



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Rapporteur on follow-up to concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the seventh periodic report of Costa Rica at the Committee's sixty-seventh session held in July 2017. At the end of that session, the Committee's concluding observations ([CEDAW/C/CRI/CO/7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 48 on follow-up to the concluding observations, the Committee requested Costa Rica to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 29 (d) and (e) and 31 (b) and (d) of the concluding observations.

The Committee welcomes the follow-up report received with an eight-month delay in March 2020 ([CEDAW/C/CRI/FCO/7](#)) under the CEDAW follow-up procedure. At its seventy-eighth session, held remotely due to the ongoing COVID-19 pandemic in February 2021, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 29 (d)** of the concluding observations, urging the State party to “**adopt legislation to introduce a legal entitlement to paid paternity leave and promote equal sharing of parental responsibilities between women and men**”:

The Committee takes note of the information provided by the State party on the establishment of the Inter-agency Committee for the promotion of social co-responsibility in the raising of girls and boys. The Committee welcomes the ratification of the Workers with Family Responsibilities Convention, 1981 (No. 156), of the International Labour Organization. However, it regrets the lack of information on steps taken to accelerate the adoption of the draft law on paid paternity leave before the Legislative Assembly, which was submitted in 2017, and on the provisions it contains to enable women and men to reconcile work and family life. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

In relation to the recommendation made in **paragraph 29 (e)** of the concluding observations, urging the State party to “**develop a plan for implementing the ILO Domestic Workers Convention, 2011 (No. 189), ensure that women domestic workers, including migrants, have access to effective remedies to file complaints about exploitation and abuse by employers and strengthen the mandate of the National Labour Inspection Directorate to**

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monitor the working conditions of women domestic workers when there are reasonable grounds to believe that violations are taking place in private households”:

The Committee notes the information on the adoption of regulations for the registration of employers, establishing a contributory insurance scheme for domestic workers including part-time domestic workers, and the increase in the number of insured domestic workers by the Costa Rican Social Insurance Fund. While the Committee welcomes the establishment of a unit to provide free legal advice for employees, including domestic workers, on social protection matters, it regrets the lack of information on its work, challenges and achievements and on the extension of its mandate to women domestic workers, including migrants. It also takes note that the adopted strategy aims at closing the wage gap between domestic workers and unskilled workers. However, the Committee is concerned about the lack of information on steps taken by the State party to develop a plan that covers all aspects under the ILO Domestic Workers Convention such as the situation of women migrant domestic workers, the elimination of all forms of forced or compulsory labour, the abolition of child labour, and the protection of women domestic workers against all forms of abuse, harassment and violence. The Committee regrets that no steps have been taken to strengthen the mandate of the National Labour Inspection Directorate to monitor the working conditions of women domestic workers when there are reasonable grounds to believe that violations are taking place in private households. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented.**

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory.**

The Committee recommends that, in relation to **paragraph 29 (d) and (e)** of the concluding observations, the State party provide, in its **next periodic report**, information on actions taken to:

- 1. Expedite the adoption of legislation to introduce a legal entitlement to paid paternity leave and to continue promoting equal sharing of parental responsibilities between women and men;**
- 2. Develop a plan for implementing the ILO Domestic Workers Convention, 2011 (No. 189), strengthen the mandate of the National Labour Inspection Directorate to monitor the working conditions of women domestic workers when there are reasonable grounds to believe that violations are taking place in private households and ensure that the legal assistance unit provide services to women domestic workers, including migrants.**

With regard to the recommendation made in **paragraph 31 (b)** of the concluding observations, urging the State party to “**accelerate the adoption of technical guidelines for therapeutic abortion and conduct awareness-raising campaigns to prevent the stigmatization of women seeking an abortion**”:

The Committee notes with appreciation the adoption of technical guidelines for therapeutic abortion in December 2019, despite the social and political climate. However, the Committee regrets the lack of information on measures taken to conduct awareness-raising campaigns to prevent the stigmatization of women seeking abortion. Thus, the Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented.**

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory.**



Regarding the recommendation made in **paragraph 31 (d)** of the concluding observations, urging the State party to “**adopt legal and policy measures to protect pregnant women during childbirth, sanction obstetric violence, strengthen capacity-building programmes for medical practitioners and ensure regular monitoring of the treatment of patients in health-care centres and hospitals, in line with the recommendations issued by the Ombudsman’s Office**”:

The Committee welcomes the information on the provision of awareness raising programmes for medical practitioners working directly with pregnant women in hospitals and health care centres. The Committee also notes the information on steps to develop a survey for pregnant women to assess the provided services and to plan national campaigns to disseminate information about the rights related to prenatal, childbirth and postnatal care. Furthermore, the Committee notes the information by the State party on efforts to strengthen measures on protecting pregnant women in relation to the prevention and care of early pregnancies and gender equality and the prevention of gender-based violence against women, as well as the development of a skilled care model, which was piloted in hospitals of Puntarenas, Ciudad Neilly and San Vito, and the preparation of the clinical protocols.

However, the Committee is concerned about the lack of detailed information on these policy measures and how such measures ensure the protection of pregnant women belonging to disadvantaged groups such as indigenous women, women of African descent, refugee and asylum-seeking women, and women with disabilities. Moreover, the Committee regrets the lack of information on steps to adopt legislative measures to protect pregnant women during childbirth and to criminalize obstetric violence. In addition, the Committee is concerned about the lack of information on steps to ensure regular monitoring of the treatment of female patients in health-care centres and hospitals.

The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation has been **partially implemented**.

The Committee notes that the information provided by the State party is thorough and extensive, but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 31 (b) and (d)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

1. **Raise awareness to eliminate stigmatization of women seeking abortion;**
2. **Adopt legislative measures to protect pregnant women during childbirth, criminalize obstetric violence and ensure regular monitoring of the treatment of female patients in health-care centres and hospitals, in line with the recommendations issued by the Ombudsman’s Office.**

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Louiza Chalal

Rapporteur on follow-up

Committee on the Elimination of Discrimination against Women