

COSTA RICA

Report of Costa Rica on implementation of the Beijing Platform for Action and the outcome of the twenty-third special session of the United Nations General Assembly

May 2004

Introduction

This report responds to a questionnaire sent by the United Nations commission on the legal and social status of women, seeking to complement existing information sources to facilitate the analysis and evaluation to be undertaken by the commission, in its task of monitoring regional and global implementation of the Beijing Platform for Action (1995) and the outcome of the twenty-third special session of the General Assembly (2000).

The questionnaire consists of four parts:

PART ONE:

Brief analytical overview of concrete experiences in implementing the Platform for Action, and the outcome of the twenty-third special session of the General Assembly (main achievements and obstacles).

PART TWO:

Implementation of the critical areas of concern of the Beijing Platform for Action¹ (excluding area H: "Institutional mechanisms ..."), together with achievements in the areas of policy-making, legislative reform, and programmes and projects that have been executed.

PART THREE:

Information on institutional development, national mechanisms, development programmes for line ministries, resource allocation, oversight and accountability mechanisms.

PART FOUR:

The main problems and difficulties that States continue to face, together with future plans and measures to resolve them and achieve adequate implementation of the Platform for Action; and future commitments.

¹ The critical areas of concern of the Beijing Platform for Action are the following: women and poverty, education and training, health, violence, armed conflict, the economy, power and decision-making, institutional mechanisms, human rights, the media, the environment, and the girl child.

PART I

Overview of achievements and challenges in promoting gender equality and women's empowerment

Although Costa Rica can claim a number of achievements on nearly all of the commitments assumed in terms of implementation of the Beijing Platform for Action, this report will focus on the three priority areas:

- (a) Power and decision-making;
- (b) Gender violence; and
- (c) Dissemination and protection of women's rights, emphasizing regulatory aspects.

On the road towards achieving equality and equity in the country, the Costa Rican State established the **National Institute of Women (INAMU)** in April 1998, through **Act No. 7801**. This provided the country with an institutional framework for work on gender, which in itself represents affirmative State action on behalf of equality for women. The Institute was created as an autonomous body, with its own law and resources and a mission to address women's demands; and it represents a landmark in the commitment by Costa Rican State and society towards gender equality and equity and the promotion and protection of women's human rights. One of the main goals of Act 7801 is to consolidate INAMU as a body with a status and attributions that enable it to implement public policies aimed at eradicating the social, political, economic, cultural and legal conditions that preclude women from full enjoyment and development of their human rights.

In addition to creating INAMU, the State has promoted specific legislation to address the needs of women's sectors that warrant special attention because their rights are particularly vulnerable. The promulgation of such laws includes setting up institutional mechanisms to implement them, established through interagency commissions whose main purpose is to promote public policy and programmes to ensure adequate treatment of the problems affecting the target population of the Act in question, particularly women. The relevant legislation includes the following:

Legal instruments passed for implementation of the Platform for Action:

- **Act 7499** of June 1995, in which the Costa Rican State ratifies the **Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women**, an instrument that unreservedly recognizes the human rights enshrined in the American declaration on human rights, and which specifically classifies violence against women as a human rights violation.

- **Act No. 8089** of August 2001, the **Optional Protocol to the United Nations Convention on the Elimination of All Forms of Discrimination against Women**. This reaffirms the decision by States to ensure women's full enjoyment of all human rights and fundamental freedoms, under conditions of equality, and to ensure effective measures to avoid violations of those rights and freedoms.

- **Act No. 7689** of August 1994, **reforming the Family Code** in terms of the processing of

lawsuits, capital gains, technical tests to establish paternity (reform of articles 8 and 41 of the Family Code, and addition of an article 48 bis). This law makes changes to family legislation by broadening criteria for the interpretation of tests in lawsuits; it eliminates the loss of capital gains established in the assets of each spouse, and specifies the repair of damage and harm to be indemnified by the spouse declared blameworthy in a divorce ruling. It also provides for DNA testing in paternity and maternity lawsuits.

- **Act No. 8101** of April 2001, **the Responsible Paternity Act**. The purpose of this legislation is to strengthen protection for children, and to encourage mothers and fathers to share in the upbringing of their children. The promotion of responsible paternity necessarily requires changes in socialization patterns among women and men, especially the latter, and particularly among children and young people.

- **Act No. 7532** of August 1995, **on the Regulation of De Facto Unions**. This law recognizes the family formed as a result of common law unions for asset purposes, and recognizes the rights of couples living in common law unions in the Family Code.

- **Act No. 7654** of December 1996, **the Maintenance Act**. This legislation arises from the need to speed up processes in alimony suits, integrate the legal practices that have been operating while discarding others as inappropriate, and integrate jurisprudence rulings, especially those emanating from the Constitutional Chamber, given the importance of applying the law on maintenance issues.

- **Acts No. 7491** of May 1995 and **No. 7621** of September 1996, **Reforms to article 95 of the Labour Code**: the right to paid leave for maternity and child adoption. The purpose of this legislation is to enable pregnant female workers to earn full pay during pre- and postpartum, breast-feeding and child adoption periods. **Act No. 8107** of August 2001, incorporates an eleventh title to the Labour Code, based on the constitutional right to work and the duty of the State to provide useful and honest occupation, and prohibition of conditions being established that undermine human freedom or dignity as result of any discriminatory act. This legislation arose from the need to establish labour regulations to reaffirm these principles, and prohibit all kinds of discrimination in the workplace; it is clearly a reform of major importance for women.

- **Act No. 7653** of December 1996 reforms the **Electoral Code** to guarantee political participation and representativeness for women. Following ratification of the Convention on the Elimination of All Forms of Discrimination against Women, the Costa Rican State has made a commitment to take steps to eliminate discrimination against women in the country's political and public life, and in particular to guarantee women, under conditions of equality with men, the right to: “..(a) Vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) Participate in the formulation of government policy and implementation thereof, and hold public office and discharge all public functions at all levels of government ...”. It also requires political parties to put mechanisms in place to ensure a minimum 40 per cent participation quota for women in popularly elected posts.

- **Act No. 7878** of June 1999, **Reform of article 76 of the Political Constitution**. This constitutional reform requires the State to ensure the nation's indigenous languages are

maintained and nurtured. Article 76 states: Spanish is the official language of the nation. Nonetheless, the State will ensure the maintenance and nurturing of national indigenous languages.

- **Act No. 7769**, published in May 1998, **on Services for Women Living in Poverty**. This piece of legislation establishes the creation of an Inter-Institutional Commission on services for women living in poverty; it also guarantees improvement of their conditions through a comprehensive training process, with related economic incentives. The commission defines policies and programmes to address women's needs, prioritizing female heads of household.

- **Acts No. 7735** of December 1997 and **No. 8312** of 21 October 2002, **on Services for Teenage Mothers**. The aims of these laws include promotion of preventive, educational, dissemination and training programmes on the implications of teenage pregnancy, targeting population groups both in and out of school, along with Costa Rican families; and actions to promote responsible maternity and paternity, targeting teenagers living in at-risk situations. The legislation creates an interagency commission to define policies and direct services towards this population group.

- **Act No. 7935** of October 1999, **Comprehensive Act on the Older Adult**. This guarantees adults equal opportunities and a life of dignity.

- **Act No. 7446** of February 1995, **on Sexual Harassment in the Workplace and in Education**. This is based on the Inter-American Convention for the Prevention and Eradication of Violence against Women, which recognizes sexual harassment as a form of violence and classifies it as a human rights violation.

- **Act No. 7586** of April 1996, **the Domestic Violence Act**. This law sets out the duties of the State as stipulated in the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women, and gives the National Institute of Women authority as the leading institution for public policies in programmes of detection, care, prevention and labour-market integration for victims of violence.

- **Act No. 7899** of July 1999, **on the Sexual Exploitation of Minors**. This legislation paves the way for the Costa Rican State to comply with article 34 of the International Convention on the Rights of the Child, which requires States to take national, bilateral and multilateral steps to prevent the inducement, exploitation or any illegal sexual activity involving children, such as: prostitution, abduction, sale or trafficking of minors, or their exploitation in pornographic performances or materials. On the basis of this international law, a national commission consisting of public institutions and non-governmental organizations was established to combat the commercial sexual exploitation of children and young people.

Draft laws:

As part of the State's effort to combat and eradicate violence against women, the Domestic Violence Act is currently going through the legislative process (it has been approved by the Legislative Assembly on second reading). This has provoked a series of parliamentary debates between opponents and those fighting to get the legislation passed in order to invoke it in lawsuits where women's inherent human rights are deemed to have been violated.

Progress:

The development of national legal instruments has succeeded in advancing women's rights in Costa Rica. The main progress achieved in this field includes the following:

- Ownership and discussion of the issues among the public at large; this has removed the topic from the purview of the select few, generating public opinion and knowledge on the subject, and acting on the political-cultural component of the law.
- Overcoming the “naturalness” and social acceptance of acts perpetrated against women (including violence).
- Generation of legal concepts relating specifically to acts affecting women per se (e.g. sexual harassment, which was previously subsumed in the traditional category of gross misconduct).
- Creation of legal instruments that are innovative in both form and content, to break away from traditional rationales.
- Removal of a number of male privileges that place women at a disadvantage, in order to improve the general status of women.
- Overcoming the false dichotomy between public and private affairs, in order to incorporate democratic values in the private domain (on issues such as domestic violence, and legal and economic co-responsibilities in the family).
- Progress on the formal regulatory component of the law.
- In 1999-2004, interest has been maintained particularly by public institutions specializing on this issue (INAMU, the Office of the Commissioner for Women, the Special Permanent Commission for Women in the legislature, and so forth), along with women's and civil society organizations, to join forces to act in formulating laws with a gender perspective. The National Institute of Women (INAMU) has also promoted the establishment of mechanisms in the different branches of government to implement public policies allowing for the implementation of international and national legislation aimed at overcoming the wide gap that exists between rhetoric and practice on issues of equity between women and men.

These advances have helped consolidate a series of measures including the following:

Measures:

- Permanent monitoring of legislative bills relating to the recognition of women's rights and their incidence. through gender-sensitive criteria issued by national mechanisms for the advancement of women's rights.
- Definition of a legislative agenda involving progressive laws promoting recognition of women's labour, political and economic rights; the right to a life free from violence, the rights of the child, public institutionality for gender equality and equity, the rights of older adults and indigenous persons, the right to health, and the right to justice.
- Ratification of international and national laws for the advancement of women's rights.
- Creation and sustainability of mechanisms for gender mainstreaming in the executive and judiciary branches of government (2000/2003).
- The sustainability of national mechanisms for women's rights, in the face of traditional family attitudes that seek to reverse the commitments and progress achieved as a result of the Fourth World Conference on Women, as set out in the Platform for Action.
- The Beijing Platform for Action and its critical areas of concern, coordinated with conventions recognizing women's rights, has been a point of reference and permanent

orientation for policy formulation and work plans.

- The commitment made by the Costa Rican State to CEDAW to submit gender-sensitive reports on a timely basis.
- An example of good practice is the work done in inter-institutional commissions for monitoring and applicability of the laws promulgated.
- Actions to disseminate legal bills with a gender perspective that promote recognition of women's rights.
- Actions to strengthen institutional and citizen capacities to coordinate commitments to move from formal to real equality for the elimination of all forms of discrimination that persist against women.
- Creation of a mechanism to monitor compliance with women's rights by the Costa Rican State (Status of Women's Rights in process).
- Protection and promotion of the human rights of women, through a Specialized Centre, and coordination of legal services (CEPRODEM in process of implementation).
- Analysis of the interpretation of the law in constitutional processes against discriminatory practices toward women (Ideological Political Framework, in process).
- Dissemination of legal information (for women's access to knowledge).
- Dissemination of conventions on women's human rights in human rights education.
- Approaches in education on women's human rights through inter-learning processes aimed at evaluating the impact of actions and generation of changes.
- Establishment of an inter-institutional consultative commission to monitor the recommendations made by CEDAW to the Costa Rican State (in process).

Constraints:

The document *Balance del Estado de Costa Rica 1995-1999*, which assesses the results achieved in the first five years of implementation of actions contained in the Platform for Action of the Fourth World Conference on Women, held in Beijing, describes the conceptual progress made on women's human rights in Costa Rica.² Nonetheless, the process of eliminating male-centred biases in national legislation, and particularly in the Political Constitution, has been slow and laborious, because the law is a social phenomenon in which women's specific needs and interests are persistently rendered invisible.

Costa Rica's ratification of the Convention on the Elimination of All Forms of Discrimination against Women in 1984 represents a starting point that paved the way for a reconceptualization of the principle of formal equality between persons, based on equality while respecting differences. Legislative action on behalf of gender equality and equity in this century needs to be driven by a different legal rationale that makes a genuine contribution to progress in the national legal system, allowing for effective and speedy access to justice and human development among women.

The term "discrimination" understood as differences in treatment, thus acquires a new content defined by exclusions from women's rights.³

² *Balance del Estado de Costa Rica. Plataforma de Acción de Beijing. Logros y Desafíos.* Minister for Women's Affairs, National Institute of Women, Costa Rica, 1995-1999.

³ Report of the State of Costa Rica on Compliance with the Convention on the Elimination of all Forms of

Obstacles:

- Despite the major efforts deployed by the Government of Costa Rica, actions to uphold women's human rights and enforce gender policies still need to be strengthened, along with those promoting access to justice and public resources.
- Greater efforts are needed to promote the advancement of women in rural areas.
- Indigenous, and Afro-descendant women generally, still face prejudice and lack of credibility that obstructs their access to justice.
- Although women in Costa Rica exercise considerable political power, and many political posts are held by women, there is still much to be done and many targets to achieve.
- Communication channels in the public domain should do more to publicize the commitments made by the country on women's human rights and gender theory.
- The political will exists to fulfil international commitments on women's human rights, but greater efforts are needed to ensure consolidated steps.
- In academic study plans and programmes at the higher education level, the gender perspective and the human rights of women still need to be incorporated on a permanent basis.

National development

National plans of action

The National Development Plan of the Pacheco de la Espriella Government (2002-2004) prioritizes the advancement of women as a fundamental sector of society for the country's development, encompassing the following issues:

Government policies and strategic actions

The current Government aims to promote public policies for social and gender equity in order to eliminate the inequities that exist between women and men in access to jobs and both productive and financial resources, especially among women living in poverty. This takes cognizance of the constraints and alternatives offered by a globalized economy, in addition to promoting and supporting equitable access for women to scientific and technological knowledge. This effort is being implemented through the following policies and strategic actions that have been consolidated as major achievements during the current administration:

The housing sector is promoting the Programme of Services for Women Heads of Household, which aims to provide housing solutions for women heads of household living in poverty and extreme poverty; its target for 2002-2006 is to benefit an estimated 23,992 women living in the such conditions.

The interagency programme *Creciendo Juntas* [Women growing together] aims to strengthen women living in poverty, to enable them to create and obtain affective and cognitive tools to promote personal and collective change aimed at overcoming their poverty condition; the programme's goal is to provide training for 16,000 women.

Discrimination against Women, corresponding to the period 1 April 1998 to 31 March 2002, pp. 17 and 172-173, September 2002.

The Strengthening for Life training programme, to develop individual and collective leadership and citizenship capacities among young girls, teenagers, teenage mothers and young women, extends coverage to adolescents living in situations of poverty and social risk, and aims to provide training to 16,000 young people (including teenage mothers).

The incorporation of women in non-traditional specialist technical training courses in technical colleges, aims to open up new opportunities, for which an increase in women's enrolment of roughly 5 per cent per year is proposed in each non-traditional area, to reach a level of 20 per cent by 2006.

The Women's Vocational Training programme, targeting women over 15 years of age, aims to incorporate women in training actions to facilitate their labour market entry; it has a target of 260,000 women with vocational training by the end of the period (INA).

At the same time, two other projects will be implemented: creation of a National Programme of Childcare Centres, with a view to making it easier for women to enter the labour market, thereby making a positive impact on the quality of their life, with 60 per cent coverage in line with demand for the care of children living in poverty.

The system of Labour Market Certification with a Gender Equity Seal, which aims to promote a change of attitude and management in firms and both private and public organizations in Costa Rica, seeking to strengthen investment in the country's human and social capital under conditions of gender equality and equity.

The programme for the provision of credit, technical assistance and commercialization opportunities, in line with a supply of State services, includes the gender perspective and women's diversity in terms of age, and ethnic and geographic groups. The programme aims to facilitate access to financial resources with collateral and interest rates that match women's particular needs and characteristics; it aims to extend credit to 60 per cent of women applying for financial resources.

In the case of State action on domestic violence, efforts can be identified in various domains:

The National Plan for the Care and Prevention of Violence from and within schools, aims to eradicate violence in educational spaces. By 2006, the plan should be implemented in 75 per cent of schools across the country.

Specialized services will be strengthened for the prevention of domestic violence, guaranteeing continuous and regular provision of specialized care services and temporary shelter for women victims of violence, along with their children, in specialized centres located in Pavas, Puntarenas and Limón.

Comprehensive programmes for prevention, care and social reintegration in domestic violence cases will be strengthened in all units of the Costa Rican Social Security Fund (CCSS). By 2006, 100 per cent of the norms on comprehensive domestic violence care should be applied in all units

of the institution. In addition, detection and declaration of domestic violence cases will be made compulsory by including domestic violence in the data register of each consultation. By 2004, 100 per cent of basic comprehensive health teams (EBAIS) should have the data register in place with the domestic violence issue implemented.

At the local level, prevention of domestic violence will be promoted through networks, for which the intention is to establish and prepare local interagency and inter-sectoral networks, to act as multipliers of preventive actions against domestic violence. By the end of 2006, the networks should be established and fully functioning in all CCSS health areas.

In the health care domain, there is a specialized care programme for teenage mothers, which will be taken over by the CCSS under quality criteria established in the manual on comprehensive health care for teenage pregnancy, maternity and paternity. By 2006, the aim is for the programme to be providing specialized prenatal checkups for 75,000 pregnant teenagers.

In joint action between the Ministry of Health and the CCSS, the National System for Maternal Mortality Analysis will be strengthened to make progress in preventing deaths among women as a result of pregnancy, childbirth and puerperium, with special emphasis on the province of Limón and marginal areas of the province of San José. The target for 2002-2006 is to analyse 75 per cent of the maternal deaths that occur.

Challenges:

Diagnostic studies carried out between the Government and officials of the National Institute of Women (INAMU), identified the following main challenges facing Costa Rican society as regards women:

Reduce the feminization of poverty.

This social trend is basically characterized by the presence of female heads of household in poor families, a phenomenon that is closely linked to the high percentage of children born outside marriage, the large number of children without a declared father, and a rising proportion of births occurring to mothers under 20 years of age.

Improved educational and labour conditions for women.

The educational status of Costa Rican women has been improving, with women outnumbering men at all levels of the formal education system, although their participation is less in scientific courses. The economically active population has grown twice as fast as the male population and is mainly located in the service and commerce sectors; women account for nearly half of all persons employed as technical professionals, especially in the public sector, although they hold less than one third of leadership posts. The number of women business owners has grown, especially in the rural area. Rates of open unemployment and visible underemployment are higher among women than men.

Reduce domestic violence.

Approval of the Domestic Violence Act and the Act on the Sexual Exploitation of Minors, drew attention to two of the phenomena that most seriously violate women's personal safety and health. Nonetheless, violence against women remains one of the most tangible and serious

manifestations of violence occurring at the present time. To overcome this problem, the State must promote, steer and monitor public policies for the care, prevention and eradication of all manifestations of violence against women in Costa Rica, together with actions and specialized services for the prevention of gender violence and care for women who are subjected to it.

Improve the health status of women.

The State should promote the formulation of policies for universal access to a system of health services and social security, focusing on comprehensive care and women's rights at all stages of the life cycle, and highlighting the serious problem of teenage pregnancy.

Make progress on gender equality and equity from the State.

The State should promote, facilitate and monitor the design and development of gender policies ensuring effective access for women to justice, progress in terms of legislation, and full exercise of their citizenship; and it should promote and ensure fair participation by women in decision-making spaces, and full exercise of their political rights.⁴

Budgetary reforms

The national public expenditure budget has been cut by 40 per cent during the current administration, thereby putting constraints on programmes and projects to improve the condition of many women in Costa Rican society who largely depend on actions by government bodies to optimize their quality of life.

The historical financing shortfall faced by INAMU since its creation thus directly and significantly undermines the possibilities of the national mechanism carrying out effective in-depth work to fulfil the agreements of the Beijing Platform for Action; this is a political decision that comprehensively affects INAMU, and by extension, all women and their rights in Costa Rica.

⁴ Source: National Development Plan (2002-2006).

PART II

Progress in implementation of the critical areas of concern of the Beijing Platform for Action, and further initiatives.

Critical area of concern

A. Human rights of women

(1) Women and poverty

One of the critical areas of concern identified in the Platform for Action of the Fourth World Conference on Women, held in Beijing (Beijing, 1995), was the “persistent and increasing burden of poverty on women”; and strategic actions were proposed to overcome this. The advances and achievements obtained, and measures to be taken, include the following:

1.- The Comprehensive Training Programme for Women Heads of Household, was instituted by Executive Decree on 13 November 1995, in order to provide prioritized services for the country’s most vulnerable groups, including low-income women heads of household. The programme was upgraded from a government policy to a State policy in April 1998, through Act No. 7769, on Services for Women Living in Poverty. Based on this legal framework, the Costa Rican State assumes responsibility for providing services for women living in poverty, especially those who are household heads, through comprehensive, interagency services with a gender perspective. Act No. 7769 creates the National Inter-Institutional Commission on Services for Women Living in Poverty, specifying that such services should ensure an improvement in women’s conditions of life, through a comprehensive training process containing at least the following: training in human life skills, technical training for employment, labour market and productive participation, access to decent housing, and economic incentives linked to training processes. One of the instruments implemented by this law is the *Creciendo Juntas* programme, which aims to “implement a comprehensive set of inter-institutional services with a gender perspective, to serve the needs of women living in poverty. These involve personal and collective strengthening, together with technical and labour-market training to enable them to enter the labour market or productive activity in conditions of equality and equity” (Programme of Services for Women Living in Poverty, 1999). Among its other functions, INAMU is responsible for executing the component on women’s personal and collective strengthening.

2.- In 1995-1998, a total of 25,000 women were benefited in the human training component of the Comprehensive Training Programme for Women Heads of Household (*Del Silencio a la Palabra*, Marengo, Leda et al, 1998). Based on Act 7769, on Services for Women Living in Poverty, from 1999 to 2003 a total of 24,067 women have benefited from the women’s personal and collective strengthening component of the *Creciendo Juntas* programme, receiving a temporary subsidy (*Women’s Area Report*, IMAS, 2004).

The qualitative impact of the processes reveals a strengthening of women’s personal and collective capacities to defend their human rights, since they have information and knowledge on the legislation that protects them and the mechanisms available, along with enhanced capacities

and skills to demand services and resources for access to the labour market and self-employment. Women themselves claim that they feel greatly strengthened and better prepared to face life. The number of women participating in technical training processes rose to 4,903 during the period 1999-2003, with a further 3,826 participating in educational processes. There are currently 251 individual and collective projects, with a total participation of 885 women. This period represents a qualitative change over the last two years with respect to the programme, in terms of better coordination of human life-skill training with technical training and education processes, with several initiatives to guarantee access to credit for women with business ideas, both individually and on a collective basis. In this regard, the Trust Fund 73-2002 BICSA-IMAS-BANACIO is currently in the process of obtaining approval in the framework of Act No. 7769. Establishment of this trust fund should benefit all women living in poverty in Costa Rica, who need credit to consolidate their business ideas, but have been rendered ineligible for bank loans because of their poverty status.

3.- Despite the above and the existence since 1999 of the programme targeting women living in poverty, the target population in the women's personal and collective strengthening component of the *Creciendo Juntas* programme has shrunk significantly. Whereas 5,000 women were benefited in 1999, the number dropped to 4,000 women per year in 2000-2003. In 2004, the number fell further to 2,520 women as a target to be served in the programme's personal and collective strengthening component. This reflects a reduction in the national budget for social projects and programmes targeting women living in poverty.

4.- The low levels of schooling among women participating in the programme makes the process of labour market integration even slower, since women previously need to undergo a technical and educational training process. In addition to this, discrimination based on their status as women living in poverty further aggravates the difficulties they face in entering the labour market.

5.- Participating women need childcare opportunities, to facilitate their admission into technical, educational and labour-market training processes.

6.- Despite the existence of targeted programmes to reduce poverty among women (*Construyendo Oportunidades* and *Creciendo Juntas*), Costa Rica continues to face a growing phenomenon of "feminization of poverty", in that women are increasingly more exposed to poverty than men. Figures from the Multipurpose Household Survey show how female heads of family display higher percentages of poverty than men, and this difference persisted throughout the 1990s.

The increase was particularly noticeable in urban areas among poor households headed by women. The evolution of families living in poverty in 1989-1997, by sex and place of residence, shows that poverty mostly affected rural areas and regions outside the Central Valley, in terms of the average of all households nationwide and those headed by women. From 2000 and 2002 onwards, the percentage of poor households in the country increased slightly. In 2001-2002, although there was a slight reduction in extreme poverty, basic poverty increased, which is a significant indicator of the social divide. The proportion of poor households headed by women also increased, from 31 per cent of all poor households in 2000, to 32.1 per cent in 2001. This

increase was seen in both urban and rural areas, rising from 37.6 per cent in 2000 to 38.6 per cent in 2001 in urban areas, and from 25.3 per cent to 26.0 per cent in the rural sector (data obtained from the article *Pobreza y exclusión social* posted on the INAMU website, 2004).

7. Poverty eased by 2.1 percentage points in 2003, dropping from 20.6 per cent in 2002 to 18.5 per cent. Of the total number of poor households in 2002 (173,200), 29.9 per cent were headed by women, whereas in 2003 the proportion of women living in poverty rose to 32.5 per cent, despite the number of poor households decreasing in absolute terms (168,659). Although the number of poor households decreased, the percentage headed by women living in poverty grew. In 2002, the proportion of extremely poor households headed by women was 34.5 per cent, rising to 36.2 per cent in 2003. The proportion of households with unmet basic needs stood at 28.1 per cent in 2002, rising to 31.1 per cent in 2003. In both categories used by the National Institute of Statistics, the percentage of women living in poverty increases (data taken from the working paper *Situación de las mujeres: Derecho a la información* prepared by the Specialist Information Area, INAMU, 2003).

8. A quantitative study by the National Institute of Women (Women's Groups: Statistical Differences. June 2003) points out that the most vulnerable groups in the country are young and adolescent girls, emigrant and indigenous women and older adults.

9. Another of the initiatives adopted by the current Government has been the National Plan to Overcome Poverty and Strengthen Human Capacities "Vida Nueva 2002-2006", which posits the need for a comprehensive approach towards poverty reduction. The plan proposes basic components such as: (a) Universal Policies and Human Capacity Development; and (b) Overcoming Poverty, targeting families living in conditions of basic and extreme poverty. The Costa Rican State, in conjunction with members of society, have an obligation to eliminate practices such as domestic violence, child abuse, unequal valuation of work done by women and men, undesired pregnancies, sexual exploitation, and so forth. The institutional contribution of INAMU to the National Plan to Overcome Poverty includes two areas of action aimed at ensuring gender equality and equity in overcoming poverty and developing human capacities, namely: **1.-** Strengthening of institutional capacities for gender equality and equity, in order to put the Costa Rican State in a position to effectively respond to the requirements of the female population in all their diversity. **2.-** Citizen participation by women in the *Vida Nueva* plan. Accordingly, the various demands and proposals of women and men living in poverty should be taken into account.

(2) Women and health

Progress made in implementing the Beijing Platform for Action in relation to women's health has stressed two aspects: promotion of the right to sexual and reproductive health; and review of the comprehensive health care model for women. Various efforts have been directed to this end:

- Sexual and reproductive health has been included in the 2003-2006 National Health Policy.
- The General Health Act is currently being revised from a gender perspective.
- A special chapter on sexual and reproductive rights has been prepared for inclusion in the ongoing revision of the General Health Act (the document was prepared with participation from various government and non-governmental organizations).

- The manual of rules and procedures on comprehensive care and prevention of uterine and breast cancer is being reviewed from a gender perspective, with a special chapter being prepared on the right to citizen participation and influence in healthcare development and planning processes, and social oversight of the way the rules are implemented.
- A steering group was set up to evaluate the Comprehensive Health Care Model for Women, which was implemented as a four-year experience in the women's hospital, the Acosta, Aserrí and Desamparados health areas, and among women in local communities. The aim this year is to facilitate critical reflection on the scope of the experience, to identify lessons learned and the key outcomes of this experience that could be replicated in the national health system. It is hoped to produce a document setting out the main guidelines and viable actions to be integrated into the system, with active participation and express commitment from the country's health authorities which are responsible for maintaining the prioritized aspects.
- INAMU participation was achieved in the intersectoral commission that is revising the disability, old-age and survivor pension scheme of the Costa Rican social security system, which includes a list of problems prioritized by women relating to their access to social insurance. The aim is to influence public policy formulation in relation to social security for women, taking account of their diversity, particularly including a gender and ethical approach in discussion of the need to expand rights in the framework of the debate on the universalization of social insurance. The goal is to facilitate women's access to social security systems under conditions of equality with men throughout their life cycle. To participate in this mechanism, an interlocutor group is expected to be formed, consisting of women representatives from various sectors. The intention is to engage in dialogue at the start of negotiations with the CCSS, as well as midway through the process and at the end, in order to maintain fluid communication with women throughout, relating to progress of the debate, and turning this mechanism into an opportunity to enrich the proposals based on the interests and needs of women themselves. This group will also encourage the establishment of a network of women's organizations to monitor the topic of social security access.
- A technical document was prepared with representatives from government institutions and NGOs, on conceptual and legal aspects relating to emergency contraception. Two instances have been identified as suitable for broaching this subject. An initial instance arises from scientific knowledge of emergency contraception, and the conceptual and legal aspects that make it possible to embark upon a review and analysis of the situation in Costa Rica. The second instance, of a policy nature, aims to initiate debate on the political and technical feasibility of providing women with emergency contraception through public services in the national health system, as an irregular contraceptive method to prevent undesired pregnancy resulting from an unprotected sexual relation, or as a result of rape, and the right to truthful and timely information.

(3) Women and education

In the education sector, a strategic action plan was prepared under the title "National Education System. Towards a Culture of Gender Equity". The plan was made official in 2000, and execution of 21 strategic actions began, aimed at promoting equal access for women to services provided by the Ministry of Public Education (MEP), with targeting based on the needs and interests of the female population. As a concrete outcome in 2001, INAMU reviewed the basic

contents of the three education cycles, and prepared 12 modules that were submitted in late 2003 to the Ministry of Public Education (modules in the “Non-Sexist Education” collection).

Since 2000, INAMU has provided advisory services for incorporating the gender perspective in study programmes for the various subjects included in the first, second and third cycles of diversified education. Documents for the “Non-Sexist Education” modules generally include elements that attempt to:

- Highlight the importance of using gender-sensitive and inclusive language that makes women visible.
- Highlight women’s protagonism and contribution to various areas of knowledge.
- Recognize and value the contribution of domestic work to the national economy.
- Stimulate the exercise of male and female non-traditional roles in the various activities, both within and outside school.
- Promote values and attitudes that generate equitable relations between women and men.
- Strengthen the values of equal opportunities, equity, gender democracy, self-determination, active citizenship, respect for diversity, etc.
- Value the specific characteristics of women and men positively and equally.
- Promote shared work on equitable basis between the sexes, in productive and reproductive activities.
- Adopt a critical attitude towards situations of gender inequality, discrimination and marginalization faced by women.
- Promote recognition, rejection and denunciation of situations of gender violence.
- Highlight difference and promote equal access to and control of resources, benefits and opportunities.
- Incorporate gender specifics in analyses, diagnostic studies, investigations, statistics, examples used, and other learning tools.

In addition, there is the project for “Equal Entry of Women and Men in Various Competitive Technical Specialization Courses”. This forms part of the action plan entitled “National Education System. Towards a Gender Equity Culture”, which coordinates efforts by various MEP bodies, in order to promote the incorporation and permanency of women on a basis of equality with men, in various competitive technical-professional specialization courses offered by professional technical colleges. Of the total enrolment in technical colleges in 2003, 50 per cent were women.

INAMU also participates in the Council for Comprehensive Education on Human Sexuality, contributing a gender, rights and generational perspective to the discussion in the Council’s work. The policy on Education for Expression of Human Sexuality was also approved in 2001.

A brief description of a project classified as good gender practice in the Costa Rican education domain is provided below:

The title of the project is “**Equal Entry of Women and Men in Various Competitive Technical Specialization Courses**”. The institutions involved are: the National Institute of Women, the Technical Professional Education Department of the Ministry of Public Education, the Department of Guidance and Student Life of the Gender Equity Unit of the Ministry of

Public Education, and the European Union.

Key objectives:

- Promote the incorporation and permanency of women on a basis of equality with men, in various competitive technical-professional specialization courses offered by professional technical colleges, as an expression of equal opportunities in education.
- Strengthen and promote the supply of technical professional colleges, in line with the needs and interests of women reflecting productive change in the labour market, and competitiveness challenges that require human resources of excellence, that are experienced, trained in new technologies, and also versed in fundamental values that allow them to perform their functions efficiently to satisfy market demands in the globalization context.

(4) Women and employment

Based on the agreement between the Ministry of Labour and Social Security and the National Institute of Women, which was in force from 2000 to 2002, a Strategic Gender Equity Plan was prepared and successfully executed, paving the way to address the labour rights that the Costa Rican State has not yet succeeded in securing for women.

The agreement allowed for the creation of a Gender Equity Unit, a mechanism which, in conjunction with INAMU, succeeded in extending the lifetime of the Strategic Gender Equity Plan for 2003-2006, incorporated in the ministry's institutional planning with its own budget.

The Gender Equity Unit is responsible for coordinating the plan, with direct and constant assistance from the INAMU employment specialist. The plan has four dimensions: 1.- Institutionalization and strengthening of the Gender Unit; 2.- Promotion and dissemination of women's labour rights; 3.- Institutional capacity strengthening (gender training and awareness raising for staff members of both sexes); 4.- Gender mainstreaming in daily institutional affairs and in policies emanating from the Ministry of Labour and Social Security (MTSS). In addition, a Presidential Directive is being processed that aims to cover all ministries and autonomous bodies in the executive branch of government.

In order to bring adult women, pregnant teenagers and mothers living in poverty into productive activity, two nationwide interagency programmes were created by law: *Creciendo Juntas* (promoted by the INAMU Active Citizenship, Leadership and Local Management area), and *Construyendo Oportunidades*, promoted by the Construction of Identities and Life Projects area.

In 2002, the two programmes benefited 8,752 women and have projected coverage of 5,000 women in 2003. For 2004, the programmes will work with a total of 7,000 women (4,000 in *Creciendo Juntas* and 3,000 in the *Construyendo Oportunidades* programme).

As part of the training process for participants, the two programmes aim to strengthen women's personal and social resources, in order to enhance their entry into the labour market and/or education under conditions of equality and equity. They also promote various initiatives aimed at guaranteeing effective access for women to the technical training, employment, credit, health

care and other services included in those programmes. A brief description of the *Construyendo Oportunidades* programme is provided below.

Construyendo Oportunidades

This programme targets pregnant teenagers or mothers living in situations of social risk. INAMU is joint holder of the technical secretariat of the National Technical Commission, which enables it to direct the work so as to include the gender, generational and human rights perspective. It is from that coordination mechanism that the perspectives and actions developed by the programme are permeated.

Institutions involved:

The following institutions participate in this inter-institutional programme: the Costa Rican Social Security Fund which implements healthcare; the National Institute of Apprenticeship, responsible for expanding technical training opportunities; the Joint Institute for Social Assistance, which is responsible for providing economic subsidies; the National Children's Office, which directs its actions towards protection for both adolescents and their children, and promotion of their rights; the National Institute of Women which provides technical leadership for the programme; the Ministry of Labour and Social Security, which is responsible for expanding employment opportunities for participants and training for employability; and the Ministry of Education which is responsible for expanding formal study possibilities.

Objective:

- Promote a comprehensive care model that provides young girls and pregnant teenagers, and those living in situations of social risk, opportunities for personal strengthening and development of their autonomy, through participation in training processes to strengthen their life skills (component run by INAMU), together with effective access to a comprehensive supply of health and education services, labour market integration (responsibility of the Ministry of Labour and Social Security), and services providing care and attention for their children.

The programme's lines of action are as follows:

- **Information, education, strengthening and participation** by young girls, pregnant teenagers and mothers.
- **Dissemination and promotion of rights** for this population group targeting the couple, family and community who facilitate support relations.
- **Training** of technical and professional staff responsible for services providing care and training for young girls, pregnant teenagers and mothers.
- **Organization of a comprehensive range of services** for young girls, pregnant teenagers and mothers, both centrally and locally.
- **Monitoring of compliance with specific legal regulations, and review of current technical administrative procedures** in relation to services for young girls, pregnant teenagers and mothers.
- **Interagency and intersectoral coordination** at the central and local levels to plan, execute, monitor and evaluate actions.
- **Research and information** making it possible to deepen understanding of the situation of young girls, pregnant teenagers and mothers, along with institutional responses. This

line of action will set up an information system for permanent monitoring of the programme's actions and achievements.

The programme covers an average of 4,000 pregnant teenagers or mothers per year, involving an annual total of approximately 14,500 births to teenage mothers and adolescent women living in conditions of social risk. A target of 3,000 adolescent women was set for 2004.

In 2002, Executive Decree No. 30041 -P-MCM established coordination and execution mechanisms for the *Construyendo Oportunidades* programme, thereby making this action official public policy.

(5) Women and entrepreneurship

The Women's Entrepreneurship Commission:

Since 2001, the Women's Entrepreneurship Commission has been operating under INAMU leadership, as an interagency mechanism promoting business ideas and projects to enable women to improve their conditions of life, particularly in rural areas.

This commission has been supported from the outset by the Costa Rica office of the Inter-American Institute for Cooperation on Agriculture (IICA). It currently consists of the following institutions and departments: the Ministry of Economic Affairs, Industry and Trade; the Ministry of Agriculture and Livestock; the National Production Board; the MAG Rural Development Programme; the Agriculture and Livestock Extension Service; the National Groundwater, Irrigation and Drainage Service; the Costa Rican Fishing Institute; the Costa Rican Tourism Institute (microenterprise section); the National Apprenticeship Institute; the National Development Bank of the National Bank of Costa Rica; the Women's Commission and Management of Banco Popular y de Desarrollo Comunal; the Planning Secretariat of the Agriculture and Livestock Sector; the Institute of Agricultural Development; and the Joint Institute for Social Assistance.

Two goals have been proposed for the commission this year:

- Validate with State officials and income-generating groups, three instruments of interagency use to promote entrepreneurship with a gender perspective; and
- Promote interagency use and political support for the instruments generated.

Instruments for the use of public officials of both sexes that are currently under construction and validation include:

- An instrument for measuring risks and potentials with a gender perspective, in groups; especially women income-generators;
- An action protocol for the promotion of business management with a gender perspective;
- A module for the formulation of business projects with a gender perspective aimed at public officials.

INAMU actions have targeted introduction of the gender perspective in the commission's work and its technical results, and strengthening of the legitimacy and official nature of the

commission itself.

(6) Discrimination against young girls

Current international and national legislation on the inherent rights of children and adolescents are as follows:

Current international and national legal framework

Legal framework	Date of adoption
Convention on the Rights of the Child	18 July 1990
Beijing Platform for Action	1995
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	4 March 1986
Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women	18 April 1995
Code on Childhood and Adolescence	6 February 1998
General Act on Protection of Teenage Mothers	1997, amended in 2002
Responsible Paternity Act	April 2001

National legal framework and other initiatives:

- **Act No. 8261** of May 2002, **General Act on Youth**. This law aims to formulate and execute public policies to create opportunities and increase the potential of young people to achieve comprehensive development and exercise of citizenship. It operates under the leadership of an Inter-Institutional Council.

The Code on Childhood and Adolescence, mentioned above, enables the country to incorporate a new ethic and conceptual framework to address problems of childhood and adolescence from the standpoint of the comprehensive protection doctrine. In contrast, the General Act on Protection of Teenage Mothers provides for specific actions to be taken by public institutions to guarantee the protection of their human rights.

- The country also has a comprehensive system operating for protection of the rights of the child and adolescents, consisting of the **National Childhood and Adolescence Council**. This body has participation from State institutions (headed by the National Children's Office, the governing body for public policies on behalf of childhood and adolescence), together with non-governmental organizations, universities and the business sector, childhood protection boards

and committees overseeing the rights of children and adolescents.

Its main task is to promote public policies to guarantee access to and protection of the human rights of children and adolescents.

Good practices:

The National Institute of Women has created the Construction of Identities and Life Projects area, with the general aims of promoting public policies on equality and equity of opportunities and the rights of young girls and adolescents, based on sociocultural patterns that favour gender equality and equity in processes of socialization and the construction of identities and life projects, as well as promoting public policies that encourage co-responsibility in the upbringing of children and responsible parenthood.

As from August 1999, this area began execution of the **Construyendo Oportunidades programme**, as described above.

B. Women and violence

INAMU has an area that is responsible for overseeing all matters relating to gender violence. Its mission is to stimulate and promote the development of State public policy to prevent and eradicate gender violence, through interagency and sectoral coordination.

One of its priority functions is to establish strategic mechanisms to consolidate the National System for Care and Prevention of Domestic Violence as a State policy. The strengthening of this system implies effective decentralization of policies for care and prevention of domestic violence, through local care and prevention networks, with broad participation by the community and civil society generally.

The **main advances** achieved by INAMU on the prevention of domestic violence include:

1. Change of legal status of the National Institute of Women, giving it authority to provide leadership on public policies for gender equity.
2. Creation of an employment area in INAMU, specializing in gender violence, with a corresponding allocation of human and financial resources. During the 1994-1998 government administration, actions carried out in this field were based on a programme that lacked permanent human resources and regular budget appropriation.
3. The commitment obtained from the President of the Republic with the National System for Care and Prevention of Domestic Violence, despite a change of Government. Support was offered through Presidential Directive No. 18, published in La Gaceta on 23 March 1999, in which the President instructed ministers and the executive presidents of Autonomous Institutions to fulfil the responsibilities established in the Decree creating the System (No. 26664-C-J-PLAN-MTSS-MIVAH-S-MP-SP, of 19.12.1997).
4. The provision and expansion of high-priority specialized services for women affected by domestic violence and their children, such as the Women's Delegation, shelter homes and the emergency 9-1-1 phone line. There are three shelter homes located in Cartago, Puntarenas and Limón, which are financed with government funds and operated by purchasing services

- from the private sector, under strict supervision by the INAMU Gender Violence Area.
5. The emergency phone line to report acts of violence is operated by the 9-1-1 service, through a partnership between the National Institute of Women and the Costa Rican Electricity Institute. The phone line is operated by volunteers and INAMU officials, who offer specialized counselling and guidance.
 6. Effective and timely technical assistance offered to the Monitoring Commission of the National System for Care and Prevention of Domestic Violence, to fulfil the functions of leadership and evaluation of public policy on domestic violence.
 7. This assistance includes preparation of the work programme and documentation needed by individuals participating on the commission, in addition to facilitation and provision or management of technical advisory services demanded by the four working subcommissions, namely:
 - ✓ Subcommission on Information and Evaluation
 - ✓ Subcommission on Access to Support Resources
 - ✓ Subcommission on Services for Children and Adolescents
 - ✓ Subcommission on Services for Older Adults
 In addition, advisory services are offered to commissions or institutional mechanisms dealing with the problem of domestic violence in the various institutions and organizations participating in the national system, depending on the capacities of technical staff.
 8. Management and approval of external cooperation projects with the Fundación Mundo Solidario - Phillips Morris, and the Organization of American States, which provided funding for inter-learning processes with justice sector and police workers, and to upgrade equipment in the domestic violence area. These projects also contributed to the campaign for a life free from violence, reproduction of printed and visual materials, and consulting services required for systemization of the National System for Care and Prevention of Violence.
 9. The compilation, analysis and processing of complaints of poor service provided by public institutions relating to domestic violence. The number of complaints received is very small, and their solution requires coordination with the institutions in which the people in question work, or which operate the services subject to complaint.
 10. The promotion and establishment of 14 new local networks for care and prevention of domestic violence, and the holding of two national-level meetings with representatives from the 30 networks currently operating.
 11. Completion of over 100 training actions aimed at strengthening capacities to implement public policy on domestic violence, with an average duration of 80 hours each.
 12. Training of legal advisers in domestic violence drawn from grassroots organizations in the cantons of Alajuelita and Quepos.
 13. Production of didactic material facilitating the analysis of issues dealt with in training processes, and dissemination of information on services for care and prevention of domestic violence.
 14. Technical assistance provided to staff from the eight Municipal Women's Offices that offer services to women and other family members affected by violence: Coronado, Moravia, Goicoechea, Escazú, Desamparados, San Carlos, Alajuela and Puntarenas.
 15. Inauguration of a supervision group for cases of violence, as a continuous training service in the gender violence area.
 16. Compilation and systemization of information on domestic violence generated by the National Institute of Women, and dissemination thereof in the media, in order to draw

attention to the actions needed to prevent and eradicate violence.

17. Production of rules for technical supervision of care services in domestic violence situations: Emergency 9-1-1 phone line and shelter homes.
18. Active participation in formulation of the legislative bill criminalizing violence against women, and in political negotiation to have it included on the legislative agenda.
19. Production of the fourth, fifth and sixth phases of the campaign for a life free from violence.
20. Coordination of the organizing committee of the commemorative march of 25 November, “Day of Non-Violence against Women”, held in 1999, 2000 and 2001.
21. Facilitation of an inter-institutional technical commission responsible for the design and validation of a model for dealing with adult offenders.

The main challenges are as follows:

1. Keep the issue of domestic violence on the public agenda, through actions undertaken in the five intervention areas of the National System of Care and Prevention of Domestic Violence: prevention, promotion, detection, care and inter-learning.
2. Maintain and expand political support for public policy on domestic violence, from the executive, legislative and judiciary branches of government, in terms of:
 - ✓ Increasing investment in services of care and prevention of violence, ensuring their inclusion in annual institutional operating plans, so that they can be evaluated and receive the corresponding resource allocation. Strengthening support resources in technical education, housing, employment and shelters warrants special attention, along with continuity of the media campaign for a life free of violence.
 - ✓ Strengthening the legal framework on domestic violence, by approving the law criminalizing violence against women, and the law on the National System of Care and Prevention of Domestic Violence.
 - ✓ Expanding the coverage of courts specializing in domestic violence.
3. Increase resources channelled to the gender violence area, in order to:
 - ✓ Facilitate production and application of the National Policy on the Prevention of Domestic Violence under the leadership of the Ministry of Education, together with participation by other competent government and State institutions and other civil society organizations with an interest in this issue.
 - ✓ Expand services provided by the Women’s Delegation, shelter homes and the emergency phone line.
 - ✓ Provide technical assistance and monitoring as required by the commissions and mechanisms of the national system, and by the 52 local networks for care and prevention of domestic violence.
 - ✓ Expand the geographic coverage of local networks for care and prevention of domestic violence.
 - ✓ Provide institutional strengthening for the network of networks, to enable them to increase the presence of women’s and social organizations in local networks and play a more protagonist role in the National Monitoring Commission for the National System.
 - ✓ Develop the information system on domestic violence with indicators on the evaluation and incidence of public policy.
 - ✓ Evaluate and document strategies implemented in the framework of public policy on domestic violence: prevention, promotion, detection, care and inter-learning.
 - ✓ Facilitate and assist in the design and validation of the comprehensive care model for

- ✓ older adults and persons with disabilities affected by domestic violence.
- ✓ Develop, disseminate and implement quality standards for services of care and prevention of domestic violence.
- ✓ Coordinate the design and development of a research programme to provide foundations for decisions in relation to public policy orientations on domestic violence.
- ✓ Facilitate implementation of the comprehensive care model for children and teenagers of both sexes affected by domestic violence.
- ✓ Develop and validate the protocol for certification of specialized services dealing with the offender population.
- ✓ Develop a model of quality control and social oversight of programmes and services provided in care and prevention of domestic violence with wide-ranging participation from the community and civil society, aimed at improving services and enhancing their quality.
- ✓ Improve institutional coordination mechanisms to integrate domestic violence as a crosscutting area of public policies on gender equity, designed and promoted by INAMU based on its relations with ministerial and municipal offices, municipal commissions on the status of women, roundtables for social dialogue and national, sectoral and regional negotiation, and the *Creciendo Juntas* and *Construyendo Oportunidades* programmes, among others.

Progress and challenges facing the National System for the Care and Prevention of Domestic Violence

1. The **institutionalization of public policy** adopted by the country on domestic violence, with legal support from the Domestic Violence Act and programmatic support from the National Plan for the Prevention of Domestic Violence, has made significant progress in terms of programme steering by the National System for Care and Prevention of Domestic Violence, acting through the Monitoring Commission and technical coordination.

This system is formalized through an Executive Decree setting out responsibilities on care and prevention of domestic violence to be fulfilled by the various government mechanisms. It opens up possibilities for participation by various State and civil society organizations in carrying out actions established by the system.

Organizations and institutions participating in the system had a common work background arising from their participation in the process of formulating PLANNOVI between 1994 and 1995.

2. **Progress in institutionalization** can be seen in:

- (a) The adoption of an ethical-conceptual framework on domestic violence and violence against women, which contributes to the orientation of public and private efforts aimed at guaranteeing full exercise of the right to a life free from violence, as a human rights imperative.
- (b) The responsibility assumed by most government institutions with competencies on domestic violence, notwithstanding the change of Government that occurred in May 1998. Exceptions to this commitment are the Ministry of Labour and Social Security, and the Ministry of Housing and Human Settlements.

- (c) Institutionalization of care and prevention services through application of the rules and protocols that have been developed in the education, health, justice and judiciary sectors.
- (d) Creation of specialized structures or institutions that develop institutional capabilities for care and prevention of violence; for example, the Comprehensive Care Programme for Domestic Violence (PAIVIF), the Health Sector Directive Council and the Gender Violence Area of the National Institute of Women.
- (e) Expansion of the Municipal Women's Office Network, which makes a valuable contribution to the dissemination of women's rights and government policies and programmes, including those relating to care and prevention of domestic violence. The number of municipal women's offices has grown from eight to 41.
- (f) Expansion of local networks for the care and prevention of domestic violence with participation by government institutions, along with women's and other social organizations which coordinate their efforts and resources to provide services for care and prevention of violence. The number of such networks has grown from 15 to 30.
- (g) International cooperation support for actions promoted by the system, specifically: Canada, the Organization of American States, the Pan American Health Organization, and the Fundación Mundo Solidario - Phillips Morris.
- (h) Exploitation of the expertise of organizations for the provision of care services financed by INAMU or other institutions; e.g. operating the emergency phone line, managing shelter homes, training institutional staff, and so forth.
- (i) Strengthening of the inter-institutional coordination culture, which has consequences for the services being offered. For example, recognition of police failings in meeting their obligations under the Domestic Violence Act led to the creation of an Institutional Promoters Commission in the Ministry of Security.
- (j) Coordination of the actions of the various institutions in programmatic instruments such as the annual system operating plan.
- (k) The generation of responses to requirements arising from application of public policy; e.g. the creation of a care model for children and adolescents, and guidance in addressing the needs of disabled people.
- (l) The production of knowledge providing the basis for decision-making on types of strategic actions, or on the course thereof. Examples: research on the critical path for women affected by violence that resulted in the adoption of measures to train police and judiciary workers, or preparation of the police protocol.
- (m) Generation of concrete initiatives to expand and improve coverage of services on domestic violence; e.g. the conceptual and programmatic framework for providing services for children and adolescents affected by domestic violence; and support for the project to criminalize violence against women.

3. **Progress in the intervention areas** of the National System for Care and Prevention of Domestic Violence:

In the **detection area**, progress has been made on record-keeping when reporting cases of violence, especially in relation to health and education, the disabled, and others. Processing of the data recorded is slow because it depends on information units in institutions that lack the human resources needed to carry out this work.

In the **care area** there has been an expansion of services in terms of geographic and population coverage; for example, prevention and care services for children and adolescents affected by violence, through the National Children's Office (PANI), and extension of the prevention of domestic violence model to 92 priority MEP schools. In addition, the Costa Rican Social Security Fund is expanding the provision of services for adult offenders and group care services for victims of violence. The service for registering complaints or requests for protection through the 9-1-1 phone line is extending its hours of attention, and access to it is growing.

At the local network level, a number of mechanisms are opening up for self-care among staff working in the care area, and for exchange on intervention proposals for population groups with special characteristics, for example the disabled. INAMU has opened up a space for supervision of cases on violence.

The Office for Women's Affairs has resources to improve the services provided to women and children affected by violence. The judiciary has four specialized courts dealing with domestic violence, in addition to professional social workers in most family courts.

The area of **violence prevention**, and promotion of the right to a life free from violence, has been boosted by an increase in the number of actions taken by the different institutions and organizations. The campaign for a life free from violence was maintained, along with the campaign targeting certain sectors of the population:

- ✓ Children and adolescents: National Children's Office (PANI), MEP and the Ministry of Justice;
- ✓ Disabled persons: the National Rehabilitation Council;
- ✓ Women living in poverty and pregnant teenagers or mothers: INA, IMAS and INAMU;
- ✓ The public that attends works of dance, theatre and exhibitions in the national archive: Ministry of Culture, Youth and Sports.

In the **access to resources** area, progress has only been made in terms of access to shelter homes, with a new shelter being built in Puntarenas. The economic incentives applied by IMAS included the introduction scholarships for families with school-age children, although not all the population affected by violence is eligible to receive IMAS assistance.

In the **inter-learning** area, training and awareness-raising actions were increased for staff working in care and prevention of violence in the Ministry of Education, the Ministry of Health, the Costa Rican Social Security Fund, the Ministry of Public Security and the judiciary.

Training processes were also carried out from the system's technical coordination unit to establish local networks, and a number of such networks ran training activities for their members. The training of trainers has proved a very successful strategy for expanding training coverage.

Training processes were implemented to facilitate self-help groups for abused women, and prevention of sexual abuse of children at school, among other things.

Challenges facing the National System of Care and Prevention of Violence

Solid institutionalization of public policy on domestic violence requires strengthening in the following aspects:

- (a) Regulation of the National System through a **law** providing for a **Technical Secretariat** attached to the INAMU Gender Violence area, together with a **Services Comptroller** and a **Permanent Evaluation and Monitoring Commission**, with provision of the necessary **budget** to guarantee fulfilment of the functions assigned to the system.

It should also take account of **the obligations acquired by government institutions** to create specialized mechanisms on this issue, and to allocate human and financial resources to fulfil the commitments taken on with the National System.

High-level **political mechanisms** should be established for accountability, together with **recognized incentives** to promote compliance with institutional commitments, and the **sanctions** applicable in cases of nonfulfilment; e.g. the mechanism established in the National Rehabilitation Council with the Comptroller General of the Republic, which turns actions and resources to deal with the obligations established in the law on equal opportunities for disabled persons into a criterion for approving the annual operating plans of government institutions.

- (b) Establish an **information system on domestic violence** with the capacity to accredit information generated by institutions and organizations participating in the system, on the performance and impact of their work. Evaluation of record types, sources and processes available in data-generating institutions and organizations will make it possible to design indicators on the prevalence and incidence of violence, and evaluate the performance of the National System through its various intervention channels. The design of this system, and valuation of the impact of public policy requires mechanisms in place to ensure participation by the people who use the corresponding services.

Promote a **culture of information** in order to strengthen the analytical capacity of all persons connected with the issues of violence against women and domestic violence, and enable them to use systematically generated information to make their own assessment of the situation in terms of violence, and design intervention proposals. People will thus be appreciated not only as a source or recipients of information, but essentially as information subjects.

- (c) Design and execute a **research programme** that could be based on graduation studies carried out at universities, together with institutional and inter-institutional research providing new knowledge for decision-making: self-care strategies in dealing with domestic violence; treatment of offenders; the costs of domestic violence, and the benefits to society of eradicating it; the prevalence of domestic violence nationally and locally; the critical institutional path in terms of providing services for persons affected by domestic violence; the implications of making declaration of situations of violence compulsory; and successful experiences in developing public policy on this issue.

- (d) Strengthen capacities for political leadership and influence among persons participating in the System Monitoring Commission, to obtain greater institutional backing for commitments assumed in the system's interagency operating plan.
- (e) Expansion of prevention and care services for older adults, the disabled, and population groups located in geographic areas that have not been covered by domestic violence services.
- (f) Expansion of the coverage of mechanisms providing specialized group care for survivors of rape, physical violence, and sexual and psychological violence, by gender, age, type of abuse and other relevant characteristics.
- (g) Specialization and decentralization of specialized care services for victims of violence who in turn abuse others; for example, mothers subject to violence who display abusive conduct towards their children, and children and young people with abusive behaviour patterns.
- (h) Strengthen the conceptual and ethical framework on domestic violence, so as to acknowledge women as the main targets of violence in patriarchal societies, for which reason public policy cannot avert attention from them as the target group. Also, develop specific actions to care for other persons affected by domestic violence, e.g. children of both sexes, older adults, and disabled persons.
- (i) Strengthen mechanisms for feedback, individual and group counselling, and self-care for persons working in the area of violence care.
- (j) Expand the Network of Municipal and Ministerial Women's Offices and Gender Units, and strengthen their technical capabilities on domestic violence to enable them to perform promotion and prevention functions in this field.
- (k) Promote conditions to enable the network of networks to play a more protagonistic role in the exchange of information and products, through horizontal cooperation in the system's different intervention areas.
- (l) Creation and expansion of a policy for the prevention of domestic violence under the leadership of the Ministry of Public Education, and with active participation by the Ministry of Justice, the Ministry of Culture, Youth and Sports, the National Youth Movement, the National Children's Office, and the National Institute of Women, together with NGOs and youth networks with experience in the field of domestic violence prevention.
- (m) Develop a wide-ranging social communication strategy to keep the issue of domestic violence on the public agenda, and help strengthen social values that promote the right to a life free from violence. This strategy should take account of relations with communications media, regulatory changes and dissemination of knowledge developed on the issue viz-à-viz decision-makers.
- (n) Obtain government resources to finance the permanent campaign of awareness raising and education for a life free from violence.

- (o) Encourage social organizations whose members include persons affected by violence to participate in local networks, in order to gain access to their informed opinion of the impact of the network's activities, and engage their participation in prevention actions and promotion of the right to a life free from violence.
- (p) Obtain approval for the draft law on the Criminalization of Violence against Women.
- (q) Maintain actions to train and update police and judiciary staff to eliminate sexist practices that undermine the right to justice for persons affected by violence.
- (r) Prepare a contingency plan, with a view to institutionalization, that obliges the Ministry of Housing, the Ministry of Labour, INA, IMAS and INAMU in the short run to link up the services they provide to ensure persons affected by violence have effective access to support resources. The obligation to prepare and execute this plan may be backed by an Executive Decree.
- (s) Strengthen the use and exchange of the various products prepared by organizations participating in the system, through effective information mechanisms, taking account of the possibilities and characteristics of the various sectors involved in public policy on domestic violence; for example, the module prepared by the National University could be exploited in training for other types of staff.
- (t) Review the domestic violence inter-learning model, to enrich it with contributions arising as a result of its implementation with different population sectors over a three-year period.

C. Women in power and decision-making

The Costa Rican State has displayed a sustained commitment towards political trends and international law over the last 20 years, ratifying and supporting international agreements and conventions aimed at recognizing the rights of women and actions on behalf of gender equality and equity.

A review of the main reports presented to Beijing + 5, and the two most recent national reports submitted by the Costa Rican State to CEDAW, reveals a patchy performance in terms of fulfilment of the relevant commitments, however.

The Act Promoting the Social Equality of Women (No. 7142 of 8 March 1990), establishes that *“political parties shall include effective mechanisms in their statutes to promote and ensure effective participation by women in internal election processes, in the leadership bodies of the party and in ballot papers”*. The use of imprecise and general terms such as “effective mechanisms” and “significant percentages” made compliance with this mandate difficult. Although some political parties made reforms to their statutes in 1992, they did not put precise application mechanisms in place.

In 1996, reforms to the Electoral Code stipulated a more precise application of the minimum

quota for women's participation. The regulation is compulsory for political parties, and requires them to make the necessary modifications in their statutes to comply with it. Nonetheless, the legislation does not explicitly state that the 40 per cent quota is applicable to electable posts, thereby making it possible to fulfil the quota in positions in which women have little or no chance of being elected.

Based on an analysis of results from the implementation of the provisions of the Electoral Code, and in fulfilment of its attributions granted by the law, the National Institute of Women (INAMU) asked the Supreme Electoral Tribunal (TSE) to review agreements in relation to the women's participation quota. The response of the TSE, issued through Resolution 1863 of 23 September 1999, ruled that:

- The 40 per cent participation by women on ballot papers for the election of deputies, municipal councillors and trustees must be for electable posts. Monitoring of this provision shows that women currently have 35.3 per cent representation in the Legislative Assembly, which places the country fifth in the world ranking in terms of political participation at this level.
- The 40 per cent minimum female quota must be respected in the appointment of delegates to each district, cantonal and provincial assembly, and not just globally.
- Each political party is required to incorporate into its statutes the changes needed to effectively guarantee participation by women in the form and percentages provided for, before the next time delegates are appointed to assemblies and candidate ballot papers are produced for deputies, councillors and trustees.
- The Civil Registry will not register candidate lists unless these parameters are respected.
- The Civil Registry will also not accredit statutory reforms or minutes of assemblies, when these or the report by Tribunal delegates show that the provisions have not been fulfilled.
- The Tribunal reserves the right to enforce effective fulfilment of the agreement, through the various legal mechanisms.

This resolution is supported by others: Resolution TSE No. 2837 of 12 December 1999, which was issued in response to the request for additional clarification of Resolution No. 1863 establishes the following:

- In relation to ballot papers for deputies, the term "electable posts" should be understood as those that appoint a person with real chances of being elected; this should be considered individually in preparing the ballot papers for each province.
- Political parties required to implement the female participation quota system should view the 40 per cent as a minimum which, as such, can be increased in favour of female representation, but not lowered.
- Political parties are required to promote a democratic and participatory culture that makes it possible to incorporate women.

Other issues

Relations with communications media

The Beijing Platform for Action called for the media to contribute much more to the advancement of women, by suppressing the projection of negative images, breaking with

stereotypes and empowering the role of women.

For this purpose the Convention has proposed two strategic objectives; the first requires an increase in women's access to express their ideas and take decisions in the media; and the second concerns projecting a balanced and non-stereotyped image of women.

In response, the National Institute of Women has set up a communications unit which has been pursuing a strategy of working with communications media, not only mass media but alternative media also, seeking spaces to raise other issues than those normally pursued.

Topics are thus proposed to the press, by making documentary sources and contacts available for journalistic work; and regular reports are sent of meetings and activities, or news of women's advancement, obstacles or needs, to encourage the press to publicize and raise the profile of such issues.

During the last quarter, experts from the Institute have achieved regular presence in at least one written, radio and television medium, thereby ensuring the dissemination of non-stereotyped ideas, and the promotion of education and training on gender issues.

Gender awareness-raising workshops have been held for the country's journalists (this work remains ongoing), with support from the Costa Rican Journalists Association.

Meetings are being held specifically for advertising professionals to highlight the progress made in Act No. 5811 (on Control of Advertising), since the country lacks regulations to control the use made of women's image in publicity, and only has a voluntary advertising ethics code in place.

Actions currently ongoing include public discussion and interest forums on issues relating to the agenda of the National Institute of Women, and mechanisms to convene press and civil society representatives to learn about and discuss issues that make it possible to promote sociocultural change.

It has also been found necessary to share with senior staff in the mass communications media (directors and information chiefs) the importance of respectful treatment and greater balance in news management, especially on violence-related issues. Documented material is therefore being prepared to monitor the press, with recommendations to alter informational approaches.

Particularly important have been the six television campaigns completed thus far, entitled "For a Life Free from Violence", the continuity of which from 1996 to 2002 has made an impact on different levels and population groups. Initially, the problem of violence was placed on the public agenda through messages centred on the theme of "Let's Break the Silence". The campaigns have had a special impact in terms of breaking the myths surrounding violence, exposing risk situations from various angles: emotional risk, criminalization of violence, dissemination of care services including the emergency phone line, and so forth. The ultimate purpose of the campaigns is to promote sociocultural change.

As part of the information, communication and dissemination strategy, an institutional website has been established not only to keep the local and international public informed, but also to turn INAMU into a proactive agent for change, since interaction mechanisms have been designed through forums, and biographies of women who have had outstanding records in various fields, with a view to establishing media communication with various agents.

PART III

Institutional development

National Institute of Women:

Institutional progress and challenges

The achievement of substantive changes in terms of gender equality and equity on the threshold of the twenty-first century is a highly complex task, given the diversity of interests placed on the public agenda, which puts pressure on the control of political, economic, social and cultural resources. Accordingly, public redistribution policies need to provide decisive momentum to correct the gender inequalities on which society is founded, and which undermine full exercise of the rights and citizenship of women in all domains and walks of life.

Throughout its history, the National Institute of Women has succeeded in placing on the public agenda women's needs on issues of key interest such as domestic violence, political participation and so forth. Nowadays, INAMU is an obligatory institutional reference on all issues relating to women, and the following progress can be identified within its competencies:

(A) Design and implementation of public policy for women in various areas such as:

- ✓ Domestic violence
- ✓ Sexual harassment
- ✓ Access to justice
- ✓ Autonomous life projects for young girls, adolescents and young people
- ✓ Work and employment
- ✓ Full and satisfactory sexuality
- ✓ Political participation
- ✓ The rights of rural women
- ✓ Comprehensive health for women
- ✓ Women's education
- ✓ Credit for women
- ✓ Women's citizenship

(B) The empowerment of women by strengthening their personal and social resources to exercise leadership; promotion of negotiation and social dialogue mechanisms at the local and regional levels, to obtain commitments from public institutions based on the needs and interests of women, among other things.

(C) Strengthening of the regulatory framework for women's rights in substantive areas such as violence against women, paternity, economic regime of the family, etc. Rights are also promoted through the personal strengthening components of the *Creciendo Juntas* and *Construyendo Oportunidades* programmes, formation of legal advisers, phone lines for consultation and complaint, among other things.

(D) Development and dissemination of specialized knowledge on gender, conducive to change in patterns that legitimize discrimination and violence against women. The knowledge thus

developed relates to analysis of the status of women, theoretical-methodological production, systemization of institutionally promoted processes, and so forth.

(E) Development of individual human resource training initiatives to allow for better institutional performance.

Lessons learned from the review of institutional practice and the strategy promoted by technical areas to promote women's interests, reveal the following institutional challenges:

1. Incorporation of cultural change and human rights as a basis for institutional approach and practice.
2. Resizing of the institutional governing function, with:
 - ✓ The ideological perspective of cultural change in favour of gender equality and equity.
 - ✓ Consideration of women in their diversity as subjects of public action and hence decision-makers in the public policy cycle, and as citizens in full exercise of their rights in all walks of life.
 - ✓ Public policy management and the promotion and protection of women's rights in the national, regional and local domains.
 - ✓ Strengthening of capacities among the staff of public institutions in the gender area, to achieve adequate policy implementation and influence of public action in eradicating gender inequalities.
3. Strengthening of the institutionalization of national policy for gender equality and equity, with the due ideological, regulatory, programmatic and budgetary framework, and with conditions and mechanisms that guarantee effective participation by women in their diversity, and from the local and regional domains throughout the public policy process.
4. Coordination of ongoing public policies and processes around the following strategic gender interests, on which substantive progress is needed to improve women's status in society: citizenship; sexuality; economic rights; autonomous life projects for girls, adolescents and young people; and gender violence.
5. Development of an institutional intervention strategy that conceptually and programmatically coordinates work around the strategic areas, through collegiate management and strengthening of human resource capacities.
6. Design and implementation of the national system for gender equality and equity, which frames national policy on this issue, offering public and effective response to women's demands.
7. Improvement and coordination of institutional services aimed at guaranteeing women's rights, through information, referral and monitoring, reception and processing of complaints, and specialized services.

Other mechanisms for the promotion of women's human rights

There are various centralized and decentralized government bodies (ministries and autonomous institutions) that carry out actions (programmes and projects) of tutelage, dissemination, defence and protection of women's human rights in the economic, social and cultural domains, including the following:

A. Municipal Women's Offices

The National Institute of Women considers that as a result of the promotion of decentralization processes and the strengthening of local governments, it is essential to take action to ensure that these promote participatory, democratic and equitable local development that takes women's needs and interests into account. It is also clear that this development cannot be achieved without women's participation in the design, execution and evaluation of the programmes and projects that are executed.

In this regard, (OFIMs) are seen as an essential mechanism to influence the design of public policies locally, to promote a fairer and more equitable society.

Municipal Women's Offices were created in 1996 in the framework of the National Operational Plan for the Care and Prevention of Domestic Violence (PLANOVI), in order to "create a space in the municipal structure, with inter-institutional and inter-sectoral support, to provide information services, guidance and care for women, emphasizing domestic violence and dissemination of rights"

These offices were formalized in 1998 through Act No. 7801 of INAMU, which lists as one of its attributions: "to promote the creation of ministerial, sectoral and municipal women's offices, and guarantee and coordinate their functioning" (article 4).

In fulfilment of this mandate, INAMU is promoting the planned and sustained opening of OFIMs as part of its Municipal Women's Offices Programme. The Institute redefined the profile and scope of action of OFIMs as mechanisms to promote women's rights in the local domain, thereby transcending the initial approach which mainly focused on domestic violence.

General objective:

To promote policies, programmes, projects and strategic actions to advance the exercise of women's rights, and promote gender equality and equity in the local domain.

B. Municipal Commissions on the Status of Women

The Permanent Commission on the Status of Women (CMCM) forms part of the Municipal Council. Its creation is provided for in the Municipal Code of 1998, which states that:

"In the council session immediately following the installation of its members, the president shall appoint members of permanent commissions, which may change annually."

Function:

To analyse and propose motions on this issue, for discussion and approval in the Council.

C. National networks

Costa Rica has mechanisms in place to strengthen the exchange of experiences and knowledge, and to improve the scope of public policy to contribute towards gender equality and equity.

- National network of Municipal Women's Offices (OFIMs)

This network was created in 1999 in order to promote gender equality and equity in local spaces,

and to strengthen the exchange of knowledge and expertise among Municipal Women's Offices (OFIMs) and expand their competencies.

The network coordinator team, consisting of national OFIM officers, receives technical assistance and training from INAMU.

The network's actions have focused on training for empowerment and personal growth, in which it coordinates with the INAMU Municipal Offices Programme in a training strategy that has focused on issues such as:

- Women's rights
- Public and local policies
- Decentralization and local development, among others.

- Networks for the care and prevention of domestic violence

Action to deal with the problem of domestic violence in Costa Rica is coordinated by the National System for the Care and Prevention of Domestic Violence (PLANOVI), established by Executive Decree No. 26664, in January 1998.

The system was created as stipulated in the Domestic Violence Act (1996) and consists of *“the set of governmental and non-governmental institutions which, in a coordinated and planned fashion, provide special services to persons affected by domestic violence, and carry out actions to prevent this form of human rights violation”* (article 1).

The immediate forerunner of this system was the National Plan for the Care and Prevention of Domestic Violence (PLANOVI), which was designed and implemented in 1994-1998 by the National Centre for the Advancement of Women and the Family (now INAMU) and developed into a proposal for comprehensively dealing with this problem in Costa Rica.

During the process of its construction and implementation, PLANOVI targeted the transformation of institutional culture, promoting coordinated and concerted actions, and bringing institutionality closer to society. One of the actions undertaken to achieve this purpose involved creation of local networks.

- Local networks

The mission of local networks is to construct and consolidate a mechanism of intersectoral, interagency and civil society coordination for the development of local policies for the detection, care and prevention of domestic violence.

- National network of networks

The national network of networks was established in early 1999 with a mission to become a mechanism for coordination, feedback, planning and evaluation of processes relating to care and prevention of domestic violence, undertaken locally by interagency and community networks.

D. Gender equity units

Ministerial and Sectoral Women's Offices (OMM/OMS) were created in 1994, through a Government Social Council agreement, as mechanisms to ensure compliance with government

policies on gender equity in the various institutions of governance.

Starting in 1994, and in compliance with this agreement, the National Centre for the Advancement of Women and the Family (CMF) took over coordination of these offices; but it was only in 1998, when Act No. 7801 was passed, that the CMF became the National Institute of Women (INAMU) and was given authority to promote the creation of Ministerial, Sectoral and Municipal Women's Offices, in addition to guaranteeing and coordinating their operation.

Since then, the Institute, pursuant to its assigned attributions, has proposed the goal of strengthening and consolidating these mechanisms to convert them into promoters, guides and advisers in processes for implementing gender equity policies in government agencies.

Mission:

Its mission is to promote, guide, strengthen and monitor processes aimed at changing institutional culture, which require services with equity and internal labour relations that reflect equal opportunities and rights.

Objectives:

- Promote gender mainstreaming in institutional planning and internal administrative processes, in order to enhance the quality of service provision and improve working conditions for staff members of both sexes.
- Oversee and support processes to implement national policies on gender equity in the institution.
- Coordinate commitments assumed by the institution with government plans and programmes aimed at promoting equity and equality between women and men.
- Receive consultations relating to situations of gender discrimination faced by female staff members of the institution, and channel them towards the competent mechanisms.

E. Inter-institutional commissions

Various institutions join forces in the struggle to promote gender equality and equity. Lines of action and issues of interest such as the labour rights of women, maintenance payments, economic regime of the family, analysis of the Penal Code, teenage mothers, the *Construyendo Oportunidades* programme and responsible parenthood, receive due attention and monitoring through this type of commission, such as:

The Inter-Institutional Council on Services for Teenage Mothers:

The General Act for Protection of Teenage Mothers (No. 7735-1998) provides for creation of the Inter-Institutional Council on Services for Teenage Mothers, consisting of government institutions such as ministries and autonomous bodies, with representation from NGOs.

Government institutions comprising the council are the Ministry of Health, presiding; the National Children's Office; the Costa Rican Social Security Fund, the Ministry of Labour and Social Security; the National Institute of Women (INAMU); the National Apprenticeship Institute; the Joint Institute for Social Assistance, and the Ministry of Culture, Youth and Sports (National Council on Public Policy for Youth).

The Council has the aim of promoting and coordinating programmes and actions in favour of teenage mothers.

INAMU holds the technical Secretariat of the Council, from which position it monitors compliance with current regulations (the General Act for Protection of Teenage Mothers and the Code on Childhood and Adolescence) and the *Construyendo Oportunidades* programme. Its main achievement has been management of the reform to the General Act for Protection of Teenage Mothers.

Statistics:

The National Institute of Statistics and Censuses (INEC) is the body responsible for statistical activities in Costa Rica. Despite resource constraints, there is a developed infrastructure and technical level as regards national statistics.

The National Institute of Women has developed a strategic partnership with INEC together with public universities, in order to establish a first-time pilot study to measure the use of time and calculate accounting values for the work done by women in the domestic domain. In addition, specific coordination has been established with the United Nations Development Programme (UNDP) to support implementation of the Gender Indicators project, which has been designed in stages.

The statistical effort made by Costa Rica has undoubtedly made it possible to have optimum levels of information available. Nonetheless, continued progress is needed in implementing and developing a system to generalize protocols, to ensure that information is available with at least a gender breakdown in order to move forward with an efficient indicator system.

PART IV

Problems encountered and the main measures to address them

This final section refers to the key challenges facing Costa Rican women, and measures to address them on two levels: those identified in the report of the State of Costa Rica to the CEDAW Committee⁵ in July 2003; and the proposal prepared by the National Institute of Women through its agenda and targets for 2002-2006.

Policies and means

Obstacles:

- Resistance to legal and institutional instruments resulting from male-centred conceptions.
- Mismatch between discourse and practice.
- Limited commitment by the State machinery.
- Difficulties for INAMU to fulfil processes of mainstreaming and formation of services.

Challenge:

- Policies and means: make progress in adopting measures that guarantee punishment for all forms of discrimination against women, to avoid impunity.

Violence

Obstacles:

- Resistance to approving Bill to Criminalize Violence against Adult Women.
- Absence of programmes or specialized care models on domestic violence.

Challenge:

- Promote and strengthen policies and actions, with coordinated and sustained strategies that are not vulnerable to changes of Government.
- These measures should focus on care and prevention of the various manifestations of violence perpetrated against girls, teenagers and adult women.

Commercial sexual exploitation

Obstacles:

- Isolated and inadequate responses.
- Lack of coordination between the National Plan on Commercial Sexual Exploitation and care strategies for victims.
- Absence of care policies and directives in State institutions and NGOs providing the service.
- Existence of networks that promote exploitation.
- Social and family tolerance towards this abuse.

⁵ See CEDAW/C/CRI/1-3 and CEDAW/C/CRI/4 in committee sessions 612, 613 and 619 held on 2 and 9 July 2003.

Challenge:

- Promote and strengthen policies and actions, with coordinated and sustained strategies that are not vulnerable to changes of Government.
- These measures should focus on care and prevention of the various manifestations of violence and commercial sexual exploitation perpetrated against girls, teenagers and adult women.

Political participation and decision-making**Obstacles:**

- Resistance among political parties towards ensuring equality in their internal structures.
- Weaknesses and loopholes in legislation and institutions.

Challenge:

- Approval of the Electoral Code reform bill, incorporating reforms proposed by INAMU. The aim of this bill is to move towards parity, guaranteeing the establishment of measures to effectively ensure 40 per cent minimum female participation in party mechanisms, popularly elected posts and high-level appointments.

Employment**Obstacles:**

- Costa Rica does not have an employment policy.
- Shortfalls in terms of productive opportunities, financing, employment, availability, goods, services and technology.
- Society continues to view men as the chief providers.

Challenge:

- Enhance the productive and entrepreneurial capacity of women, including those from rural areas. Women's access to capital, land, credit, technical assistance, technology and technical training should be guaranteed.

Health**Obstacles:**

- The current health care model stresses reproductive health and does not respond to women's gender interests.
- Deficient care quality.
- Groups with conservative attitudes towards policies on education for sexuality.
- Health care policies do not always take account of cultural diversity and disability.
- The management of health data reflects the concept of disease, and is not consistent with a comprehensive health care model.

Challenge:

- Implement the women's health care model in all of the country's health centres, recognizing diversities.

Rurality, migration and diversity

Obstacles:

- The invisibility of women as productive subjects and actors in economic and social development, which excludes them from access to productive resources, education and technical training, health and social security.
- Limited policies for addressing the problem of poverty among rural women, and low social security coverage.
- Scant participation by women in environmental development processes, because national policies do not include them as active subjects.
- The Province of Limón, where most of the Afro-descendant and indigenous population lives, remains socially vulnerable and excluded from many of the benefits of development.

Challenges:

- Build respect for ethnic diversities into daily life and policy formulation.
- Ensure access to education and health services for the migrant population.
- Prepare a gender analysis to illustrate the situation of migrant women and men.
- Address problems facing rural women producers in their business activities. For this purpose social security and training extension programmes need to be created, along with real access to financing sources. These actions should be implemented while recognizing the diversities that exist among women.

Education

Obstacles:

- Persistence of discriminatory attitudes and practices in the education system, and among families and communications media.
- Difficulty in mainstreaming the gender perspective.
- Conservative attitudes.
- Pedagogy that transmits unequal beliefs and practices.
- Barriers facing women entering technical training.
- Scant presence of women in decision-making posts.

Challenge:

- Establish a State education policy to eliminate discriminatory practices in the classroom and form a citizenship imbued with a culture of gender equity.

The Institutional Agenda of the National Institute of Women

Transforming gender inequalities requires concerted, comprehensive and long-term public interventions that view women in their diversity as subjects and protagonists of the changes needed to move toward full exercise of their citizenship.

The agenda prioritizes the strengthening of institutional governing capacity through:

- Development of an institutional approach in favour of cultural change and women’s human rights that guides the actions of INAMU and the Costa Rican State, conceptually and politically, towards eradication of the patterns on which discrimination and violence against women are founded.
- Permanent investment by INAMU in women’s citizenship capacities, respecting their diversity, and at all participation levels — national, regional and local — to enable them to play a leading role in promoting their demands, designing public responses and evaluating them.
- Strengthening of the political, regulatory and programmatic framework to guarantee that national policy on gender equality and equity is assumed as a comprehensive commitment by the Costa Rican State, translating into compulsory targets for the institutions involved in its development.
- Provision of services for the promotion of women’s rights, through information, referral, monitoring, reception and processing of complaints, and specialized care services that make it possible to develop care models that view women as subjects and protagonists of the social and personal changes needed to move towards gender equality and equity.
- The design, feedback, consensus and institutionalization of national policy on gender equality and equity, with a rights approach and a paradigm shift aimed at changing gender inequalities into strategic lines of action, through which women demand substantive progress to guarantee full exercise of their rights:
 - ✓ Women’s citizenship
 - ✓ Women’s economic rights
 - ✓ Women’s sexuality
 - ✓ Autonomous life projects for girls, teenagers and young people
 - ✓ Gender violence
- Strengthening of INAMU capacities, enabling the Institute to fulfil its mandate and governing role, through collegiate and transparent technical and administrative management exercised with a strategic vision that makes it possible to take full advantage of human, material and financial resources in fulfilling institutional objectives.

3. Institutional targets

A proposal is presented below, consisting of five institutional targets for strengthening the Institution’s governing role on gender equality and equity, and women’s rights.

Target 1: An institutional strategy aimed at changing sociocultural patterns that foster and perpetuate gender discrimination — designed, implemented and evaluated.

Target 2: The State System for Gender Equality and Equity (SEIEG) installed, with mechanisms at the national and regional levels working on the coordination, promotion, monitoring and evaluation of national policy on gender equality and equity, with participation from women in decision-making mechanisms at the national, regional and local levels.

Target 3: National policy on gender equality and equity formulated, implemented and evaluated; with direct participation by women, in their diversity, at the local, regional and national levels, and coordinated around the following strategic areas: women’s citizenship; women’s economic

rights; women's sexuality; autonomous life projects for girls, adolescents and young people; and gender violence.

Target 4: A platform of institutional services for the promotion and protection of women's rights — designed, implemented with specialized staff and service protocols, and periodically evaluated.

Target 5: The National Institute of Women strengthened in its legal, programmatic and budgetary framework, to exercise its lead role on gender equality and equity, and the promotion and protection of women's human rights.

“Costa Rica is working to guarantee social equality and equity for all citizens” CEDAW Report

References:

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- Website of the Ministry of Planning and Economic Policy of the Government of Costa Rica (National Development Plan): www.mideplan.go.cr.
- Reports and official presentation for the United Nations Committee for the Elimination of all Forms of Discrimination against Women (CEDAW).
- Contributions from the specialized areas of the National Institute of Women.
- Document: INAMU agenda and institutional targets 2002-2006.
- INAMU Annual Report, May 2002-April 2003.
- INAMU Annual Report, May 2003-April 2004.

ANNEXES

Main results/achievements in the recognition of women's human rights

International laws ratified 1999-2004		
<i>Act No.</i>	<i>Title of legislation ratified</i>	<i>Date of approval</i>
7907	Ratification of the Additional Protocol to the American Convention on Human Rights in the area of economic, social and cultural rights; Protocol of San Salvador	3 September 1999
8032	Ratification of the Inter-American Convention on the International Return of Children	19 October 2000
8053	Ratification of the Inter-American Convention on Support Obligations	28 November 2000
8083	Ratification of the Statute of Rome of the International Criminal Court	30 January 2001
8071	Ratification of the Inter-American Convention on International Traffic in Minors	14 February 2001
8089	Ratification of the Optional Protocol to the United Nations Convention on the Elimination of All Forms of Discrimination against Women	6 March 2001
8122	Ratification of ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	17 August 2001
8172	Ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	7 December 2001
8242	Ratification of the Additional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	22 April 2002
8315	Ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	26 September 2002

National legislation approved 1999-2004		
<i>Act No.</i>	<i>Title of Legislation</i>	<i>Date of approval</i>
7880	Reform of article 33 of the Political Constitution replacing the term "man" by "person"	27 May 1999
7878	Reform of article 76 of the Political Constitution (obligation of the State to ensure the maintenance and promotion of national indigenous languages)	1 June 1999
7899	Act on the Sexual Exploitation of Minors	7 July 1999
7935	Comprehensive Act on Older Adults	25 October 1999

<i>Act No.</i>	<i>Title of Legislation</i>	<i>Date of approval</i>
7940	Authorization for IMAS to grant total and partial forgiveness of mortgage debts on social housing	9 November 1999
7954	Creation of the INAMU Women's Gallery (homage to outstanding women)	13 January 2000
8017	Comprehensive childcare centres	21 September 2000
8101	Responsible Paternity Act	27 April 2001
8107	Incorporation of the principle of non-discrimination in the workplace (reform of the Labour Code)	18 July 2001
8128	Creation of the domestic violence court in the second judicial circuit of San José	20 August 2001
8129	Creation of domestic violence courts in the judicial circuit of Heredia, Alajuela and Cartago, and a criminal court in the Canton of La Unión, Cartago province	23 August 2001
8184	Act on Services for Women Living in Poverty (creation of a trust fund)	17 December 2001
8186	Control of Public Spectacles Act	10 January 2002
8239	Rights and duties of persons using public and private services	2 April 2002
8261	General Act on Youth	20 May 2002
8312	General Act on Protection of Teenage Mothers (reforms)	21 October 2002
8322	Democratization of decision-making mechanisms in the Banco Popular y de Desarrollo Comunal (a minimum of 50 per cent quota for women in decision-making posts)	5 November 2002
8387	Reform of the Penal Code to strengthen penalties for abduction and homicide of children, adolescents and disabled persons	13 October 2003
No. of Executive Decree	Name of Executive Decree	Date of approval
27913-S	Reproductive Health Act Creation of the Inter-Institutional Commission on reproductive health and rights and sexual rights	9 June 1999
28484-MAG-MEP-MTSS-S-CM	Creation of high-level commissions to promote public policies for gender equity	2 March 2000
29221-MTSS	Creation of the Gender Unit in the Ministry of Labour and Social Security	9 January 2001
29528-C-MCM	Instruction to communications media to present women as creative individuals, protagonists,	16 April 2001

<i>Act No.</i>	<i>Title of Legislation</i>	<i>Date of approval</i>
	contributors and beneficiaries of the development process (the Ángela Acuña Braun Prize)	
Directive No. 30, aimed at all ministries and public institutions	Prohibition of the use of computer equipment and information services to access and exhibit pornographic material in public institutions	7 August 2001
29929-MICIT-MCMC	Applicability of DNA tests in responsible paternity suits	17 October 2001
30007-S	Regulation for study committees on children and adolescents subject to violence	23 November 2001
30041-P-MCM	Coordination and execution mechanisms for the <i>Construyendo Oportunidades</i> programme	28 November 2001
30955-MCM-H-MTSS	Regulation on access to the civil servant school subsidy (<i>salario escolar</i>) for recipients of maintenance payments	3 February 2003