



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Uruguay

Addendum

Information received from Uruguay on follow-up to the concluding observations*

[Date received: 25 July 2017]

Follow-up to paragraph 70 of the concluding observations of the Committee on the Rights of Persons with Disabilities on the initial report of Uruguay

68. The Committee recommends that the State party take steps to designate a monitoring mechanism that is in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

70. The Committee requests that the State party provide information, within 12 months and in accordance with article 35 (2) of the Convention, on the measures taken to implement the Committee's recommendation contained in paragraph 68 above.

1. Further to the Committee's request, Uruguay is pleased to provide information on the measures taken in follow-up to the recommendation contained in paragraph 68 of the Committee's concluding observations on the initial report of Uruguay, which was presented to the Committee on 15 and 16 August 2016.

2. As mentioned during its oral presentation, Uruguay established a national mechanism for monitoring follow-up to recommendations in 2016. The mechanism consists of an inter-institutional network of representatives of State institutions, who sit on various thematic committees to identify, inform and monitor the measures adopted by their respective institutions further to the recommendations and conclusions received by Uruguay from the universal system for the protection of human rights, including treaty bodies, the universal periodic review and special procedures.

3. On 22 March 2017, the thematic committee on disability, the concept note for which is attached, held its first meeting, bringing together representatives of government institutions, civil society — represented by the Alliance of Organizations of Persons with Disabilities —, the United Nations system in Uruguay — represented by the United Nations

* The present document is being issued without formal editing.



Population Fund (UNFPA) —, and the regional office of the United Nations High Commissioner for Human Rights.

4. In direct follow-up to the Committee's request, the thematic committee developed a strategy involving the activation by the Alliance of Organizations of Persons with Disabilities of the dialogue and consultation mechanism of the Ministry of Foreign Affairs (established by Decree No. 25/2014, see <https://www.impo.com.uy/bases/decretos/25-2014>) to discuss and decide on the general outline for setting up a monitoring mechanism.

5. On 29 June 2017, the dialogue and consultation mechanism held a meeting, in which the participants included representatives of the Directorate of Human Rights of the Ministry of Foreign Affairs, the National Disability Program of the Ministry of Social Development, the Alliance of Organizations of Persons with Disabilities and the National Human Rights Institution and Ombudsman's Office, as well as the Human Rights Adviser to the Resident Coordinator of the United Nations country team in Uruguay.

6. The need to set up a monitoring mechanism that was in full compliance with the Paris Principles having been established, the representative of the governing council of the National Human Rights Institution and Ombudsman's Office noted that it was within that Institution's mandate to monitor implementation of the Convention on the Rights of Persons with Disabilities.

7. On 5 July, the National Human Rights Institution and Ombudsman's Office conveyed the governing council's confirmation of the statement made by its representative at the meeting of the dialogue and consultation mechanism, noting that:

- *Act No. 18446, article 1, establishes that the defence, promotion and protection of human rights, "in all their forms, as recognized by the Constitution of Uruguay and international law", falls within the competence of the National Human Rights Institution and Ombudsman's Office. Article 2 of the same Act provides that "the National Human Rights Institution and Ombudsman's Office will not be subject to hierarchy and will operate independently; it will not receive instructions or orders from any authority".*
- *This legislative framework grants the National Human Rights Institution and Ombudsman's Office standard powers as a body that monitors the commitments made by Uruguay under international human rights law, including the Convention on the Rights of Persons with Disabilities.*
- *Nevertheless, in addition to that standard power for the defence, promotion and protection of human rights (inter alia, those established by article 14 (C) of Act No. 18466, "to promote the adoption of measures that it considers appropriate for bringing legislation and administrative and institutional practices into line with international human rights instruments to which the State is a party"), article 66 (B) authorizes the National Human Rights Institution and Ombudsman's Office to appoint independent experts and to set up working groups comprising members of the National Human Rights Institution and Ombudsman's Office, which will also chair such groups, representatives of social organizations, State institutions, or institutions under the supervision of the National Human Rights Institution and Ombudsman's Office, in order to prepare "draft reports, rapporteurships, proposals, recommendations and any other relevant activities".*
- *Under article 66 (B), the governing council shall convene the relevant social organizations and State institutions for the purpose of forming a working group, one of whose objectives will be to develop a proposal for the establishment and operation of a monitoring mechanism in line with article 33 (2) of the Convention on the Rights of Persons with Disabilities.*

8. Accordingly, one year after the oral presentation of its initial report to the Committee on the Rights of Persons with Disabilities, and as requested, Uruguay would like to report that:

(1) The thematic committee on the rights of persons with disabilities was established as the national mechanism for follow-up to recommendations. Composed of

representatives of the State, civil society and the universal system for the protection of human rights, the thematic committee follows up, through its inter-institutional network, on progress achieved in relation to recommendations, with a view to informing the second periodic report of Uruguay, which is due in 2023.

(2) The National Human Rights Institution and Ombudsman's Office will establish a working group to operate as a monitoring mechanism for the Convention on the Rights of Persons with Disabilities, as set out in article 33 (2) of the Convention.

9. Lastly, during the second meeting of the thematic committee on the rights of persons with disabilities, held on 21 July, the present replies were approved and adopted. The replies constitute the first formal document to have been issued by the national mechanism for follow-up to recommendations since its establishment in 2016 and the first to be referred to a treaty body of the universal system for the promotion and protection of human rights.

National monitoring mechanism: disability committee

Context

10. On 15 and 16 August 2016, Uruguay presented its initial report to the Committee on the Rights of Persons with Disabilities. The outcome of the Committee's consideration of the report constituted the first disability-specific observations¹ to be received by Uruguay.

11. In parallel, the Ministry of Foreign Affairs was in the process of setting up a national mechanism for follow-up to recommendations. That mechanism, in addition to developing software to facilitate follow-up on recommendations received by Uruguay from the universal system for the protection of human rights, was to provide for effective liaising between State institutions to ensure that action was taken on all the recommendations and observations received by the country.

12. The context provided the added advantage of coordination between State institutions, civil society, United Nations agencies in Uruguay and the Office of the United Nations High Commissioner for Human Rights, with the aim of implementing the Convention on the Rights of Persons with Disabilities.

13. In the light of the above, it was proposed that the committee on persons with disabilities should be established as part of the inter-institutional network for the preparation of reports and follow-up on action taken further to recommendations and observations issued by the universal system for the protection of human rights.

General objective

- To establish an effective strategy for monitoring action taken further to the concluding observations on the initial report of Uruguay of August 2016, issued by the Committee on the Rights of Persons with Disabilities, and further to the observations of other committees of the universal system for the promotion and protection of human rights, in which disability is a cross-cutting theme.

Specific objective

- To coordinate the action of the State and civil society in monitoring action taken further to the aforementioned observations, using the inter-institutional network and the SIMORE online system.

Proposal for the committee's membership

14. The committee will be made up of:

- The State institutions that are part of the inter-institutional network;²

¹ CRPD/C/URY/CO/1.

- The Alliance of Organizations of Persons with Disabilities in Uruguay;³
- The National Human Rights Institution and Ombudsman's Office;
- The United Nations system in Uruguay (specifically, UNFPA);
- The Office of the United Nations High Commissioner for Human Rights.

Operation

15. The committee will be convened and administered by the Department of Human Rights and Humanitarian Law of the Ministry of Foreign Affairs.

16. It will benefit from the involvement of United Nations representatives who are conducting similar initiatives in the region, to inform their actions and to ensure the design of an effective strategy for taking action further to the Committee's observations.

17. The committee will meet every four months.⁴

Session I

18. The first meeting will be held on Wednesday, 22 March 2017. The meeting will last half a day, from 1 p.m. to 5 p.m., and will consist of two parts:

- *First part:* the universal system for the protection of human rights. Treaties/conventions. Mechanisms for follow-up to recommendations. Cases in the region. Presentation of the Convention on the Rights of Persons with Disabilities and standards for monitoring the implementation of the Convention in Uruguay.
- *Second part:* presentation of the observations made in August 2016 by the Committee to Uruguay — Assignment of the observations to the relevant institutions. Development of a joint State strategy — Organized civil society to follow up on the observations.

19. The first meeting will also see the establishment of a response strategy on progress regarding paragraph 68 of the Committee's concluding observations (CRPD/C/URY/CO/1), which provides that:

68. *The Committee recommends that the State party take steps to designate a monitoring mechanism that is in full compliance with the principles relating to the*

² At the time of writing, the inter-institutional network in question is composed of 32 State institutions of the executive, legislative and judicial branches, as well as decentralized services, autonomous entities and departmental governments. They are, specifically: the Ministry of Social Development, the Ministry of Education and Culture, the Ministry of the Interior, the Ministry of Industry, Energy and Mining, the Ministry of Housing, Regional Planning and the Environment, the Ministry of Foreign Affairs, the Ministry of Economic Affairs and Finance, the Ministry of Livestock, Agriculture and Fisheries, the Ministry of Defence, the Ministry of Tourism, the Ministry of Health, the Ministry of Labour and Social Security, the Ministry of Transport and Public Works, the National Institute of Statistics, the National Institute for Youth Inclusion, the Human Rights Secretariat of the Office of the President of the Republic, the Agency for the Development of E-Government and the Information and Knowledge Society, the State Sanitary Works Administration, the Institute for Children and Adolescents, the State Health Services Administration, the Social Insurance Bank, the Office of Planning and Budget, the National Public Education Administration, the Attorney General's Office, the judiciary, the legislature (both houses), the Parliamentary Commissioner for the Prison System, the National Human Rights Institution and Ombudsman's Office, the Uruguayan Agency for International Cooperation, the National Mail Administration, the National Office of the Civil Service and Montevideo city council.

³ The Alliance is being proposed as one of the main members because it is the only entity that presented an alternative report to the Committee on the Rights of Persons with Disabilities when the Committee considered the initial report of Uruguay. Once the committee has been set up, it will be possible to add more organizations as members. It is important to note that the committee will not be composed of individuals, but rather of representatives of organizations whose mission is to defend and promote the rights of persons with disabilities.

⁴ In 2017, the meetings will be held in March, July and November.

status of national institutions for the promotion and protection of human rights (Paris Principles).

20. The State party's reply is to be sent to the Committee by August 2017, in accordance with paragraph 70 of the concluding observations (CRPD/C/URY/CO/1). *The Committee requests that the State party provide information, within 12 months and in accordance with article 35 (2) of the Convention, on the measures taken to implement the Committee's recommendation contained in paragraph 68 above.*
