



Communique Committee of Experts

Committee of Experts of the MESECVI expresses concern over regressive proposals to modify the Law on violence against women in Uruguay.

Washington, DC, May 9, 2024. [The Committee of Experts of the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women](#) "Belém do Pará Convention" (MESECVI) expresses concern over the proposals issued by representatives of the legislative branch in Uruguay seeking to modify Law 19,580, the Law on Gender-Based Violence Against Women, in a regressive direction. These initiatives, even if not yet materialized, set a dangerous precedent by questioning the protection of women's human rights as recognized by international law.

Based on information obtained in recent weeks, this Committee has been made aware that legislative representatives have publicly advocated for modifying Law 19,580 and have introduced bills proposing to repeal fundamental provisions of the norm. These initiatives propose changes that go against international standards and Inter-American jurisprudence, arguing that the law favors women and discriminates against men.

Law 19,580 is part of the comprehensive or second-generation legislation, which has expanded protection for women against gender-based violence, in compliance with the obligations set forth by the Belém do Pará Convention, of which Uruguay is a State Party.

Article 7, subparagraph c, of the treaty establishes that: "The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to: c. include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary."

In response to this obligation, the Committee of Experts has recommended that States Parties to the Convention implement comprehensive laws that address all types of violence, both in the public and private spheres. Therefore, the Committee congratulated the Uruguayan State for the approval of Law 19.580, enacted in 2017,

highlighting “the serious and comprehensive effort made with the regulation of the aforementioned law.”¹

On the other hand, according to the information received, one of the proposed amendments to this law establishes that: "Silence, lack of resistance, or the victim's prior or subsequent sexual history in a sexual assault case will be prudently analyzed." This provision runs counter to the standards established by the Committee in its General Recommendation No. 3 on the concept of consent in cases of sexual violence against women². Likewise, it disregards the jurisprudence of the Inter-American Court of Human Rights and the International Criminal Court on the matter.

Therefore, the Committee of Experts encourages the authorities of the Republic of Uruguay, especially its representatives in the Legislative branch, to reject regressive proposals to amend the comprehensive Law 19,580, and instead, to deepen its effective implementation, making available all necessary resources, including adequate budgets. Similarly, the Experts of this Committee call on representatives of State institutions and politics to avoid misinformation and debates based on premises contrary to the standards established by international human rights law.

The Follow-up Mechanism to the Belém do Pará Convention, through its Committee of Experts, makes itself available to the Uruguayan State for any technical support they may require in this matter.

The [Committee of Experts](#) is the technical body of the MESECVI, responsible for the analysis and evaluation of the implementation process of the Convention of Belém do Pará. It is made up of independent Experts, appointed by each of the States Parties from among their nationals, who perform their duties in a personal capacity.

¹ Committee of Experts, "Uruguay: Implementation Report of the CEVI Recommendations. Third Round - Follow-up Phase." December 2020. Available at: <https://belemdopara.org/wp-content/uploads/2022/02/FinalReport2019-Uruguay.pdf>

² OAS/MESECVI, "General Recommendation of the MESECVI Committee of Experts (No. 3): The concept of consent in cases of sexual violence against women for gender reasons." Available at: https://belemdopara.org/cim_mesecvi/general-recommendation-of-the-mesecvi-committee-of-experts-no-3-the-concept-of-consent-in-cases-of-sexual-violence-against-women-for-gender-reasons/