



Economic and Social Council

Distr.: General
7 November 2023
English
Original: Spanish
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

List of issues in relation to the sixth periodic report of Uruguay*

1. The State party is invited to submit in writing the information requested below (preferably not exceeding 10,700 words) by 31 October 2024.

A. Background

2. Please provide information on the legal recourse available for violations of economic, social and cultural rights in the State party; please include concrete examples of cases in which the domestic courts have invoked or applied the provisions of the Covenant. Please provide information on how the legislature was involved in the implementation of and follow-up to the recommendations contained in the previous concluding observations, as well as on its involvement in the preparation of the sixth periodic report.^{1, 2}

3. Describe the measures taken to assess the impact of free trade agreements, in particular the Association Agreement between the European Union and the Southern Common Market (MERCOSUR), on human rights, including economic, social and cultural rights.

4. Please provide information on the measures taken to collect relevant statistics to assess the level of realization of Covenant rights in the State party. In this regard, please provide updated statistics from the 2023 National Census and the Continuous Household Survey showing the level of enjoyment of the rights enshrined in the Covenant by the most disadvantaged and marginalized individuals and groups. Please provide information on the operation and mandate of the Recommendations Monitoring System of Uruguay.

5. Please provide information on specific measures taken by the State party in the area of climate change mitigation in order to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement, and on the impact of those measures. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, particularly for marginalized and disadvantaged individuals and groups;

(b) Whether the State party has developed, or plans to develop, a national adaptation plan, with an adequate allocation of all necessary resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights;

* Adopted by the pre-session working group at its seventy-third session (16–20 October 2023).

¹ [E/C.12/URY/CO/5](#).

² [E/C.12/URY/6](#).



(c) What measures have been taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures and measures taken to adopt a strategy in this area, with an adequate allocation of financial resources;

(d) Which institutions are tasked with developing and implementing climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination is ensured among the institutions responsible for disaster preparedness and management;

(e) Whether the State party has applied for and received funding to support climate actions, in particular funding received from the Green Climate Fund and, if so, whether it was in the form of grants or concessional or non-concessional loans; please also include details of the amounts received and how they have been used.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

6. In the light of the concluding observations of the Committee on the Elimination of Racial Discrimination,³ please provide information on the measures taken to recognize Indigenous Peoples and ensure that they enjoy legal and constitutional protection of their cultural, territorial and political rights, in line with international and regional human rights standards. In the light of the recommendations accepted by the State party under the universal periodic review, please provide information on the measures taken to ratify the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).

Maximum available resources (art. 2 (1))

7. Please provide information on the evolution of the following, covering the past 10 years:

(a) Inequality levels, before and after taxes and transfers, if possible defined both as the ratio between the total income of the richest 10 per cent of the population and that of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and by the poorest 50 per cent;

(b) The proportion of public revenue that is generated through taxes;

(c) Tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of value added tax on certain items, including luxury items) and the percentage of total revenue that is generated from personal income tax collected from the richest 10 per cent of the population;

(d) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending, including social security, food, water and sanitation, housing, health and education;

(e) The proportion of the public budget allocated to defence;

(f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

Non-discrimination (art. 2 (2))

8. With reference to the previous concluding observations, please indicate the steps taken to adopt comprehensive anti-discrimination legislation.⁴ Please provide information on measures taken to strengthen the ability of the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination and the National Human Rights Institution and Office of the Ombudsman to receive and process complaints of discrimination.

³ CERD/C/URY/CO/24-26, paras. 29 and 30.

⁴ E/C.12/URY/CO/5, paras. 9 and 10.

9. In the light of the concluding observations of the Committee on the Elimination of Racial Discrimination,⁵ please provide specific information on the results, impact and lessons learned in the implementation and evaluation of the National Plan for Racial Equity and People of African Descent (2019–2022). Please indicate the monitoring and oversight mechanisms established for the application of the quotas set out in Act No. 19.122 to promote the participation of persons of African descent in education and employment, as well as the results achieved in the implementation of those quotas in the past five years, disaggregated by sex, age, disability and urban/rural region. Please indicate the results of the initiatives mentioned in paragraphs 13 to 15 of the State party’s report and their impact on the enjoyment of economic, social and cultural rights by persons of African descent.

10. Please provide information on the results and impact of Act No. 18.651, on the comprehensive protection of persons with disabilities in the areas of health, social security and education. Please also report on compliance with Act No. 19.691, on the promotion of work for persons with disabilities, in particular compliance with the 4 per cent quota for hiring in the public and private sectors. Please provide information about measures taken to ensure a support system and the accessibility of the physical environment, in particular transportation and public services.

11. In the light of the concluding observations of the Human Rights Committee, please provide details, including statistics for the past five years, of the results and impact of the initiatives mentioned in paragraphs 21 to 25 of the State party’s report that are designed to promote effective integration and ensure that migrants have equal access to employment, education, housing, health and social security.⁶

Equal rights of men and women (art. 3)

12. Please provide information on the following:

(a) The impact and results of the National Gender Equality Strategy 2030 on substantive equality between men and women and on the implementation and impact of the National Gender Equality System;

(b) The impact of the National Integrated Care System on equality between men and women, including results, lessons learned and challenges in the implementation of the National Care Plan 2016–2020, and information on the evaluation of the direct and indirect value of unpaid care work performed mainly by women, as well as on the distribution of domestic and care responsibilities between men and women;

(c) Updated statistics on the representation of women, including Indigenous women and women of African descent, in decision-making and managerial positions at all levels of public administration and in the private sector;

(d) The impact of measures adopted to address and monitor vertical and horizontal gender segregation in the labour market in the State party.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

13. With reference to the previous concluding observations, please provide information on the steps taken to develop an action plan to address the main causes of unemployment among the most disadvantaged and marginalized groups, as well as updated statistics for the past five years on employment, unemployment and underemployment rates, disaggregated by sex, age, ethnic or national origin, disability, economic activity and urban/rural region.⁷ Please provide details of the impact and results of the “Uruguay at Work” (Uruguay Trabaja) Programme, the “Access” Programme and the “Work Opportunities” Programme with regard to reducing unemployment. Please indicate the results of the “I’m Studying and Working”

⁵ CERD/C/URY/CO/24-26, paras. 17 and 18.

⁶ CCPR/C/URY/CO/6, paras. 28 and 29.

⁷ E/C.12/URY/CO/5, paras. 17 and 18.

(Yo Estudio y Trabajo) Programme with regard to the creation of job opportunities for young people, and provide statistics for the past five years showing the application of the 8 per cent quota for persons of African descent.

14. In the light of the State party's report,⁸ please provide updated statistics for the past five years on the extent of the informal economy in the State party, disaggregated by sex, age, ethnic or national origin, disability, economic activity and rural/urban region, as well as information on measures taken to transition from the informal sector to the formal economy. Please also provide information on labour protections for workers in the informal economy.

Right to just and favourable conditions of work (art. 7)

15. Please provide updated statistics on complaints of discrimination in the workplace registered during the past five years, disaggregated by sex, age, ethnic or national origin, disability, urban/rural region or other relevant grounds, as well as information on measures taken to combat discrimination in the workplace.

16. Please provide data on the evolution of the gender pay gap over the past five years, as well as information on the measures adopted to reduce the gap and the results obtained. Please indicate the impact of the measures adopted to ensure the application of the principle of equal pay for equal work in the State party.

17. Please provide information on the legislation, policies and programmes adopted in connection with workplace health and safety. Please also provide information on the incidence of occupational accidents and diseases during the past five years and on the measures taken to prevent them. Please provide information on labour inspections carried out during the past five years, including relevant annual statistical data, information on the main areas of labour legislation violations identified and details of the measures taken to address them.

18. Please provide information on the impact of measures taken to improve the working conditions of domestic and care workers, including migrant domestic workers, in the State party, especially measures to regularize such employment. In particular, please provide information on the percentage of domestic workers who are in formal employment.

Trade union rights (art. 8)

19. Please provide information on the safeguards in place to ensure that the rights to strike and to collective bargaining can be exercised effectively and in accordance with article 8 of the Covenant. Please provide information on cases concerning dismissal or discrimination on the basis of union membership.

20. Please provide information on the measures adopted to promote social dialogue and tripartite dialogue forums, as well as the measures adopted to guarantee the bipartite nature of collective bargaining, in order to promote and guarantee the free and voluntary nature of collective bargaining.

The right to social security (art. 9)

21. Please provide information on the main adjustments introduced by Act No. 20.130 on Social Security Reform and indicate the measures adopted to mitigate any potential impacts on beneficiaries during the transition process. Please provide information on the non-contributory schemes available in the State party and how accessible they are, in particular for persons working in the informal economy, domestic workers, migrant workers and homeless persons, and indicate whether the benefits are sufficient to ensure an adequate standard of living.

22. Please provide information on the coverage, utilization rates and amounts of non-contributory benefits, including old-age, family allowance, disability and dependency benefits. Please provide information on the indexation of non-contributory benefits,

⁸ E/C.12/URY/6, para. 65.

especially the child benefit provided for in the family allowance, and indicate whether it is sufficient to ensure an adequate standard of living.

Protection of the family and children (art. 10)

23. In the light of the State party's report,⁹ please provide information on the impact that Act No. 19.161, which extends the length of parental leave, has had on the use and enjoyment of this benefit in the past five years, including data disaggregated by sex, gender, age, ethnic or national origin, income quintile, disability, region and any other relevant indicator.

24. Please provide specific information on the results and impact of, and lessons learned in, the implementation of the National Plan for Ageing and Old Age 2016–2019, as well as on the human and financial resources allocated for the Plan's implementation. Please provide information on the impact of legislation adopted subsequent to Act No. 19.149 on guaranteeing and respecting the rights of older persons, in the framework of the provision of care services in the State party.

Right to an adequate standard of living (art. 11)

25. Please provide information on the proportion of the population living below the nationally defined poverty and extreme poverty lines in the last ten years, disaggregated by age, sex, gender, race, ethnic or national origin, disability and rural/urban region; as well as information on the human and financial resources allocated to the implementation of measures aimed at eradicating poverty.

26. Please provide information on the impact of the Five-Year Housing Plan 2015–2019 on the reduction of the social housing deficit in the State party and details of the lessons learned from the Plan, as well as on the financial and human resources allocated for the implementation of the Five-Year Housing Plan 2020–2024. In this regard, please provide the following information:

(a) Data on the number of irregular settlements in the State party, and information on evictions carried out in such settlements, the demographics of their inhabitants, the number of households, the regions affected and any other relevant indicators for the past five years, as well as information on measures adopted to eradicate, relocate or regularize irregular settlements and provide them with access to adequate public services;

(b) Updated statistics for the past five years on the rate of homelessness in the State party, disaggregated by sex, gender, age, ethnic or national origin and region, and indicate how the State party reconciles its obligation to guarantee the right to an adequate standard of living for homeless persons with the amendments proposed in the bill amending Act No. 18.787 with regard to the provision of compulsory State assistance for persons in street situations;

(c) Details of the impact Act No. 19.889, adopted under the fast-track legislative procedure, and Act No. 18.116 have had on misappropriation in the rental market and on the right of migrants to adequate housing conditions, as well as details of the measures taken to ensure that any evictions under such legislation are carried out in accordance with international standards and with its obligations under the Covenant; in particular, please provide information on whether access to effective judicial remedies, the right to a defence and the provision of housing alternatives in case of need are guaranteed.

27. Please provide updated statistics on the prevalence of undernutrition and malnutrition in the State party, disaggregated by region, urban/rural area, ethnic or national origin, gender and age, including data on overweight and obesity; as well as information on the measures taken to mitigate them.

28. Please report on the impact and results of the measures taken to ensure the accessibility, affordability, availability and safety of water for human consumption and use, in particular for disadvantaged and marginalized groups, in the context of the water emergency in the State party. Please provide updated disaggregated data on the impact of the

⁹ Ibid., para. 87.

measures mentioned in paragraphs 130 to 135 of the State party's report on reducing regional disparities in achieving universal access to safe drinking water and improving access to safe sanitation, including the results of the National Water Plan and the National Sanitation Plan. Please provide information on the impact and results of the measures mentioned in paragraphs 136 to 138 of the State party's report in effectively counteracting pollution in water sources and ensuring water quality.

Right to physical and mental health (art. 12)

29. Please provide information on the measures taken to ensure universal and non-discriminatory access to quality health services and safe and affordable medicines for the entire population, particularly in rural and remote areas, and on the impact of those measures. Please provide information on the following:

(a) Any existing strategies and action plans to address the burden of non-communicable diseases and mental health, as well as measures taken to address the high suicide rate in the State party;

(b) The measures taken to reduce the incidence and improve the treatment of HIV/AIDS, congenital syphilis and tuberculosis;

(c) The teenage pregnancy rate in the past five years, disaggregated by age, ethnic or national origin and urban/rural region, the measures adopted to prevent such pregnancies and the impact of those measures;

(d) The impact of measures taken to increase the accessibility and availability of sexual and reproductive health programmes and services, particularly comprehensive sex education, prenatal and postnatal care and voluntary termination of pregnancy, including in rural and remote areas;

(e) The measures adopted for the adequate provision of prevention, treatment and harm reduction services for people who use drugs.

Right to education (arts. 13 and 14)

30. Please provide detailed information on the main changes and impacts resulting from the educational reforms under way in the State party. Please provide information on the following:

(a) The measures adopted by the State party to improve the quality, accessibility and relevance of education, and the concrete results of those measures;

(b) The impact of the measures adopted over the past five years to guarantee access to education, ensure retention and improve advancement rates in primary and secondary education, as well as to promote access to higher education among the most disadvantaged and marginalized groups, including statistics on enrolment, retention and advancement in primary and secondary education, disaggregated by sex, gender, age, ethnic or national origin, disability, income quintile and urban/rural region;

(c) The nature and results of the measures adopted by the State party to enable all persons, especially those living in rural areas and those belonging to disadvantaged and marginalized groups, to gain access to education, including distance-learning resources, without discrimination during the COVID-19 pandemic.

Cultural rights (art. 15)

31. With reference to the previous concluding observations,¹⁰ please provide information on the measures taken to protect the country's cultural diversity, promote knowledge of the cultural heritage of Indigenous Peoples and Afro-Uruguayan communities and create favourable conditions in which they can preserve, develop, express and disseminate their identity, history, traditions and customs.

¹⁰ E/C.12/URY/CO/5, paras. 59 and 60.

32. Please provide information on the measures taken by the State party to prevent disinformation and promote the dissemination of accurate scientific information, with the aim of protecting the population from the harmful consequences of false, misleading and pseudoscience-based practices, especially when other economic, social and cultural rights are at risk.
