



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
27 November 2015

Original: English

Committee on the Elimination of Discrimination against Women

Sixty-fourth session

4-22 July 2016

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

List of issues and questions in relation to the combined eighth and ninth periodic reports of Uruguay

Institutional and legislative framework and access to justice

1. It is mentioned in the report ([CEDAW/C/URY/8-9](#)) that a draft bill on gender equality, which incorporates a definition of discrimination against women in line with the Convention, has been prepared by the National Women's Institute (paras. 4-6).¹ Please indicate whether the bill has been submitted to the parliament and also the strategies put in place to facilitate its adoption.
2. Please provide information on the mechanisms and procedures available to women for the protection of their rights, as recommended by the Committee in its concluding observations on the combined fourth to seventh periodic reports of the State party ([CEDAW/C/URY/CO/7](#), para. 13). Please explain how the training activities for the judiciary on the protection of women's human rights (para. 8) have had an impact on the access of women to judicial remedies.
3. According to the report, in the context of the reform of the Penal Code, the National Advisory Council against Domestic Violence and the Comprehensive System for the Protection of Childhood and Adolescents against Violence submitted to the House of Representatives a proposal to criminalize rape in marriage or civil unions, with or without a judicial declaration (paras. 28 and 29). Please provide updated information on the status of the adoption of the draft Penal Code since its postponement in December 2014, indicating whether other amendments aimed at enhancing the protection of women who are victims of violence have been included therein.

Note: The present document is issued in English, French and Spanish only.

¹ Unless otherwise indicated, paragraph numbers refer to the combined eighth and ninth periodic reports of the State party.



National machinery for the advancement of women

4. Please indicate the outcomes of the efforts described in the report (para. 18) to create institutional mechanisms for the advancement and mainstreaming of women's rights since 2007. Please describe the impact of gender budgeting on the effective implementation of the gender mandates of various government departments. In particular, please indicate its impact on the national budget. Please provide information on measures taken or envisaged to ensure that the national mechanism for gender equality in Uruguay, the National Women's Institute, enjoys greater autonomy and has an adequate and independent budget to carry out its mandate effectively and sustainably.

Stereotypes and cultural practices

5. It is indicated in the report (paras. 30-38 and 163) that a standing advisory council on sexual diversity was created to deliberate and provide advice on and propose public policies aimed at eliminating discrimination based on sexual orientation and gender identity and introduce awareness-raising programmes within various ministries. The development by the national television channel of a code of ethics relating to gender identity and sexual orientation is also mentioned. Please indicate the impact of those efforts to eliminate social stereotypes against lesbian and transgender women. Please provide information on measures taken or planned to prevent violence and harassment against them, provide protection for them against all forms of discrimination and ensure that perpetrators are held accountable.

6. Reports available to the Committee indicate that discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and society lead to traditional choices of fields of study by women and girls, which reinforce the gender division of labour in the public and private domains. Please indicate measures envisaged and/or taken by the State party to ensure that these deep-rooted gender roles and stereotypes are addressed and that the participation of girls and women in non-traditional fields of study and employment, such as science and technology, is increased.

Violence against women

7. According to the report, the first national survey of gender-based and generational violence (2013), which established a baseline on the magnitude and characteristics of the phenomenon, revealed that 68.8 per cent of Uruguayan women above 15 years of age had suffered some form of gender-based violence at some point in their lives (paras. 62 and 63). Please provide information on measures envisaged to strengthen the response of the judicial system, including provision of resources, awareness-raising and capacity-building to ensure gender-sensitive judgements. Please indicate any existing proposals that would criminalize femicide.

8. According to information received, some specialized courts on domestic violence leave open the possibility for mediation or conciliation, which involves the direct participation of the alleged perpetrator in proceedings. Please provide further information in this regard in view of the weak negotiating power of women.

9. It is indicated in the report that the creation of the National Advisory Council against Domestic Violence helped to strengthen and coordinate public action against violence and that the national plan to combat domestic violence was an important milestone in the implementation of public policy on the phenomenon (paras. 39-41). Please provide information on the resources allocated to the Council to enable it to discharge its functions effectively. In addition, please indicate what the impact of the national plan has been.

Trafficking and exploitation of prostitution

10. According to information provided in the report (paras. 71-82), in October 2014 the Executive Branch approved Decree No. 588/2014, which incorporates the strategic guidelines on the development of a protection and assistance system for victims of trafficking drafted by the Inter-Institutional Committee on Trafficking in Women for Purposes of Sexual Exploitation. In addition, a ministerial working committee formed within the Ministry of the Interior in 2012 to address trafficking in persons developed a national plan of action covering the period 2014-2015. The Directorate-General for Combating Organized Crime was created and awareness and information campaigns were implemented and training activities provided to officers in charge of enforcing the migration law. Please indicate the nature of assistance and redress services available to victims under the national plan of action, the mechanisms in place to monitor the impact of the services and the results achieved to date. Please specify the way in which official data and statistics are gathered and the protocols in place are used to prosecute the crime of trafficking and sexual exploitation.

Participation in political and public life

11. The Committee welcomes the information provided by the Government on 10 January 2012 in follow-up to the concluding observations on the combined fourth to seventh periodic reports, with respect to temporary special measures adopted by the State party to reduce inequalities in society (see [CEDAW/C/URY/CO/7/Add.1](#)). In the report, the State party indicated that an act to promote participation in politics by persons of both sexes included temporary special measures that would be implemented only once, during the national and municipal elections of 2014-2015 (para. 85). Please indicate the outcome of the discussions in the parliament, as noted in the State party's report (para. 85), to extend the quota system to apply to all future elections. Furthermore, women remain underrepresented in the parliament, in ministerial positions and in the higher-level positions of the civil service and the judiciary, with none represented in the Supreme Court. Please provide information on measures in place to overcome those obstacles and the specific steps that will be taken to achieve substantive equality between men and women in politics and public life, as well as at the highest levels of the judiciary.

Education

12. It is stated in the report that, according to the 2012 web census, 68.3 per cent of the 85,905 students in public universities were women and 36.2 per cent were men. The same ratio was found at the postgraduate level (paras. 96-99). Please suggest measures that could be instituted in the education system to ensure better correlation between the high level of certification of women and their participation

in political and economic arenas. Information available to the Committee indicates that the percentage of teenage girls who drop out of the formal education system because of pregnancy is higher among poorer families and persons living in rural areas. This places them at a great disadvantage in terms of educational accomplishments, which further leads to major disadvantages for women in attaining economic autonomy. Please provide information on measures, including temporary special measures, if any, envisaged to prevent rural and Afro-Uruguayan adolescent girls from dropping out of school on grounds of teenage pregnancy. Please provide information on any plans envisaged for providing age-appropriate sex education to adolescent boys and girls. Please indicate specific steps taken, including the development of an intersectoral strategy, to address the prevention of teenage pregnancy so that accountability on the issue does not fall to the health-care sector alone.

Employment

13. Information available to the Committee shows that women's employment rates have remained 20 per cent below those of men and that unemployment rates for women are much higher than those of men. Although the principle of equal pay for work of equal value is reportedly enforced in the public sector, compensation for relocations, night shifts and overtime generate income gaps between men and women. The persisting wage gap between men and women, mainly in the private sector, also disregards this principle. The widest wage gap, reaching 26.5 per cent, is found at the highest levels of educational attainment (postgraduate level) (para. 103). Please provide information on the specific action envisaged by the State party, including temporary special measures in line with article 4 of the Convention and with the Committee's general recommendation No. 25 (2004) on temporary special measures, to close the employment gaps and put an end to wage inequalities between men and women.

14. The significant increase in registered domestic workers, from 21.8 per cent in 2009 to 49 per cent in 2013, is noted in the report (para. 114). Information available to the Committee reveals that the highest unemployment rates and widest gender gaps are found among women of African descent. According to the information, one fifth of all women of African descent are domestic workers. Please indicate whether specific programmes are in place to raise awareness of the rights of domestic workers and to provide protection for this group. Please provide disaggregated information about the impact of policies in the area of employment for women of African descent.

Health

15. According to the report (para. 128), conscientious objection is provided for in the regulatory decree of the Voluntary Termination of Pregnancy Act (2012), and 30 per cent of the gynaecologists employed by the national integrated health system invoke that objection. This caused major difficulties in one department, where all the professionals invoked the objection. Please provide information on specific measures being taken to overcome the difficulties created by conscientious objection and ensure access to abortion throughout the country for women who qualify for the service. Please also provide information, including disaggregated data, on the impact of the sexual and reproductive health policies on rural women and women belonging to ethnic minorities, including women of African descent.

16. It is stated in the report that the incidence of HIV shows a steady rise, in particular among vulnerable populations (para. 137). Please provide updated information about the efforts made to ensure effective protection for women in situations of vulnerability in the area of HIV/AIDS, including drug users, sex workers and persons in detention.

Rural women

17. The report provides information and data on the progress made with respect to the situation of rural women, as requested in the previous concluding observations (CEDAW/C/URY/CO/7, para. 43), including the development of comprehensive policies and programmes aimed at the economic empowerment of rural women (paras. 141-153). It is acknowledged that challenges exist. Please indicate what the challenges are and what specific measures, including temporary special measures, are envisaged to address them.

Disadvantaged women

18. *Women with disabilities.* The State party refers in its report to progress achieved in incorporating the disability dimension into efforts to combat gender-based violence, such as the development of awareness materials on rights and prevention, some of which have been printed in Braille (para. 43). Please elaborate on the impact that such measures have had, and potential gaps identified. Please provide information on whether women with disabilities who are victims of violence have access to the resources necessary to seek redress. Please also provide disaggregated data on women with disabilities, the level of access to the education system and work, and how the State guarantees their rights on an equal basis with others.

19. *Women refugees, asylum seekers and stateless persons.* Please provide information about steps being taken to adopt and implement a strategy for the identification and prevention of, and response to, situations of sexual and gender-based violence affecting refugees, asylum seekers and stateless persons. Please indicate steps being taken to ensure that refugee status determination procedures are fully gender-sensitive, including the assignment of female officers and interpreters to women and girl asylum seekers and the adoption of guidelines on gender-based persecution and persecution based on sexual orientation and gender identity for first-instance asylum officials. Please indicate steps taken to ensure that an overall State policy or strategy is developed and implemented to provide adequate assistance to and ensure the local integration of refugees, including measures to empower women through labour and income-generating opportunities.

20. *Women in detention.* According to information received, the needs of the female prison population remain a challenge, with technical resources scarce, in particular in detention centres outside the capital and those with limited focus on gender-specific needs. Please provide information on policies and programmes envisaged to ensure that detention centres do not continue to operate as male-dominated institutions, with most law enforcement officials and prison wardens being men.

21. *Women of African descent.* Please provide information on steps taken to expedite the adoption of the bill to extend the applicability of Act No. 18476 concerning affirmative for women of African descent. In addition, please specify

how the law passed in 2013 has reduced inequalities in the sphere of employment for Afro-Uruguayan women. Please describe the training programmes targeted at Afro-Uruguayan women with the intention of strengthening their role and preparing them for decision-making positions.

Marriage and family relations

22. It is stated in the report that the minimum age for marriage was increased to 16 years for both girls and boys through Act No. 19075. In addition, the Civil Code prohibits widows and divorcees from remarrying within 300 days of the husband's death or the divorce (paras. 167 and 168). Please provide information regarding steps being taken to amend the Code to remove that prohibition. Please indicate whether there are measures envisaged to raise the minimum age for marriage to 18 years in order to bring the legislation into line with the Convention.
