



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

Distr.: General  
19 July 2016

English only

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

### Summary record of the 1417th meeting

Held at the Palais des Nations, Geneva, on Thursday, 14 July 2016, at 10 a.m.

Chair: Ms. Hayashi

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*Combined eighth and ninth periodic reports of Uruguay*

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*The meeting was called to order at 10.05 a.m.*

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

*Combined eighth and ninth periodic reports of Uruguay (CEDAW/C/URY/8-9; CEDAW/C/URY/Q/8-9 and Add.1)*

1. *At the invitation of the Chair, the delegation of Uruguay took places at the Committee table.*
2. **Mr. González Arenas** (Uruguay), introducing his country's combined eighth and ninth periodic reports (CEDAW/C/URY/8-9), said that, since 2010, Uruguay had undertaken major efforts to submit all outstanding reports to the United Nations human rights treaty bodies and was now up-to-date with its reporting obligations. Uruguay remained committed to the multilateral human rights system, as demonstrated by the fact that it had ratified all the fundamental human rights treaties and their optional protocols and had extended an open invitation to visit the country to the rapporteurs, experts and special procedures mandate holders of the international and inter-American systems. Uruguay had also undergone two universal periodic reviews and had accepted all the recommendations made to it bar one, which ran counter to its national anti-discrimination policy. The previous eight years had brought significant legislative and institutional advances in the field of human rights and, in particular, that of gender equality. The domestic legal framework in force had significantly broadened the range of rights enjoyed by the people of Uruguay and now afforded greater protection for those rights. The priorities identified by the Government included combating poverty, inequality and discrimination, and all forms of violence. He looked forward to participating in the interactive dialogue with the Committee and to receiving its recommendations.
3. **Ms. Mazzotti** (Uruguay), reviewing the content of the periodic report and updating the Committee on developments since its submission, said that the National Gender Council, the Ministry of Public Health, the Ministry of Labour and Social Security, the National Institute for Children and Adolescents, the National Women's Institute (Inmujeres) and other public bodies had all contributed to the report's drafting. The Government was also grateful to UN-Women and the other United Nations agencies that had assisted it in formulating its public policy on gender. The previous decade had brought substantial changes in terms of social protection and equality, as well as legislative reforms that had accorded greater rights, freedoms and options to the Uruguayan people.
4. The 2007 Act on Equality of Opportunity and Equal Rights for Men and Women had established Inmujeres as the lead agency for the implementation of national gender policy and had created the inter-institutional, multidisciplinary National Coordinating Council for Public Policies on Gender Equality (the National Gender Council) to assume responsibility for formulating cross-cutting gender policies. The priorities set by the National Gender Council included the eradication of violence; access to education and culture free from gender stereotypes; the promotion of a healthy lifestyle; access to better professional development and labour market opportunities; access to decent work; access to social care and protection; and citizen participation. The National Gender Council worked in partnership with inter-institutional bodies to formulate public policies to address those priorities. Gender equality committees were operating in a number of government ministries, in State-run companies, in the University of the Republic and in a number of regional governments, and the Department of Montevideo had already launched its third plan for equality of opportunity and equal rights.
5. Although Inmujeres, which was the national mechanism for gender equality, came under the authority of the Ministry of Social Development, it possessed its own human and

financial resources. It executed its mandate by chairing inter-institutional public policy forums and acting as a special interlocutor in gender-related matters. It was active in all departments of Uruguay and ran programmes promoting cultural change through the eradication of sexist stereotypes and the participation of women in public life. The decentralized initiatives run by Inmujeres targeted groups and local networks of rural women, women of African descent, women of diverse sexual orientations, domestic workers' trade unions and women deprived of their liberty. Inmujeres also managed a comprehensive response system for cases of gender-based violence, which included specialized services for victims such as short-stay accommodation for women whose life was in danger.

6. Inmujeres had an ongoing working relationship with the legislative branch of Government, in particular with the Women's Bicameral Caucus, the gender and equity and human rights committees of the House of Representatives and the special Senate committee on human trafficking. Inmujeres also participated in an advisory capacity in the National Care Council, providing guidance to ensure that the national integrated care system, one of the founding principles of which was to include a gender perspective in the provision of care at the national level, brought a more equitable division of care work between the sexes, greater shared responsibility in home and institutional settings, greater dignity for care workers and gender mainstreaming in general.

7. The State, together with civil society and women's movements, was taking urgent action to combat gender-based violence, the prevalence of which, regrettably, remained high. The lack of progress in reducing such violence was attributable to a limited understanding of the entrenched patriarchal cultural attitudes that perpetuated it. The Government needed to focus its efforts on changing those attitudes in families, in the formal education system, in culture and in the media. Public policy for addressing gender-based violence had not yet yielded satisfactory results, despite being one of the State's most consistent, but the development of a comprehensive, inter-institutional policy approach that incorporated a gender and generational perspective and was underpinned by an intersectoral coordination mechanism was, nonetheless, a significant achievement.

8. In terms of institutional advances, the Ministry of the Interior had elevated the hierarchical status of its gender policy division; the Attorney General's Office had created a unit specializing in gender issues and doubled the number of specialized prosecutor's offices; the Supreme Court's strategic plan for the period 2015-2024 had incorporated gender equality as a cross-cutting theme; the National Institute for Children and Adolescents and the National Public Education Administration had also included gender equality as a cross-cutting theme in their five-year budgets; and more than 100 interdisciplinary teams specializing in gender-based violence and reporting to the Ministry of Health were now operating across the country. Those institutional advances had paved the way for the adoption of the 2016-2019 plan of action for a life free from gender violence. The plan of action was significant as it included measurable targets that would allow civil society to monitor its implementation and assess its impact. Inmujeres was in the process of updating its guidelines for dealing with male perpetrators, following the introduction of electronic ankle bracelets as a preventive measure. The Ministry of the Interior planned to extend the use of such devices and had already adopted a protocol for dealing with domestic and gender-based violence.

9. The members of the National Advisory Council against Domestic Violence had drafted a comprehensive bill intended to guarantee women a life free from gender-based violence, which was currently being examined by the Senate. The bill defined the numerous dimensions of gender-based violence, laid down public policy guidelines for State institutions and guaranteed access to justice and reparation for women and children, and comprehensive care for both victims and perpetrators. The bill also provided for the

establishment of a national council for a life free from violence and a civil society observatory.

10. As part of a new public policy for combating trafficking in human beings, the Government had taken steps to strengthen the relevant legal framework. A comprehensive bill to combat trafficking, which was still being drafted, provided for the establishment of the State institutions necessary to implement an inter-institutional response system, and defined the trafficking and exploitation of human beings as human rights violations. The National Institute for Children and Adolescents was working with Inmujeres to improve care services for victims of sexual exploitation. In addition, a coordination mechanism for providing care to female victims of international human trafficking in countries of the Southern Common Market (MERCOSUR) had been set up and border reinforcement initiatives had been undertaken.

11. The Government had reaffirmed its commitment to eradicating stereotypes and harmful traditional practices by adopting laws designed to guarantee equal opportunities and equal treatment and combat all forms of discrimination against persons of diverse sexual orientations, persons of African descent and persons with disabilities. Although those laws had not yet led to an increase in opportunities, rights advocacy and cultural centres were running a range of activities to raise awareness of gender and other issues facing vulnerable groups. Addressing intimate partner violence had been identified as a particular priority for preventive educational programmes and a series of initiatives to raise awareness of such violence among students in secondary and vocational training schools and to empower them against it, had been conducted by government institutions and civil society organizations.

12. It was regrettable that, although more women were occupying high-ranking government posts and senior positions in the private sector, the number of women in decision-making posts at the political and institutional levels remained low. In addition, a considerable gender gap persisted in pay and employment despite the fact that women were, in general, more educated than men. The Wages Council and the Inspectorate General of Labour and Social Security were working to address that situation. On a more positive note, the formalization of domestic work and the conclusion of a collective agreement guaranteeing domestic workers a broader range of rights and better working conditions, especially in terms of salary and rest periods, had constituted a landmark achievement. Inter-institutional activities to improve the situation of rural women were also under way and an ongoing dialogue with rural women's organizations had been established.

13. Progress in the area of health had included the adoption of laws on sexual and reproductive health, voluntary termination of pregnancy and assisted human reproduction. The Ministry of Labour and Social Security was committed to enforcing those laws and had taken steps to remedy the current shortage of gynaecologists in certain departments of the country.

14. A specialized unit of Inmujeres was responsible for promoting policies concerning women of African descent, mainstreaming the perspective of women of African descent into all relevant areas of public policy and supporting Afro-descendant women's organizations.

15. Lastly, although the National Disability Programme addressed some of the issues encountered by women with disabilities living in Uruguay, the Government acknowledged that more needed to be done in that area. The priorities identified in the programme included the sexual and reproductive health of women with disabilities and gender-based violence. One of the programme's main objectives was to promote training and awareness-raising activities on the gender dimension of disability targeting sexual and reproductive health services and services for victims of gender-based violence.

16. While the Government of Uruguay had worked diligently to promote and protect the rights of all women living in the national territory, it was true that considerable shortcomings persisted in some areas. She assured the Committee of the Government's will to address those shortcomings.

*Articles 1 to 6*

17. **Ms. Schulz** said that, according to the State party's core document (HRI/CORE.1/Add.9/Rev.1), Uruguayan legal practice accepted the principle of direct applicability under domestic law of the provisions of an international instrument and that, under domestic law, such instruments had the same status as ordinary law. As parliamentary approval in the form of a law was needed to ratify an international instrument and Uruguay had ratified the Convention in 1981, the Convention, and the definition of discrimination against women contained in article 1, had been part of the State party's domestic legal framework since that time and could be invoked directly before the courts. Therefore, she failed to understand why the State party's periodic report stated that the definition of discrimination against women had not yet been incorporated into domestic law and would appreciate clarification on that point. She would like to know whether the Convention had ever been directly invoked before the national courts and whether there was a time frame for the adoption of the bill on gender equality. It would also be useful to know about any mechanisms that the State party planned to introduce in order to enforce the bill and how those mechanisms would be coordinated with the court system and the National Human Rights Institution and Ombudsman's Office.

18. Noting that women whose rights had been violated by the State were required first to apply to the Administrative Court for a ruling on whether or not a violation had occurred, and subsequently to a civil court to claim reparation, if required, she asked whether such a complicated system led to lengthy proceedings and, if so, whether women in such situations were provided with sufficient legal aid.

19. Noting also that the law on affirmative action for persons of African descent did not currently include a gender perspective, she asked whether the State party planned to revise it to remedy that shortcoming. She also wished to know whether the National Human Rights Institution and Ombudsman's Office was mandated to promote gender equality and whether the problems associated with the Institution's legal and hierarchical status, insufficient human and financial resources and the inadequate standard of the building in which it was housed had been resolved.

20. The Committee had received reports indicating that the judiciary often displayed a bias against women stemming from negative gender stereotypes and that, consequently, it tended to hand down decisions that vindicated men's actions, including in cases of violence against women. She invited the delegation to comment on those allegations. Lastly, noting that significantly more women than men had attended the training courses dispensed to the judiciary, the Inspectorate General of Labour and Social Security and the Commission against Racism, Xenophobia and All Other Forms of Discrimination, she asked whether the State party planned to make such training mandatory in order to correct that imbalance.

21. **Mr. Cavalli** (Uruguay) said that following the Convention's ratification in 1981 the definition of discrimination against women contained in article 1 was considered to have, at the very least, the rank of ordinary law. Thus, as the provisions of the Convention were already directly applicable, it had not been necessary to define discrimination against women in a domestic law. In case of conflict between an international human rights instrument and domestic law, the former prevailed. Although there were no statistical data available on the number of cases in which the Convention had been directly invoked by the courts, he could confirm that, in practice, some courts invoked its provisions in almost all

relevant rulings while others did not. However, the provisions of the Convention were taken into account by all courts before they handed down a ruling.

22. Any woman who considered her rights to have been violated or who had been a victim of discrimination or violence could bring a case before the national courts and be assigned a public defender free of charge. The procedure followed in such cases entailed the victim reporting the incident to the national police, which then immediately informed the judge of the competent court so that the necessary measures could be taken. In cases of gender-based violence, the judge could call a hearing the very same day if appropriate. Public defence services were available throughout the country and were guaranteed in courts dealing with cases of gender-based violence. The possibility of creating an autonomous judicial body specializing in the defence of women's rights was under consideration. Discussions were also under way with a view to rectifying the current shortcoming in the judicial system which meant that victims of domestic violence met with their defence team only at the time of their hearing and allowing such women to meet with their attorneys and discuss their approach prior to the hearing. Women who did not wish to appear in court could be interviewed by State attorneys in private.

23. The Centre for Judicial Studies ran a free initial human rights training programme for candidates seeking judicial appointments and continuing training for the 484 judges in office. Under a ruling of the Supreme Court, attendance was mandatory at a minimum of two training sessions a year, and further training enhanced the chances of promotion. The training curriculum included compulsory modules on gender. Cooperation agreements had been signed with the judiciaries of Argentina and Spain, under which 10 trainers had received human rights training outside the country and had then returned to train judicial officials in Uruguay. Training was provided to judges and magistrates at local level, thereby ensuring coverage throughout the country. Furthermore, since 2012, some 300 judicial officials had attended additional workshops on gender, violence against women, and sexual and child exploitation. The fact that more women than men followed the courses was explained by the higher number of women judges in the State party.

24. **Ms. Mazotti** (Uruguay) said that a bill on gender equality had been drafted by Inmujeres that included the definition of discrimination against women within the meaning of the Convention. The bill set out a new institutional framework for gender issues and was now subject to consultation with all relevant stakeholders. An action plan for its implementation would be formulated after it had been approved by parliament in 2017.

25. A working group had been set up under the Ministry of Health to address the difficulties created by conscientious objection to termination of pregnancy among medical officers and to guarantee access to abortion throughout the country for all eligible women. The group had met with the management boards of public and private sector health-care providers to ensure that conscientious objectors used certified official channels to declare their objections and abortion service providers publicized their schedules, waiting times and counselling sessions.

26. The National Human Rights Institution and Ombudsman's Office was an independent State body whose duties included providing advice to the National Gender Council. Although the Institution, which was housed in separate headquarters, had been endowed with only limited resources on assuming its functions, a qualified interdisciplinary team of experts had already been formed and consolidated.

27. **Ms. Xavier** (Uruguay) said that article 2 of Act No. 19122 of 2013 stipulated that a gender perspective should be incorporated into all policies in order to guarantee full enjoyment of their rights by women of African descent. There were no plans to amend that Act but policies were monitored to ensure its effective implementation and the Committee's concern would be given due consideration. The budget of the National Human Rights

Institution and Ombudsman's Office was adequate, was approved by parliament and was reviewed on an annual basis in line with the needs and recommendations of the Institution. The gender perspective was fully reflected in its mandate and the leadership team included personnel responsible for ensuring effective gender mainstreaming.

28. Responding to a question from Ms. Acosta Vargas, he said that there was no specific institutional body tasked with carrying out periodic reviews of legislation on discrimination, *inter alia*, but that national laws were revised with increasing frequency whenever international bodies issued recommendations and any obstacles to the exercise of women's rights could be brought to the attention of the legislature at any time.

29. **Mr. González Arenas** (Uruguay) added that the National Human Rights Institution published a breakdown of its income and expenditure on its website.

30. **Ms. Arocha Domínguez** said that she would like further information about the role of the Director of Inmujeres and the resources available for inter-institutional coordination. She asked whether responsibility for raising issues affecting women before parliament lay with the Ministry of Social Development or with Inmujeres and how potential conflicts between their respective mandates were handled. She wondered whether discussions concerning the reform of the Ministry of Social Development had covered the possibility of giving Inmujeres greater independence and elevating its Director to ministerial status so that she was better placed to deal effectively with national and international issues. She would also appreciate clarification as to the general budgetary resources available to the Ministry and to Inmujeres, and information about any recent changes to both budgets. Since Inmujeres did not have units in all municipalities, she wondered how local- and municipal-level representation and gender mainstreaming were guaranteed.

31. **Ms. Zou** Xiaoqiao asked whether the applicability of Political Participation Act No. 18476, which provided for special temporary measures to ensure women's inclusion on electoral lists for the 2014 elections, would be extended to cover all forthcoming elections at the national and subnational levels, and whether campaigns had been carried out to raise awareness of the meaning and scope of those measures among members of parliament, political parties and other relevant actors. She would like to know what results-oriented measures had been established to guarantee a gender perspective in the application of Act No. 19122 and its Regulatory Decree No. 144/014, which provided that 8 per cent of jobs in all State institutions and certain non-governmental entities should be filled each year by persons of African descent, and how many of those jobs had been filled by women. She also wished to know whether the Government envisaged using special temporary measures to address issues such as the gender wage gap, gender segregation in education, the underrepresentation of women in judicial and diplomatic roles, and the underrepresentation of women of African descent in decision-making processes. Were special temporary measures promoted as a means of achieving *de facto* equality between men and women?

32. **Ms. Mazotti** (Uruguay) said that Inmujeres was the lead coordinating body for gender policy but formed part of, and was overseen by, the Ministry of Social Development. However, because Inmujeres was functionally and politically autonomous, its Director was able to engage directly with heads of other national institutions and ministers from all branches of Government even though she did not have ministerial status. The possibility of upgrading the Institute's status had been discussed on various occasions but no consensus had been reached. However, as part of a recent reorganization of the Ministry of Social Development, the gender-based violence response unit had been transferred from the Ministry to Inmujeres in order to prevent duplication of effort and budget overlap, and the budget of Inmujeres had been adjusted accordingly. Although, to date, few departmental governments had mainstreamed gender in local policies and action plans, the Ministry and Inmujeres supported and encouraged such efforts by ensuring that they had sufficient offices and staff at the subnational level to cover the entire country.

33. Serious obstacles had hindered the implementation of Act No. 19122 and, currently, only around 1 per cent of jobs were filled by persons of African descent, 65 per cent of whom were men and 31 per cent were women.

34. **Ms. Xavier** (Uruguay) said that the parliamentary majority required to extend the applicability of the Political Participation Act had not been obtained but that, to give continuity to the Act, it had been proposed that its applicability should be extended for a fixed period during which the legal obligation to include persons of both sexes on national and local electoral lists could be reinforced. A second more exigent proposal envisaged the adoption of a bill on parity in political participation designed to achieve equal political representation for women. Although no large-scale institutional awareness-raising campaigns had been organized to promote women's participation, in part due to a lack of appropriate information technologies, various campaigns linked to specific individual events had been run by NGOs and via social networks.

35. **Ms. Arocha Domínguez** said that it would be helpful for the State party to submit its reports to the Committee more regularly and ensure that they were written in a more accessible language; certain passages of the report under consideration were difficult to understand. The State party should ensure that the territorial autonomy of municipalities did not adversely affect the fulfilment of its international human rights obligations. It would also be advisable for the State party to evaluate the involvement of the national mechanisms for gender equality in high-level decision-making.

36. **Ms. Acosta Vargas** said that she would like to know whether Inmujeres had sufficient financial resources. Would greater autonomy not render it more effective?

37. **Ms. Mazzotti** (Uruguay) said that she acknowledged the importance of submitting reports to the Committee more regularly and explaining major institutional transformations more clearly. The competence of Inmujeres and its function in the wider institutional hierarchy had been the subject of much debate in recent years. Before 2005, it had been known as the National Institute for Family and Women's Affairs, had been part of the Ministry of Education and Culture, and had lacked its own financial and human resources. In 2005, it had been transformed into Inmujeres, and its resources had been significantly increased. It had since worked with the National Gender Council to improve its links with other institutions.

38. **Mr. González Arenas** (Uruguay) said that, since 2010, the Government had made considerable efforts to clear a backlog of overdue reports. Now that it was up-to-date with its reporting obligations, it should be possible to ensure that reports met the necessary standards of clarity and presentation. While it should be noted that, in its previous concluding observations, the Committee had in fact invited Uruguay to submit its eighth and ninth periodic reports in a combined report, the delegation nevertheless recognized the need to submit more regular reports. He wished to emphasize that the autonomy accorded to Uruguayan municipalities did not prevent the country from fulfilling its human rights obligations.

39. **Ms. Xavier** (Uruguay) said that the Government had run various awareness-raising campaigns in coordination with civil society organizations, international cooperation agencies, and female politicians, with the aim of increasing the representation of women in politics. Specific examples had included campaigns under the slogans "More women, better policies" and "Without women, development is not possible".

40. **Ms. Al-Dosari** said that she would like to know what measures had been taken in response to proposals made by the National Advisory Council against Domestic Violence and the Integrated System to Protect Children and Adolescents against Violence concerning the revision of the Code of Criminal Procedure and the Criminal Code. An explanation of the objections made by women's organizations to the draft Criminal Code tabled in the

House of Representatives in December 2014 would be helpful. Had the objections resulted in the deletion of any articles from the draft? Further information on the code of ethics developed by the national television channel of Uruguay would also be appreciated, including details of its impact. Lastly, she asked what measures had been taken, or were planned, to eliminate gender-based violence, harassment and discrimination, provide greater protection, and hold perpetrators to account.

41. **Ms. Pimentel** said that the Committee would like to know the outcomes of the various programmes that the State party had implemented to eliminate gender stereotypes in the media, schools and workplaces; how many people they had reached; and what their effectiveness had been. It would also be helpful to know what measures had been taken to combat discrimination against lesbian, gay, bisexual and transgender persons and prevent homophobic and transphobic violence. While the State party was to be commended for its efforts to combat domestic and gender violence, it should be acknowledged that violence against women remained a problem, with female refugees and stateless persons being particularly vulnerable. She would therefore like to know what else was being done to overcome those issues. Although the delegation had noted earlier in the meeting that the rate of femicide was decreasing, the rate remained one of the highest in the region. Had the prevalence of violence against women decreased since the introduction of recent legislation? And how many perpetrators had been convicted?

42. The Committee would also like to know how many women had benefited from psychosocial support and legal aid; whether rural women enjoyed the same level of access to such services as women living in urban areas; and whether any areas of the country lacked coverage. Since the Committee had been informed that some categories of violence against women, including media violence, obstetric violence, cyber violence and street harassment, were not covered under the existing regulatory framework, she would like to know what measures the State party was taking to prevent and penalize acts of violence that fell into those categories. It would also be helpful to know what measures the State party was taking to guarantee justice for women who had been victims of acts of violence committed by government agents during the dictatorial regime of the period 1973-1985. Were measures being taken to hold the perpetrators to account and compensate women who had been affected?

43. More information was needed on prostitution, since the issues had not been dealt with comprehensively in the report. Was prostitution prohibited; were sex workers protected from exploitation and violence; what was the rate of HIV/AIDS infection among them; and were any care and prevention programmes specifically targeting sex workers in operation? The Committee would also like to know whether the State party was taking measures to integrate victims of trafficking into society; whether any shelters had been established for them; whether victims were granted leave to remain in Uruguay after having been trafficked; whether victims enjoyed easy access to justice; whether those who testified against traffickers were protected; whether victims and witnesses were covered by protection programmes and whether legal translation services were provided. Was the State party taking targeted action to protect migrant women from sexual exploitation and trafficking?

44. **Ms. Xavier** (Uruguay) said that civil society organizations had objected to the draft revision of the Criminal Code on the grounds that it had preserved a number of regressive provisions from the existing Criminal Code. In 2014, following the interventions of various organizations, the decision had been taken to suspend consideration of the draft, and a special committee had been established to examine the text in the light of the objections raised. The National Human Rights Institution and Ombudsman's Office had emphasized that greater consideration should be given to issues relating to gender. In the framework of the Justice and Inclusion Programme of the School of Government, a wide-ranging

evaluation process had been carried out, which had made it possible for the House of Representatives to conduct a more informed debate of the draft. The outcome would be a Criminal Code more in harmony with the Code of Criminal Procedure.

45. **Mr. Cavalli** (Uruguay) said that the number of specialized family courts that dealt with aspects of domestic violence not expressly covered under criminal law had doubled over the past decade, and the number of cases heard before those courts had more than doubled. That increase was a reflection not of increased domestic violence but of improved access to justice for women. The Public Prosecution Service was currently undergoing a major reorganization and, under the new Criminal Code, was set to assume greater responsibilities in domestic violence cases. Considerable additional training was therefore envisaged for prosecution officials.

46. **Ms. Aguirre** (Uruguay) said that one of the new responsibilities the Public Prosecution Service was to assume was the protection and care of victims and witnesses of criminal offences, victims of domestic violence, gender-based violence and generational violence, and children who were vulnerable or at risk. On 22 June 2015, a training conference on the subject of justice and gender had been held by video link in which over 100 prosecutors from throughout the country had participated. As decentralization was key to the provision of adequate training, seminars on trafficking were being organized in strategic border areas. In addition, at an expert meeting of prosecution service officials from countries of the Southern Common Market (MERCOSUR) held in June 2016 in Montevideo, a sub-working group had been established to consider the issues surrounding trafficking in human beings and the smuggling of migrants in the MERCOSUR region.

47. **Mr. Cavalli** (Uruguay) said that the new Code of Criminal Procedure would transform the judicial system, facilitating the prosecution of increasingly sophisticated organizations involved in, *inter alia*, the sexual exploitation of children. Once the new legislation was enacted, the Public Prosecution Service would have an expanded role in the gathering of evidence. The judicial authorities were working to increase the number of reported cases of rape and indecent assault that went to trial, but under the current system obtaining sufficient evidence to prosecute such cases was difficult.

48. **Mr. González Arenas** (Uruguay) said that the code of ethics developed by the national television channel dealt with issues such as gender-based violence and discrimination, and that its aim was to eliminate stereotypes in the media and promote the equal participation of men and women.

49. **Ms. Zabaleta** (Uruguay) said that the authorities were working to align trafficking-related policing procedures with international standards, to draft a bill providing protection for victims and witnesses and to devise specific protocols to address trafficking and the sexual exploitation of children and adolescents. Trafficking was also addressed in a recently adopted protocol for criminal investigations into cases of gender-based violence drawn up by the Ministry of the Interior and the Attorney General's Office. The Inter-institutional Committee on Trafficking in Women coordinated services for victims, including psychosocial support as well as housing and social services, regardless of whether or not the victim wished to report the crime. Victims who were foreign nationals could access health care on the same footing as Uruguayans.

50. Legislation regulating sex work had provided for the establishment of a high-level committee for the protection of sex workers composed of representatives of several ministries, *Immujeres* and sex workers' associations. Pimping was a criminal offence, and the scale and scope of the latter associations needed to be expanded as part of efforts to encourage sex workers to work independently. A bill that would amend the penalties imposed upon sex workers and remove the national sex worker register from the purview of the police in order to reduce the associated stigma was under consideration.

51. **Ms. Mazzotti** (Uruguay) said that gender stereotypes were at the heart of a society's value system and were therefore difficult to combat. Nevertheless, the Government was endeavouring to eliminate them through sensitization programmes and legislation. The role of legislation was not only to establish rights, but also to convey a message to society as to what constituted acceptable behaviour. Consequently, legislation had been introduced that prohibited discrimination on the grounds of gender, sexual orientation and gender identity, all of which were characteristics to which stereotypes were often attached.

52. Legislation on equal opportunities had been expanded, and transgender persons were now permitted to change their names and gender identity on official documentation. They, along with young women, also benefited from specific quotas under the Youth Employment Act. Guides on sexual diversity had been produced for teachers and persons working in sexual and reproductive health care, and the Ministry of Health had launched a pilot project to eradicate homophobic practices in health centres. Research was required to determine the extent to which those measures reduced sexist stereotypes.

53. The current law on domestic violence addressed psychological, financial, property-related and sexual abuse, including marital rape, which victims often found difficult to report. The bill on the right of women to a life free from gender-based violence, which encompassed violence against girls and older women and institutional violence, among other forms, was expected to pass quickly through parliament. Such forms of violence were also addressed by a law on sexual harassment in the workplace, the enforcement of which was being supported by awareness-raising activities and a strategy to reduce the stereotypes at the root of such behaviour. Specialist services for victims of gender-based violence were provided in all of the country's departments, and referral teams were present in all public health centres. Although isolated communities were catered for by mobile teams, services in remote areas required improvement.

54. Reducing HIV/AIDS among vulnerable groups such as sex workers was a priority for the Ministry of Health. The Ministry had succeeded in halting the increase in infections and was now taking targeted action to benefit specific vulnerable groups.

55. **Ms. Xavier** (Uruguay) said that the newly formed Senate committee tasked with reviewing legislation on trafficking was working to formulate proposals for improvements in consultation with Inmujeres and the Ministry of the Interior. More resources were required, both for services and for the provision of reparation for victims.

56. **Ms. Lesca Barolín** (Uruguay) said that legislation had been enacted that enabled the General Directorate for Consular Affairs and Liaison of the Ministry of Foreign Affairs to grant permanent residence to citizens of Southern Common Market (MERCOSUR) countries and associate States. To date, permanent residence had been granted, free of charge, to around 9,500 persons. The authorities were also authorized to grant residence to extremely vulnerable foreign nationals unlawfully present in Uruguay, including migrant women. The bill on trafficking and exploitation included parallel provisions.

57. Trafficking and exploitation for labour purposes were addressed under Act No. 18250 on migration, which accorded migrant workers the same rights to employment, health and housing as Uruguayan citizens. The Inspectorate General of Labour and Social Security had identified female domestic workers as the group most vulnerable to exploitation and had developed a range of tools to address the phenomenon, including third-party mediation and individual and collective reporting mechanisms. The majority of the 25 reports of trafficking received in 2014 concerned women originating from the Dominican Republic, Paraguay or Peru. The reports were investigated by the Ministry of Social Development and the Ministry of Labour and Social Security, with support from other government agencies and civil society organizations. Information for migrants was available on the websites of the Ministry of Social Development and the Ministry of

Foreign Affairs, which also served to improve coordination between the different agencies that provided services for them.

58. **Mr. Cavalli** (Uruguay) said that, in the early days of democracy, the criminal courts had experienced great difficulty in investigating crimes committed during the dictatorship, partly because of the military's refusal to provide evidence and also because of restrictions on the competence of the Supreme Court of Justice. Moreover, under the Act on the Expiry of the Punitive Claims of the State, it was the executive branch that ruled on whether or not a particular case should be heard. Although the State had waived the protection afforded by that Act in 2005, much of the evidence had been lost in the intervening years, and although numerous complaints had been filed by women, only one member of the armed forces had been brought to trial. It was hoped that changes to the procedural model would allow for more evidence to be gathered and more cases to be resolved.

59. The Government granted financial, health-related and symbolic reparation. To date, it had received 1,300 requests for reparation and had granted financial reparation in more than 200 cases and symbolic reparation in around 860. More than 20 commemorative plaques had been placed at sites where human rights violations had occurred.

60. **Ms. Mazzotti** (Uruguay) said that in 2015, 2,409 women had benefited from the specialist services provided by Inmujeres and 300 female victims of trafficking had received assistance. Reports of gender-based violence had increased enormously, from 5,600 in 2005 to 25,500 in 2015. Sadly, Uruguay had one of the highest rates of femicide due to gender-based violence in Latin America, at 1.6 deaths per 100,000 inhabitants. It was hoped that by specifically addressing femicide in the new law on gender-based violence that was currently passing through parliament, the Government would be able to reduce that figure.

61. **Ms. Pimentel** asked whether sexual harassment in educational establishments, particularly universities, was being addressed. She wished to know whether the media code of ethics called for measures to actively combat stereotypes rather than simply prohibiting them. She invited the delegation to comment on the significant reduction in the budget of Inmujeres gender-based violence response unit.

62. **Ms. Acosta Vargas** said that further information about the State party's experiences with the use of electronic ankle bracelets would be useful.

63. **Ms. Halperin-Kaddari** said that she would appreciate clarification regarding the inconsistencies between the bill on the right of women to a life free from gender-based violence and the draft Criminal Code, which had been strongly criticized by women's organizations and the National Human Rights Institution and Ombudsman's Office for failing to address gaps in the legislation upholding women's rights. The draft Criminal Code also appeared to be contradictory to the bill on femicide. She found some of the provisions of the Criminal Code somewhat alarming, and wished to know whether they continued to be implemented.

64. **Ms. Mazzotti** (Uruguay) said that the budget of the gender-based violence response unit had been increased, not decreased. The confusion had possibly arisen because the unit had been transferred from Inmujeres to the Ministry of Social Development in 2013 — a transfer reflected in a decrease in the former's budget — but had recently been returned to Inmujeres, which had been awarded an increased budget to fund new services as part of the reorganization. Those new services had included the introduction of electronic ankle bracelets for monitoring violent men. That programme had been hugely successful; no woman whose life had been deemed to be at risk had died since the introduction of the tagging devices. The programme required close cooperation between the Ministry of the Interior, Inmujeres and the judiciary, as decisions to fit an electronic ankle tag required a judicial order.

65. There were no inconsistencies between the different bills dealing with violence and abuse. Sexual, psychological, property-related and physical abuse was dealt with under the bill on gender-based violence, which had been drafted by Inmujeres, and Inmujeres had made gender-related recommendations for inclusion in the revised text of the Criminal Code, which would reflect the provisions of the bill on gender-based violence.

*The meeting rose at 1 p.m.*