to combat violence against women had been established under Act No. 7566 and, if it had, a summary of its impact.

46. She wished to know what results had been obtained by the National System for Addressing and Preventing Violence against Women, what budget was allocated to the System, what municipal strategies were in place to protect women victims of violence, whether shelters for such victims were effective, whether there were plans to expand the network of shelters, whether victims received psychological support and guidance on the services available to them, what progress had been made in setting up reliable databases on all types of violence against women and what punishments were imposed on rapists.

47. **Ms. Caravaca Zúñiga** (Costa Rica) said that, over the previous year, steps had been taken to strengthen the human and financial capacity of municipal offices for women's affairs, promote coordination among them and generate political support for their activities.

48. **A representative of Costa Rica** said that the first quinquennium of the National Policy for Addressing and Preventing Violence against Women 2017–2032 had concluded and that preparations were under way for the second one. The Policy was based on Act No. 8688 establishing the National System for Addressing and Preventing Violence against Women, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women and the Convention on the Elimination of All Forms of Discrimination against Women, among other instruments. The System was composed of State institutions that performed political, technical and operational functions and had separate budgets. Municipal authorities were not part of the System but were encouraged, while respecting the principle of municipal autonomy, to implement policies promoting equality and non-violence.

49. The National Institute for Women ran three shelters for women victims of violence, one of which had been restructured in 2021 to increase its capacity to host families and another of which would be expanded soon by being given its own building. The Institute also provided services through a specialized interdisciplinary care centre in San José and regional care units employing lawyers and psychologists.

50. The 911 emergency hotline was free and available nationwide. Successful campaigns had been conducted to inform women of the service, through which they could request and receive immediate support.

51. **A representative of Costa Rica** said that the Unified System of Statistical Measurement of Gender Violence compiled information from around 20 institutions that were part of the National System for Addressing and Preventing Violence against Women. A cross-cutting analysis of the data was published every five years. Efforts were being made to improve the collection and dissemination of data.

52. **Ms. Manalo** said that she had heard no reply to her request for information on the punishments imposed on rapists and that she also wished to know whether there were programmes to raise awareness of the consequences of violence against women, particularly among men.

53. **Ms. Dettmeijer-Vermeulen** said that she would be interested to hear whether the State party would adopt the recommendations made by the Special Rapporteur on contemporary forms of slavery in his November 2022 report on his visit to the country and what priorities had been identified as a result of the recommendations. She would be particularly grateful for details of any measures planned to strengthen the identification and protection capacities of the Immediate Response Team of the National Coalition against

Migrant Smuggling and Human Trafficking and an indication of whether funding would be allocated to civil society organizations that provided direct support to victims.

54. It would be useful to know whether a system was in place to monitor the implementation of the National Action Plan on Trafficking in Persons and whether funding for anti-trafficking measures had returned to the levels seen prior to the COVID-19 pandemic.

55. According to a Trafficking in Persons report of the United States Department of State, there had been a significant decline in the identification and prosecution of trafficking cases from 2020 to 2021. She would welcome information on the current situation, an indication of whether there had been any improvement and, if there had not been, a description of the steps planned to rectify matters.

56. She would welcome information on any programmes to prevent child sex tourism and identify girl victims. Details of targeted training and awareness-raising measures to identify indigenous women, women of African descent and migrant women who were victims of forced labour and sexual exploitation would also be appreciated.

57. She wished to know whether the State party had considered formulating a national action plan or policy to promote human rights due diligence across all business sectors and thereby reduce the risk of labour exploitation faced by women and girls.

58. Lastly, she would be pleased to receive information on the measures taken by the State party to ensure that women leaving prostitution had access to education and alternative livelihoods and on whether it had contemplated establishing a centre to provide specialized services to citizens and foreign nationals who wished to leave prostitution.

*The meeting rose at 5 p.m.*