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Uruguay

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review. It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

- 2. The United Nations country team reported that, in 2019, Uruguay had ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environment Matters in Latin America and the Caribbean (Escazú Agreement).²
- 3. The Independent Expert on the enjoyment of all human rights by older persons and the Committee on the Elimination of Racial Discrimination recommended ratifying the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169).³
- 4. The Independent Expert on older persons visited Uruguay in 2018. ⁴ The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment visited Uruguay in 2018. ⁵ The Working Group on Enforced or Involuntary Disappearances visited Uruguay in 2022. ⁶ The Special Rapporteur on the sale, sexual exploitation and sexual abuse of children visited Uruguay in 2023. ⁷
- 5. The Working Group on Enforced or Involuntary Disappearances, the Committee on Enforced Disappearances and the Committee on the Elimination of Racial Discrimination commended Uruguay for having issued a standing invitation to all United Nations special procedures mandate holders.⁸
- 6. Uruguay contributed annually to the Office of the United Nations High Commissioner for Human Rights.⁹



III. National human rights framework

1. Constitutional and legislative framework

- 7. The Committee on Enforced Disappearances considered that the definition of "victim" in the Code of Criminal Procedure was insufficient and recommended adopting a definition that was fully in line with article 24 of the International Convention for the Protection of All Persons from Enforced Disappearance.¹⁰
- 8. The United Nations country team reported the adoption in 2023 of the reparation law for victims of illicit acts committed by members of armed groups, for political or ideological reasons (between 1962 and 1976), although common criteria for reparations for victims were still needed.¹¹
- 9. The Committee on the Elimination of Racial Discrimination recommended adopting comprehensive anti-discrimination legislation that defined direct and indirect discrimination in all areas of law and that included a specific provision clearly prohibiting racial discrimination and covered all the prohibited grounds under article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination.¹²

2. Institutional infrastructure and policy measures

- 10. The Working Group on Enforced or Involuntary Disappearances noted the high degree of credibility and trust among victims and search organizations towards the National Human Rights Institution and Office of the Ombudsperson. It expressed concern about political figures repeatedly making statements discrediting or publicly questioning the National Human Rights Institution and Office of the Ombudsperson and its current or former members. ¹³ The Committee on the Elimination of Racial Discrimination recommended ensuring the allocation of adequate human, financial and technical resources to enable the National Human Rights Institution and Office of the Ombudsperson to discharge its mandate fully and effectively in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). ¹⁴ The Working Group on Enforced or Involuntary Disappearances, the Committee against Torture and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families made similar recommendations. ¹⁵
- 11. The Committee on the Elimination of Racial Discrimination recommended strengthening the independence of the National Human Rights Institution and Office of the Ombudsperson by introducing and implementing a transparent, participatory and merit-based process for selecting and appointing its directors.¹⁶
- 12. The Committee on Enforced Disappearances welcomed the establishment of the national mechanism for reporting and follow-up as well as the designation of the recommendations monitoring system.¹⁷ The Human Rights Committee reiterated the need to strengthen the recommendations monitoring system.¹⁸
- 13. The United Nations country team and the Committee against Torture reported the establishment of a national preventive mechanism against torture under the National Human Rights Institution and Office of the Ombudsperson.¹⁹ The Working Group on Enforced or Involuntary Disappearances recommended ensuring that the National Human Rights Institution and Office of the Ombudsperson continued to receive sufficient human, financial and technical resources to carry out its mandate swiftly and independently and that it had access to all the available technology required to detect and exhume human remains.²⁰ The Committee on Enforced Disappearances, the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Independent Expert on older persons made similar recommendations.²¹

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

- 14. The Committee on the Elimination of Racial Discrimination reiterated its recommendation that Uruguay ensure effective coordination among the various mechanisms for racial equality and for combating racial discrimination. It also recommended that Uruguay strengthen the National Advisory Council for Ethnic and Racial Equity and People of African Descent and the Division for the Promotion of Public Policies for People of African Descent, as well as the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination.²²
- 15. The same Committee expressed concern about the increase in racist hate speech and hate crimes and the dissemination of negative stereotypes. It recommended reviewing the existing legislative framework to ensure that all legislation to combat racial discrimination in the media was in conformity with the International Convention on the Elimination of All Forms of Racial Discrimination and other international human rights standards, and ensuring that all complaints of racist hate speech and hate crimes were thoroughly, effectively and impartially investigated and prosecuted, that perpetrators were duly punished and that victims were provided with effective remedies and adequate reparations.²³
- 16. The same Committee expressed concern about the persistence of racial profiling, ill-treatment, acts of torture, deaths in custody, abuse of authority and excessive use of force by law enforcement officials. It recommended preventing acts of police and institutional violence by implementing ongoing awareness-raising programmes on combating racism and oppression and ensuring that all complaints of excessive use of force by law enforcement officials were promptly and effectively investigated, that alleged perpetrators were tried and, if found guilty, were punished appropriately and that victims or their families received adequate compensation. It also recommended ensuring that racial profiling was clearly defined and prohibited by law, establishing an adequately resourced oversight mechanism and ensuring that the mechanism carried out its functions independently.²⁴
- 17. The United Nations country team and the Independent Expert on older persons highlighted the high levels of poverty among the Afro-descendent population. ²⁵ The United Nations country team underlined the establishment of institutional and legal frameworks to combat racial discrimination, but stressed the persistence of inequality. ²⁶ The Human Rights Committee recommended implementing the new national plan against racism and discrimination as soon as possible and taking urgent measures to meet the 8per cent annual quota for the participation of people of African descent in education. ²⁷ The Committee on the Elimination of Racial Discrimination made similar recommendations. ²⁸
- 18. The Human Rights Committee expressed concern about the persistent discrimination against Afro-descendant and Indigenous Peoples in the spheres of education, work, health and public life. It recommended the redoubling of efforts to prevent, combat and eradicate all forms of discrimination.²⁹ The Committee on the Elimination of Racial Discrimination recommended reviewing the relevant legislation and ensuring that national and departmental education authorities included the history and contributions to nation-building of people of African descent and Indigenous Peoples in primary and secondary school curricula.³⁰

2. Right to life, liberty and security of person, and freedom from torture

19. The Committee against Torture regretted that the definition of torture in Act No. 18026 did not meet international standards. It urged Uruguay to criminalize torture in accordance with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³¹ The Human Rights Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment recommended establishing a penalty for that offence that reflected its extreme seriousness.³²

- 20. The Committee against Torture noted with concern that Uruguay lacked an efficient mechanism for reporting acts of torture and ill-treatment. It urged Uruguay to develop such a mechanism and to establish a centralized registry of complaints, investigations, prosecutions and convictions on cases of torture and ill-treatment.³³
- 21. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment urged Uruguay to effectively prevent, detect and punish acts of torture and ill-treatment committed at the time of deprivation of liberty and during transfer and admission to places of detention. It recommended creating a standardized database to register those cases and creating and strengthening internal and external mechanisms for the control and oversight of all bodies empowered to deprive persons of their liberty. Those mechanisms should take a proactive approach to the effective prevention, detection and punishment of acts of torture and ill-treatment.³⁴
- 22. The Human Rights Committee recommended that Uruguay effectively prevent acts of torture and ill-treatment by strengthening human rights training for judges, prosecutors, law enforcement officials and other officials who dealt with persons deprived of liberty.³⁵ It also recommended strengthening the coordination between the judiciary and the Office of the Parliamentary Commissioner for the Prison System and ensuring that any alleged acts of torture or ill-treatment were investigated promptly, thoroughly and impartially, that perpetrators were prosecuted and punished appropriately and that victims received full reparation.³⁶
- 23. The Working Group on Enforced or Involuntary Disappearances noted that no comprehensive exercise had been carried out to clarify and reconstruct the truth about the human rights violations committed between 1968 and 1985. It recalled that that was essential to prevent their recurrence.³⁷ The Human Rights Committee highlighted the need to make progress in the investigations into all allegations of human rights violations perpetrated during that period and in the search for disappeared or murdered persons and the identification of human remains, and to ensure that those responsible were brought to justice and that appropriate penalties were imposed.³⁸ The Committee on Enforced Disappearances and the Committee against Torture made similar remarks.³⁹
- 24. The Working Group on Enforced or Involuntary Disappearances encouraged Uruguay to ensure access to all relevant information on enforced disappearances. It recommended developing and implementing comprehensive policies on the preservation, analysis and dissemination of the information contained in the archives of military, police and intelligence agencies.⁴⁰
- 25. Regarding contemporary disappearances, the Working Group on Enforced or Involuntary Disappearances underlined that Uruguay did not have effective preventive measures, search mechanisms or policies aimed specifically at children, adolescents and women. It recommended ensuring that searches were initiated ex officio and without delay, that Uruguay acted with due diligence in searches for, and investigations into, the disappearances of children, adolescents and women, and that adequate context analysis was carried out, particularly with regard to the possible commission of crimes and the involvement of the authorities in their commission. It also recommended adopting search policies and programmes aimed specifically at that group of disappeared persons, such as the Amber Alert and the Alba Protocol.⁴¹
- 26. The Human Rights Committee expressed concern regarding the significant and growing number of persons deprived of their liberty in Uruguay and, in particular, the sharp increase in the number of women deprived of liberty, as well as regarding the high number of defendants in pretrial detention for prolonged periods alongside convicted persons. It recommended ensuring that persons in pretrial detention were held separately from convicted persons, effectively reducing the high percentage of persons in pretrial detention, prioritizing recourse to alternatives to deprivation of liberty and giving preference to non-custodial social and educational measures for women who had committed non-violent offences. ⁴² The Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Committee on the Elimination of Discrimination against Women made similar recommendations. ⁴³ The Subcommittee encouraged Uruguay to adopt a prison policy that incorporated a gender perspective. It also

encouraged the judiciary to accelerate trials and judicial proceedings concerning persons deprived of their liberty.⁴⁴

- 27. The Committee on the Elimination of Racial Discrimination expressed concern about the overrepresentation in prisons of racial and ethnic minorities, particularly people of African descent and Indigenous Peoples.⁴⁵
- 28. The United Nations country team indicated that the situation of persons deprived of their liberty was a critical challenge in Uruguay. 46 After its visit, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment considered that the conditions in the detention centres housing large numbers of detainees were inhuman and degrading. It highlighted the lack of resources as well as the lack of a clear and coordinated strategy to bring about change. The Subcommittee recommended taking urgent measures to improve the unacceptable conditions in prisons in Uruguay and developing a strategy and an action plan to that end. 47 The Human Rights Committee and the Committee against Torture recommended improving detention conditions by ensuring that they were consistent with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules). 48
- 29. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment expressed concern about access to medical services in places of deprivation of liberty. It indicated that the prison authorities should ensure that health professionals had access to all sick prisoners and that inmates should gain prompt access to medical attention in urgent cases. ⁴⁹ It recommended that the Ministry of Health take the measures necessary to ensure that public health services were accessible to persons deprived of liberty and provide additional human, material and financial resources to that end.
- 30. The same Subcommittee underlined that Uruguay should provide the national preventive mechanism with all information concerning places of detention, persons deprived of liberty, the treatment of those persons and their conditions of detention.⁵⁰
- 31. The Committee on Enforced Disappearances recommended enhancing cooperation with other States parties in the region in searching for persons who were disappeared under Operation Condor. ⁵¹ The Working Group on Enforced or Involuntary Disappearances recommended taking every legal and diplomatic measure necessary to prosecute and punish all those responsible for enforced disappearances, including by using the corresponding extradition requests. ⁵²
- 32. The Committee against Torture expressed concern that article 21 of the Act of Urgent Consideration (No. 19.889) empowered the police to autonomously interrogate detained persons and that article 43 thereof extended the deadline for informing the prosecutor of the police action from two to four hours. The Committee indicated that Uruguay should adopt effective measures to ensure that all detainees had the benefit, in law and in practice, of all fundamental safeguards from the very outset of their deprivation of liberty. In particular, it referred to their rights: (a) to receive legal assistance without delay; (b) to obtain immediate access to an independent physician; (c) to be informed of the reasons for their detention and the nature of the charges against them in a language that they understand; (d) to have their detention recorded in a register; (e) to promptly inform a family member or another person of their arrest; and (f) to be brought before a judge without delay.⁵³ The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment recommended adopting a standard, detailed medical report form, in line with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol).⁵⁴
- 33. The Human Rights Committee expressed concern about the multiple complaints of police abuse of persons in detention and the insufficient efforts to investigate those alleged abuses and to punish the perpetrators. It recommended ensuring that all cases of police abuse were investigated thoroughly and promptly and that those responsible were punished.⁵⁵ The Committee against Torture made a similar recommendation.⁵⁶
- 34. The United Nations country team, the Human Rights Committee and the Committee against Torture noted the increase in the number of deaths in custody⁵⁷ and recommended

ensuring that all deaths in custody were investigated and that the perpetrators of any intentional killing were prosecuted and duly punished.⁵⁸

3. Administration of justice, including impunity, and the rule of law

- 35. The Committee against Torture and the Human Rights Committee noted with concern the introduction of harsher custodial sentences for juveniles in conflict with the law.⁵⁹ The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment urged Uruguay to review the criminal legislation applicable to children in order to bring it into line with international standards on juvenile justice.⁶⁰ The Human Rights Committee recommended ensuring that the pretrial detention of children and adolescents was avoided to the greatest extent possible by using alternative measures.⁶¹ The Committee against Torture made a similar recommendation.⁶²
- 36. The Working Group on Enforced or Involuntary Disappearances expressed concern about the lack of a legal foundation for the Office of the Special Prosecutor for Crimes against Humanity, rendering its continuity dependent on the will of whoever was in charge of the Office of the Attorney General of the Nation. ⁶³ The Working Group recommended strengthening the capacities of the Office of the Special Prosecutor for Crimes against Humanity, endowing the Office with regulatory stability and guaranteeing that it had sufficient human, technical and financial resources. ⁶⁴ The Committee on Enforced Disappearances and the Committee on the Elimination of Discrimination against Women made similar recommendations. ⁶⁵
- 37. The Working Group on Enforced or Involuntary Disappearances noted that the search and justice processes relating to enforced disappearance had faced serious institutional obstacles that had resulted in long delays. It recommended taking legislative measures to overcome obstacles and delays in criminal proceedings brought in connection with enforced disappearances and other serious human rights violations, digitizing files and ensuring the routine use of the early decision mechanism by the competent judicial bodies in the resolution of the corresponding appeals.⁶⁶
- 38. The same Working Group stated that victims had encountered difficulties in accessing justice, in particular obtaining information on the progress of investigations, putting forward evidence, controlling how evidence was presented and appealing against measures that affected them. The Working Group urged Uruguay to provide all guarantees of access to justice even in those cases tried under the former criminal procedure, in particular free legal representation.⁶⁷ The Human Rights Committee considered that Uruguay should ensure that the public defence service was hierarchically and financially independent from the judicial branch and that it had adequate financial, technical and human resources to carry out its work in a timely and appropriate manner throughout the entire country.⁶⁸ The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment urged Uruguay to strengthen the public defender service throughout the country by taking steps to increase the number of public defenders and to ensure that any detainee who could not afford a lawyer had equal access to one free of charge.⁶⁹
- 39. The Working Group on Enforced or Involuntary Disappearances emphasized the importance of strengthening the Victims and Witnesses Unit of the Office of the Attorney General of the Nation to ensure that it had adequate human, financial and technical resources and properly trained staff. The Working Group recommended that Uruguay guarantee access to justice for victims so that they could participate actively in the proceedings, including by granting free legal representation to those who required it.⁷⁰
- 40. The consideration of a bill by the Parliament to replace custodial sentences with house arrest for defendants and convicted persons over 65 years of age was considered by the Working Group on Enforced or Involuntary Disappearances as a step backwards in the fight against impunity and contrary to international human rights law. It recommended that Uruguay quash the bill and eliminate all privileges for the perpetrators and fugitives from justice to retain military positions and pensions. ⁷¹ The Committee on Enforced Disappearances encouraged Uruguay to withdraw the bill. ⁷²
- 41. The Working Group on Enforced or Involuntary Disappearances reiterated that monetary compensation and reparations should be clearly distinguished from social

protection benefits and other measures intended to help families cope with the terrible consequences of enforced disappearance. The Committee on Enforced Disappearances expressed concern about the alleged obstacles that continued to hinder the realization of the right to full reparation for all victims. The Committee recommended guaranteeing and facilitating access by any individual who had suffered harm as a direct result of an enforced disappearance that took place between 1968 and 1985, regardless of its duration, to full reparation and allocating sufficient resources to uphold the right to full reparation. The Working Group on Enforced or Involuntary Disappearances made a similar recommendation.

4. Fundamental freedoms and the right to participate in public and political life

- 42. The Human Rights Committee noted with concern reports of an increase in criminal proceedings, threats and restrictions related to the freedom of expression of journalists and new amendments to the Act of Urgent Consideration that contained vague and overly broad definitions that gave the police authorities greater discretion in the use of force to restrict gatherings and demonstrations. The Committee indicated that Uruguay should ensure the full enjoyment of the rights to freedom of expression and peaceful assembly by all persons. It urged Uruguay to prevent threats against and restrictions on the freedom of expression of journalists and ensure that all allegations of such acts of intimidation were promptly, thoroughly, independently and impartially investigated. It also urged Uruguay to ensure that the rights to freedom of opinion and expression and to freedom of assembly and association established in the Act of Urgent Consideration were upheld in full conformity with the requirements of articles 19, 21 and 22 of the International Covenant on Civil and Political Rights.⁷⁶
- 43. The United Nations country team reported that Uruguay had one of the lowest levels of participation of women in the executive and judicial powers in Latin America and the Caribbean despite the fact that Act No. 18.476 established quotas for the participation of women in electoral lists. The Committee on the Elimination of Discrimination against Women recommended the development and implementation of targeted measures to achieve gender parity in the public service.
- 44. The United Nations country team and the Committee on Migrant Workers reported that Uruguay was one of the few countries in the region that had not made it possible for its nationals living abroad to exercise their right to vote.⁷⁹

5. Right to privacy

45. The Human Rights Committee indicated that Uruguay should ensure that surveillance activities were subject to effective independent judicial oversight mechanisms and ensure access to effective remedies in cases of abuse.⁸⁰

6. Right to marriage and family life

46. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that the Civil Code provided for non-judicial exceptions permitting marriage from age 16.81 The Human Rights Committee, the Committee on the Elimination of Discrimination against Women and UNESCO recommended that Uruguay urgently amend article 91 of the Civil Code to raise the minimum age for marriage to 18 years without distinction as to gender.82

7. Prohibition of all forms of slavery, including trafficking in persons

47. The United Nations country team highlighted the adoption of Act No. 19.643 on preventing and combating human trafficking, by which the National Council on Preventing and Combating Human Trafficking and Exploitation had been created.⁸³ The Committee on the Elimination of Discrimination against Women recommended allocating adequate resources for the implementation of the Act and for the Council.⁸⁴ The Committee on Migrant Workers recommended adopting regulations to ensure the application of a comprehensive law to combat trafficking. ⁸⁵ The Human Rights Committee made a similar recommendation.⁸⁶

8. Right to work and to just and favourable conditions of work

48. The United Nations country team expressed concern regarding women's limited access to work, inequality with men, the existing pay gap and the distribution of domestic tasks. ⁸⁷ The Human Rights Committee and the Committee on the Elimination of Discrimination against Women recommended narrowing the wage gap between men and women and accelerating the implementation in the executive, legislative and judicial branches of the measures set forth in the 2030 National Gender Equality Strategy. ⁸⁸

9. Right to social security

- 49. The Independent Expert on older persons highlighted the fact that there was a gender gap in the social security system, as women received smaller incomes and had shorter histories of contribution that reflected the division of labour between men and women.⁸⁹
- 50. The same Independent Expert recommended that Uruguay consider introducing a universal non-contributory old-age pension. She urged Uruguay to intensify its efforts to guarantee universal social security coverage.⁹⁰

10. Right to an adequate standard of living

- 51. The United Nations country team underlined that levels of poverty were higher among children, youth, female-headed households and people of African descent.⁹¹
- 52. The United Nations country team highlighted the need to improve water management in the medium and long terms to prevent future crises and ensure the right to water. 92 The Special Rapporteur on the human rights to safe drinking water and sanitation and the Working Group on the issue of human rights and transnational corporations and other business enterprises urged Uruguay to prioritize water use for human consumption. 93
- 53. The United Nations country team underlined the establishment of the Ministry of Environment in 2020 and the National Environmental Plan and other programmes on recycling, the protection of water resources, education and environmental awareness. It highlighted waste management as a challenge, despite the efforts undertaken and the legal framework in place.⁹⁴
- 54. The Independent Expert on older persons recommended adopting a comprehensive social housing and shelter strategy that was inclusive and systematic and that set quality and habitability standards and was based on the right to adequate and affordable housing.⁹⁵

11. Right to health

- 55. The Human Rights Committee and the Committee on the Elimination of Discrimination against Women expressed concern that, in practice, women faced obstacles in accessing abortion. They recommended ensuring legal, effective, safe and confidential access to abortion for women and girls throughout the territory. 96 The Human Rights Committee recommended stepping up efforts to prevent unwanted pregnancies, especially among teenage girls, and to ensure full access to adequate sexual and reproductive health services throughout the country. 97 The United Nations country team highlighted the lack of a comprehensive programme on sexual education despite a reform of the education sector. 98 The Human Rights Committee recommended prioritizing the implementation of an effective national sexual and reproductive education plan. 99
- 56. The Committee against Torture noted with concern the prevalence, in acute mental health facilities, of practices of isolation, control and punishment, as well as the lack of therapeutic care, inadequate infrastructure, lack of staff and the prolonged hospitalization of children, sometimes for years after they should have been discharged. It recommended closing specialized acute care centres in accordance with the Mental Health Act. 100
- 57. The United Nations country team and the Committee on the Elimination of Discrimination against Women expressed serious concern regarding the magnitude and evolution of the suicide rate.¹⁰¹
- 58. The Independent Expert on older persons indicated that the Commission for the Control of Mental Health Care did not have a sufficiently independent status, hindering its

ability to monitor the level of respect for patients' human rights and to impartially review involuntary admissions. She called upon Uruguay to amend the mental health law to ensure the independence and autonomy of the review body and to ensure the accessibility, availability and quality of mental health services throughout the country.¹⁰²

12. Right to education

- 59. Although the General Law on Education adopted in 2008 guaranteed the right to education to all inhabitants of Uruguay without discrimination of any kind, ¹⁰³ the United Nations country team reported that Uruguay still registered gaps in educational results between different socioeconomic and ethnic and racial groups, as well as between geographical areas and between students with and without disabilities. ¹⁰⁴ UNESCO recommended enshrining the right to education in the Constitution. ¹⁰⁵
- 60. UNESCO recommended continuing to increase enrolment in tertiary education, taking into account individual and societal needs. ¹⁰⁶ The United Nations country team highlighted progress in education with regard to coverage, a reduction of dropouts from school and an increase in the completion of education. ¹⁰⁷

13. Cultural rights

61. UNESCO encouraged Uruguay to fully implement the relevant conventions to which it was party that promoted access to and participation in cultural heritage and creative expressions.¹⁰⁸

B. Rights of specific persons or groups

1. Women

- 62. The United Nations country team underlined that Uruguay had one of the highest rates of femicide in South America, despite the comprehensive law to ensure a life free of gender-based violence. ¹⁰⁹ The Independent Expert on older persons highlighted the Action Plan for a Life Free of Gender-based Violence and the difficulties in its implementation, and also highlighted that, within the framework of the Action Plan, Uruguay had amended articles 311 and 312 of the Criminal Code to classify femicide as a particular aggravating circumstance of murder. ¹¹⁰
- 63. The Human Rights Committee highlighted the adoption of the Law on Gender-based Violence against Women and the establishment of the Observatory for Gender-based Violence against Women. The Committee recommended that Uruguay intensify its efforts to prevent, combat and eradicate all forms of violence against women and girls, including domestic violence and sexual violence. In addition, Uruguay should allocate the financial, technical and human resources required for the prevention of such violence, the protection of women, the punishment of perpetrators and the provision of reparations to victims throughout the territory. ¹¹¹ The Independent Expert on older persons and the Committee on the Elimination of Discrimination against Women made similar recommended elevating the National Women's Institute to ministerial rank with sufficient resources. ¹¹³
- 64. The Working Group on Enforced or Involuntary Disappearances highlighted the particular vulnerability of women subjected to enforced disappearance and indicated that mechanisms should be established to allow women to report their experiences in a framework of respect and privacy and, when required, receive psychological support. The Working Group recommended adopting a gender perspective in investigations and prosecutions relating to enforced disappearances and urged Uruguay to develop specific protocols, questionnaires and guidelines for interviewing such victims.¹¹⁴
- 65. The Human Rights Committee expressed concern that women, in particular Afro-descendant and Indigenous women, were still underrepresented in managerial and decision-making positions in both the public and private sectors. 115 The Committee on the Elimination of Discrimination against Women recommended implementing legislation that prohibited discrimination against women. 116

2. Children

- 66. The United Nations country team reported that children's poverty was considered a structural problem in Uruguay and underlined that it must continue to advance in the eradication of children's poverty.¹¹⁷
- 67. The United Nations country team expressed concern about violence against children and adolescents. Act No. 18.214 prohibited corporal punishment and humiliation as corrective or educational measures, but its implementation was weak.¹¹⁸
- 68. The Special Rapporteur on the sale of children urged the Government to adopt a comprehensive, child-centred, rights-based, trauma-informed and gender-sensitive strategy to combat and eradicate the phenomena of the sale, sexual exploitation and abuse of children, as well as effective intersectoral coordination measures.¹¹⁹

3. Older persons

- 69. The Independent Expert on older persons highlighted the measures taken by Uruguay to counter age-based discrimination in employment by means of affirmative action. The Independent Expert recommended revising national regulations to bring them into line with the requirements of international human rights law in terms of age discrimination. ¹²⁰
- 70. The same Independent Expert noted the general tendency to underreport cases of violence and abuse involving older persons. She stressed the need to ensure the availability of a sufficient number of adequate shelters and safe houses adapted to the specific needs of older persons, better and more accessible legal aid, and the provision to victims of counselling, rehabilitation and support services.¹²¹
- 71. The same Independent Expert urged Uruguay to further strengthen the National Institute for Older Persons (INMAYORES) and recommended elevating the Institute to an independent interministerial coordination body. 122
- 72. The same Independent Expert indicated that normative action needed to be complemented by concrete measures and mechanisms to detect, report and prevent all forms of abuse of older persons in institutional care and in family settings. She recommended developing a comprehensive long-term care policy for older persons, preferably enabling them to stay in their primary environment.¹²³

4. Persons with disabilities

- 73. The United Nations country team indicated that, despite the fact that the rights of persons with disabilities were enshrined in the Constitution and in Act No. 18.651, almost half of persons with disabilities were part of the poorer sectors of the population. 124
- 74. The Human Rights Committee recommended combating discrimination and prejudice against persons with disabilities and devising a comprehensive plan to ensure the accessibility of the physical environment in order to guarantee effective access to public services for persons with disabilities.¹²⁵
- 75. With regard to access of persons with disabilities to education, the United Nations country team underlined the existing inequalities in the levels of attendance in educational centres and in the level of completion of educational cycles. 126
- 76. The United Nations country team highlighted the need to adopt strategies and assign resources to make health care accessible to persons with disabilities. 127

5. Indigenous Peoples and minorities

77. The Committee on the Elimination of Racial Discrimination recommended taking all the measures necessary to recognize and give greater visibility to Indigenous Peoples in Uruguay and combating stereotypes about Indigenous Peoples by promoting recognition of their cultural identity and preserving their culture. It also recommended defining and implementing, in consultation with Indigenous Peoples' organizations, affirmative action measures to ensure that Indigenous Peoples enjoyed all the rights recognized in article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination. 128

6. Lesbian, gay, bisexual, transgender and intersex persons

78. The Human Rights Committee expressed concern about stigmatization and discriminatory attitudes towards lesbian, gay, bisexual, transgender and intersex persons despite many legislative and policy initiatives. It recommended combating those stereotypes and ensuring that the gap between legislation and practice was effectively addressed and that offences motivated by the victim's sexual orientation or gender identity were investigated promptly, that those responsible were brought to justice and appropriately punished and that the victims received full reparation.¹²⁹

7. Migrants, refugees and asylum-seekers

- 79. The Committee on Migrant Workers and the Committee on the Elimination of Discrimination against Women expressed concern about the normative distinction between nationality and legal citizenship.¹³⁰ The United Nations country team indicated that Uruguay was the only country in the region where the granting of legal citizenship was not equivalent to the granting of Uruguayan nationality by naturalization.¹³¹
- 80. The Committee on Migrant Workers recommended the immediate implementation of the National Plan for the Integration of Migrants, Asylum-seekers and Refugees. ¹³² The United Nations country team highlighted the importance of the participation of all institutions in its validation and the need for the allocation of the resources required for it to fulfil its objectives. ¹³³
- 81. The Human Rights Committee recommended providing the Refugee Commission with the human, technical and financial resources necessary to ensure the local integration of returnees, refugees and asylum-seekers.¹³⁴
- 82. The Human Rights Committee and the Committee on Migrant Workers expressed concern regarding the requirement that migrant women must live in the country for one year before they can gain access to safe, legal and effective abortion services and recommended abolishing the requirement.¹³⁵

Notes

- ¹ A/HRC/41/8, A/HRC/41/8/Add.1 and A/HRC/41/2.
- ² United Nations country team submission for the universal periodic review of Uruguay, para. 4.
- ³ A/HRC/42/43/Add.1, paras. 13 and 82; and CERD/C/URY/CO/24-26, para. 30 (d). See also United Nations country team submission, para. 4.
- ⁴ See A/HRC/42/43/Add.1.
- ⁵ See CAT/OP/URY/1.
- ⁶ A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 1.
- See https://www.ohchr.org/sites/default/files/2023-05/URUGUAY-SR-Sale-of-children-End-of-mission-statement.pdf.
- 8 A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 2; CED/C/URY/OAI/1, para. 4; and CERD/C/URY/CO/24-26, para. 6.
- ⁹ See https://www.ohchr.org/sites/default/files/2022-02/VoluntaryContributions2022.pdf.
- ¹⁰ CED/C/URY/OAI/1, para. 13.
- ¹¹ United Nations country team submission, para. 47.
- ¹² CERD/C/URY/CO/24-26, para. 12.
- A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 17 and 18. See also CAT/C/URY/CO/4, para. 36; and CMW/C/URY/CO/2, para. 28.
- ¹⁴ CERD/C/URY/CO/24-26, para. 16.
- A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 21 and 80 (d); CAT/C/URY/CO/4, para. 35; and CMW/C/URY/CO/2, para. 29.
- ¹⁶ CERD/C/URY/CO/24-26, para. 16.
- ¹⁷ CED/C/URY/OAI/1, para. 3 (e). See also United Nations country team submission, para. 6.
- ¹⁸ CCPR/C/URY/CO/6, para. 5.
- ¹⁹ United Nations country team submission, paras. 7 and 38; and CAT/C/URY/CO/4, para. 36.
- ²⁰ A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 80 (g).
- ²¹ CED/C/URY/OAI/1, para 19 (f); CAT/C/URY/CO/4, para. 37; CAT/OP/URY/1, para. 16; and A/HRC/42/43/Add.1, para. 75.
- ²² CERD/C/URY/CO/24-26, para. 14.

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<sup>23</sup> Ibid., paras. 21 and 22 (a) and (d). See also CMW/C/URY/CO/2, para. 31.
<sup>24</sup> CERD/C/URY/CO/24-26, paras. 23 and 24.
<sup>25</sup> United Nations country team submission, para. 18; and A/HRC/42/43/Add.1, para. 26.
<sup>26</sup> United Nations country team submission, para. 20.
<sup>27</sup> CCPR/C/URY/CO/6, paras. 7 (c) and (d).
<sup>28</sup> CERD/C/URY/CO/24-26, para. 26.
<sup>29</sup> CCPR/C/URY/CO/6, paras. 6 and 7. See also CERD/C/URY/CO/24-26, para. 25.
<sup>30</sup> CERD/C/URY/CO/24-26, para. 36.
31 CAT/C/URY/CO/4, paras. 8 and 9.
<sup>32</sup> CCPR/C/URY/CO/6, paras. 18 and 19; and CAT/OP/URY/1, para. 22.
<sup>33</sup> CAT/C/URY/CO/4, paras. 30 and 31.
<sup>34</sup> CAT/OP/URY/1, para. 26.
35 CCPR/C/URY/CO/6, para. 19.
36 Ibid.
<sup>37</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 11 and 12.
<sup>38</sup> CCPR/C/URY/CO/6, para. 27 (b).
<sup>39</sup> CED/C/URY/OAI/1, paras. 17 (a) and 19; and CAT/C/URY/CO/4, para. 33. See also
   CERD/C/URY/CO/24-26, paras, 27 and 28.
<sup>40</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 27 and 80 (f). See also
   CED/C/URY/OAI/1, para. 19 (c).
<sup>41</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 72 and 80 (dd) and (ee).
<sup>42</sup> CCPR/C/URY/CO/6, paras. 22 and 23. See also CEDAW/C/URY/CO/10, para. 41.
<sup>43</sup> CAT/C/URY/CO/4, para. 15 (c); CAT/OP/URY/1, paras. 77 and 80; and CEDAW/C/URY/CO/10
   para. 42.
<sup>44</sup> CAT/OP/URY/1 paras. 99 and 105.
<sup>45</sup> CERD/C/URY/CO/24-26, para. 33.
<sup>46</sup> United Nations country team submission, paras. 39 and 41. See also CEDAW/C/URY/CO/10,
   para. 42.
<sup>47</sup> CAT/OP/URY/1, paras. 51 and 58.
<sup>48</sup> CCPR/C/URY/CO/6. para. 23 (e); and CAT/C/URY/CO/4, para. 15 (a). See also CAT/OP/URY/1,
   paras. 40 and 58.
<sup>49</sup> CAT/OP/URY/1, para. 82. See also CMW/C/URY/Q/2, para. 11.
<sup>50</sup> CAT/OP/URY/1, para. 18.
51 CED/C/URY/OAI/1, para. 19 (g). See also A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1,
   paras. 6, 13, 33, 66, 68, 69 and 80.
<sup>52</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 80 (y).
<sup>53</sup> CAT/C/URY/CO/4, paras. 10 and 11.
<sup>54</sup> CAT/OP/URY/1, para. 31. See also CAT/OP/URY/1, paras. 33 and 38–40.
<sup>55</sup> CCPR/C/URY/CO/6, paras. 24 and 25 (b).
<sup>56</sup> CAT/C/URY/CO/4, paras. 13 (b), and 21.
<sup>57</sup> United Nations country team submission, para. 40; CCPR/C/URY/CO/6, para. 22 (b); and
  CAT/C/URY/CO/4 para. 18.
<sup>58</sup> CCPR/C/URY/CO/6, para. 23 (b); CAT/C/URY/CO/4, para. 19; and CAT/OP/URY/1, para. 96.
<sup>59</sup> CAT/C/URY/CO/4, para. 22; and CCPR/C/URY/CO/6, para. 22 (d). See also United Nations country
   team submission, paras. 7, 43 and 44; and CAT/OP/URY/1, para. 106.
60 CAT/OP/URY/1, para. 107.
61 CCPR/C/URY/CO/6, paras. 22 and 23 (d).
62 CAT/C/URY/CO/4, para. 23.
<sup>63</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 31. See also United Nations country team
   submission, para. 45; and CAT/OP/URY/1, para. 50.
<sup>64</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 80 (i).
65 CED/C/URY/OAI/1, para. 17 (e); and CEDAW/C/URY/CO/10, para. 14.
<sup>66</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 78 and 80 (h). See also
   CED/C/URY/OAI/1, para. 19 (a).
<sup>67</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 37 and 74. See also
   CEDAW/C/URY/CO/10, para. 11.
68 CCPR/C/URY/CO/6, paras. 24 and 25 (a). See also CERD/C/URY/CO/24-26, para. 34 (a); and
   CMW/C/URY/Q/2, para. 9.
69 CAT/OP/URY/1, para. 43.
<sup>70</sup> A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 74 and 80 (k).
<sup>71</sup> Ibid., paras. 44, 45 and 80 (m).
<sup>72</sup> CED/C/URY/OAI/1, para. 9.
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⁷³ A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 52.

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<sup>74</sup> CED/C/URY/OAI/1, paras. 20, and 21 (a) and (b). See also A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 54.
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- ⁷⁵ A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, para. 80 (o).
- CCPR/C/URY/CO/6, paras. 32 and 33. See also the United Nations Educational, Scientific and Cultural Organization (UNESCO) submission for the universal periodic review of Uruguay, paras. 17, 20 and 26; and United Nations country team submission, para. 50.
- ⁷⁷ United Nations country team submission, para. 17.
- ⁷⁸ CEDAW/C/URY/CO/10, para. 28.
- ⁷⁹ United Nations country team submission, para. 48; and CMW/C/URY/CO/2, paras. 52 and 53.
- 80 CCPR/C/URY/CO/6, para. 31 (b).
- ⁸¹ UNESCO submission, para. 8. See also United Nations country team submission, para. 27.
- 82 CCPR/C/URY/CO/6, para. 35 (a); CEDAW/C/URY/CO/10, para. 46; and UNESCO submission, para. 23 (iii).
- ⁸³ United Nations country team submission, para. 49.
- 84 CEDAW/C/URY/CO/10, para. 24.
- 85 CMW/C/URY/CO/2, para. 57.
- ⁸⁶ CCPR/C/URY/CO/6, para. 21. See also CMW/C/URY/Q/2, para. 31.
- ⁸⁷ United Nations country team submission, paras. 9 and 55. See also CEDAW/C/URY/CO/10, paras. 33 and 38.
- ⁸⁸ CCPR/C/URY/CO/6, paras. 12 and 13; and CEDAW/C/URY/CO/10, paras. 33 and 34. See also UNESCO submission, para. 12.
- 89 A/HRC/42/43/Add.1, para. 53.
- ⁹⁰ A/HRC/42/43/Add.1, paras. 96 and 97. See also CMW/C/URY/CO/2, para. 55.
- ⁹¹ United Nations country team submission, para. 52. See also A/HRC/42/43/Add.1, paras. 38 and 41.
- ⁹² United Nations country team submission, para. 69.
- 93 See https://www.ohchr.org/en/press-releases/2023/07/un-experts-urge-uruguay-prioritise-water-use-human-consumption.
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- 95 A/HRC/42/43/Add.1, para. 93. See also CEDAW/C/URY/CO/10, para. 23.
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- ¹⁰³ UNESCO submission, paras. 2 and 3.
- ¹⁰⁴ United Nations country team submission, para. 63.
- ¹⁰⁵ UNESCO submission, para. 23 (i).
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- ¹⁰⁸ UNESCO submission, para. 27.
- United Nations country team submission, para. 13. See also CCPR/C/URY/CO/6, para. 14; CAT/C/URY/CO/4, para. 28; and CEDAW/C/URY/CO/10, para. 21.
- ¹¹⁰ A/HRC/42/43/Add.1, paras. 32 and 33. See also CCPR/C/URY/CO/6, para. 14.
- 111 CCPR/C/URY/CO/6, paras. 14 and 15. See also A/HRC/42/43/Add.1, paras. 34 and 35; CAT/C/URY/CO/4, paras. 28 and 29; and CEDAW/C/URY/CO/10, paras. 11 and 12.
- ¹¹² A/HRC/42/43/Add.1, paras. 83 and 84; and CEDAW/C/URY/CO/10, paras. 12 and 28.
- 113 CEDAW/C/URY/CO/10, para. 16.
- A/HRC/54/22/Add.1 and A/HRC/54/22/Add.1/Corr.1, paras. 41 and 80 (l). See also CEDAW/C/URY/CO/10, para. 22.
- ¹¹⁵ CCPR/C/URY/CO/6, paras. 12 and 13. See also UNESCO submission, para. 12.
- 116 CEDAW/C/URY/CO/10, para. 10.
- ¹¹⁷ United Nations country team submission, para. 22.

- ¹¹⁸ Ibid., paras. 24–26.
- 119 See https://www.ohchr.org/en/media-advisories/2023/05/un-expert-urges-uruguay-do-more-protect-children-sexual-exploitation-and#:~:text=advisories%20Special%20Procedures-,UN%20expert%20urges%20Uruguay%20to%20do%20more%20to,from%20sexual%20exploitation%20and%20abuses. See also United Nations country team submission, para. 28.
- ¹²⁰ A/HRC/42/43/Add.1, paras. 27 and 79.
- ¹²¹ A/HRC/42/43/Add.1, paras. 30, 31 and 88. See also CMW/C/URY/CO/2, para. 57 (c).
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- United Nations country team submission, para. 35.
- 125 CCPR/C/URY/CO/6, para. 9.
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- United Nations country team submission, paras. 36 and 61.
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- 129 CCPR/C/URY/CO/6, paras. 10 and 11. See also CEDAW/C/URY/CO/10, para. 20.
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- United Nations country team submission, para. 34.
- ¹³² CMW/C/URY/CO/2, para. 19.
- ¹³³ United Nations country team submission, para. 29. See also CAT/C/URY/CO/4, para. 26.
- 134 CCPR/C/URY/CO/6, para. 29 (b). See also CERD/C/URY/CO/24-26, paras. 31 and 32, and CMW/C/URY/CO/2, para. 23.
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