

## UNIVERSAL PERIODIC REVIEW MECHANISM

### MID-TERM PROGRESS UPDATE BY THE EASTERN REPUBLIC OF URUGUAY

10th of September 2012

<b>TOPIC: SIGNATURE, ACCESSION, RATIFICATION</b>
<b>RECOMMENDATIONS</b>
<ol style="list-style-type: none"><li>1. Consider ratifying the UNESCO Convention against Discrimination in Education (Brazil);</li><li>2. Consider signing the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights at the opening-for-signature ceremony on 24 September, during the treaty event in New York (Portugal);</li><li>3. Ratify ILO Convention No. 169 (Peru);</li><li>4. Consider the prompt ratification of ILO Convention No. 169 as a means of completing the recognition of the rights of indigenous peoples (Bolivia);</li></ol>
<b>MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION</b>
<p>Uruguay ratified UNESCO Convention against Discrimination in Education through law 17.724 on May 3, 2004. The Convention is currently in force.</p> <p>On September 24, 2009 in the framework of the 64<sup>TH</sup> Session of the UN General Assembly, Uruguay signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Our country has started its ratification process in accordance with Articles 85 and 168 section 7 paragraph 20 of the National Constitution. The draft bill needed to approve this Optional Protocol is currently being studied by the Committee for International Affairs of the Senate.</p> <p>The Government has started inter-institutional consultations on the possible ratification of the ILO Convention N° 169.</p>

**TOPIC: NATIONAL HUMAN RIGHTS INSTITUTION**

**RECOMMENDATIONS**

8. Establish promptly (Peru; Germany) its planned (Canada) national human rights institution in accordance with the Paris Principles (Peru; Germany; Canada; France; United Kingdom; Nigeria; Pakistan; Azerbaijan; Republic of Korea; Djibouti) and begin procedures as soon as possible to have it accredited it by the International Coordinating Committee of National Institutions (United Kingdom; Algeria) so as to facilitate the application of the main international human rights instruments (Djibouti);
9. Put in place the national institute of human rights that was recently provided for under law, and provide it with the technical and financial resources necessary, requesting cooperation from OHCHR (Mexico);

**MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

The National Human Rights Institution (Institución Nacional de Derechos Humanos y Defensoría del Pueblo) was established by Law 18.446 dated December 24<sup>th</sup>, 2008, supplemented by Law 18.806 dated September 14<sup>th</sup>, 2011).

The five members of the National Institution were appointed by the Parliament in May 2012 and have begun their activities.

Its accreditation to the International Coordinating Committee is under process, starting with a Note sent in August 2012.

The law 18.446 grants the National Institution budgetary autonomy from the Parliament which also provides technical resources. The budget for the current period has already been approved.

The OHCHR offered its cooperation during the drafting of law 18.446 and remains committed to cooperation in the establishment of the National Institution.

**TOPIC: REPORTS TO TREATY BODIES**

**RECOMMENDATIONS**

10. Fully involve non-governmental organizations at the national level in the follow-up of this review (United Kingdom);
11. Establish an inter-ministerial mechanism with the participation of civil society to discuss and implement international commitments in the area of human rights, including the recommendations emanating from the universal periodic review (Mexico);
20. Take concrete measures to comply with its reporting obligations under the relevant human rights treaties in a timely manner (Republic of Korea);
21. Prioritize action on the recommendations of different treaty bodies, in particular the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee against Torture (Pakistan);

**MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

Uruguay is currently drafting all their National reports to the monitoring bodies of human rights international treaties of which the country is party. To this end, inter-institutional working groups have been established to elaborate National reports to be submitted to the Committees. NGOs and civil society are consulted in accordance with the different topics of the reports.

Under this recommendation, the President of the Republic, by Presidential Resolution 25-10-2011, created an Inter Institutional Commission in order to report to the UPR and to Treaty Monitoring Bodies. The Commission is chaired by the Ministry of Foreign Affairs and is integrated by the Ministry of Education and Culture and the Ministry of Social Development, allowing the possibility of inviting other Ministries as well as the Legislative and Judiciary Branches, civil society organizations, academia and the United Nations System.

After its UPR in 2009, Uruguay has submitted its National Report on economic, social and cultural rights and its National Report on all forms of racial discrimination, xenophobia and related intolerance, having maintained the dialogue with these Committees.

The Initial Report on enforced disappearances has been submitted the current year, being Uruguay the first country in doing so. The Government of Uruguay will engage in a dialogue with the Committee as soon as the date is settled.

The National Report to the Committee Against Torture, other cruel, inhuman or degrading treatment or punishment was submitted in September 2012.

Uruguay is currently drafting the following National Reports: Rights of the Child; Protocol on sale of children, child prostitution and child pornography; Protocol on the Involvement of Children in Armed Conflict; Rights of Persons with disabilities; Rights of migrant workers and their families as well as the International Covenant on Civil and Political Rights.

In all cases the drafting processes have included the participation of relevant governmental actors, consultations with civil society representatives and the National Human Rights Institution since its establishment.

The Government is committed to making its utmost efforts in submitting all pending National Reports to the Treaty bodies by the end of 2012.

#### **TOPIC: RIGHTS OF THE CHILD, SEXUAL EXPLOITATION OF BOYS, GIRLS AND ADOLESCENTS AND JUVENILE JUSTICE SYSTEM**

#### **RECOMMENDATIONS**

14. Set up a national action plan with policies focusing on making the family the fundamental base for childcare, reducing the number of street children and child labor and ensuring the right of the child to education (Japan);
15. Continue the consolidation of effective policies in the framework of the National Strategy for Childhood and Adolescence (2010-2030), enabling the participation of the whole society in the fight for recognition of the rights of boys, girls and adolescents who find themselves in a situation of extreme vulnerability (Venezuela);
16. Further strengthen the Government's efforts to protect the rights of children, with particular emphasis on preventing school dropouts and eliminating child labour and sexual exploitation of children (Bangladesh);
18. Take on with determination the pending challenges with regard to children and women as a way to continue giving a good example to the region and the rest of the world in the promotion and protection of human rights (Paraguay);

44. Take practical steps to address the serious problems of street children and sexual exploitation of children (Azerbaijan);
45. Continue taking strong measures with a view to fully combating sexual exploitation and sale of children (Sweden);
46. Ensure that the law is strengthened to also tackle impunity for crimes of sexual exploitation and sale of children (Sweden);
47. Implement effectively the action plan launched by the Committee to Eradicate Sexual Exploitation of Children and Adolescents in 2007 (Turkey);
67. Improve the judicial system that is specialized for minors (France);
68. Implement alternative measures to the deprivation of liberty, especially with regard to minors (Chile);
69. Continue developing its juvenile justice system in terms of both legislation and practice. In particular, ensure that there are adequately trained professionals and adequate infrastructure and that deprivation of liberty is only used as a measure of last resort in the case of under-aged persons (Finland);
70. Emphasize prevention over detention, especially regarding minors in conflict with the law (Belgium);

#### **MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

Launching of the National Strategy for Children and Adolescents (ENIA), 2010-2030, with the participation of a broad range of stakeholders from public entities, civil society and international organizations. The first pillar of the ENIA's guidelines is the support to families.

The Ministry of Social Development (MIDES), through its Institution on Families (INFAMILIA), seeks to consolidate the Plan of Action of the ENIA with emphasis on children and adolescents at special social vulnerability during 2010 – 2015, as well as to develop innovative actions in this framework.

At least four of the six strategic guidelines of the National Administration for Public Education (ANEP), established in the Budget Act for 2011-2015, are related to this recommendation: a) promotion of quality education in order to raise the current levels of coverage, retention and graduation, b) promotion of academic integrated policies aimed at overcoming social inequalities in the area of education; c) promotion of educational innovation aiming at achieving universal access to Information and Communication Technologies (ICTs), d) promotion of education centers as participatory and friendly environments to learn, teach and grow.

Measures to reduce repetition and drop out rates are currently being implemented in accordance with these guidelines. At the same time, ongoing affirmative actions are being undertaken with the aim to improve equal access to education, particularly for children belonging to vulnerable groups.

The Uruguayan Institute for Children and Adolescents (INAU) in partnership with the Nation Public University (Social Sciences, Psychology and Law) has been developing since 2010 the project "Regional Strategy to combat Trafficking of Children and Adolescents for Sexual Exploitation in MERCOSUR ". The objective of this project is to build a regional strategy to address the trafficking of children and adolescents in 14 MERCOSUR border cities, including 4 in Uruguay (Bella Union, Rivera, Melo and Chuy). The project includes activities related to prevention, warning and protection, including through the mobilization, organization, strengthening and integration of networks and local services. Another regional project is going to be implemented soon, in this case with Argentina, with the aim to combat the worst forms of child labour, which includes sexual exploitation.

The eradication of child labor requires also an important work with communities as well as the establishment of an effective inspection system. To this end, INAU has incorporated six new labor inspectors in addition to the existing ones.

Launching of the Program "Uruguay crece contigo" in May 2012, in coordination with the Area of Territorial Policies of the Office of Planning and Budget. It is aimed at consolidating a comprehensive protection system for early childhood through a public policy which ensures adequate care and protection for pregnant women as well as the development of children less than four years of age. This Plan focuses on 30,000 families living in critical situations from a human rights perspective. During the first year the Plan will be being executed in 10 provinces (Departamentos) which have the largest population of eligible children for the program (Montevideo, San José, Artigas, Salto, Paysandú, Tacuarembó, Cerro Largo, Rivera and Maldonado). It covers 5,000 pregnant women as well as children in critical situations. Program components include family support and job creation (through teams composed by 120 technicians from the social and health area), socio-educational-sanitary actions and the strengthening of institutional capacity building.

Between 2009 and 2012 there were 23 prosecutions for sexual exploitation of children and adolescents, most of them requested by the Organized Crime Prosecution Office.

Development and implementation of an Action Plan, elaborated by the National Committee for the Eradication of Commercial and Non Commercial Sexual Exploitation of Children and Adolescents (CONAPESE), in order to train, as a starting point, more than 600 persons through workshops organized nationwide and the use of ICTs tools.

In 2009 the Law 18.250 was regulated. It typifies the offense of trafficking in persons establishing special aggravation when the victim is a child, an adolescent or a person with disabilities.

Establishment of two Courts for Organized Crime with national jurisdiction, two Public Defenders (Law 18.362 October, 2008) and two special prosecutors (Law 18.390 October, 2008) aiming at combating trafficking in persons.

Plan of Action for the Elimination of Commercial Sexual Exploitation of Children and Adolescents, being implemented since 2011, with a focus on prevention, protection, care, restitution, participation, training, dissemination, monitoring and evaluation.

In 2011 the System for Criminal Responsibility of Adolescents (SIRPA) was established with the aim to ensure the transition between the current system and the future Institute for Criminal Responsibility of Adolescents as a decentralized service. This service includes the programs of admission, study and referral; socio educational measures with and without involving the deprivation of liberty and mediation; social integration measures, etc.

The National Police Academy of the Ministry of Interior ("General José Artigas"), trains police staff on the prohibition of torture, other cruel, inhuman or degrading treatment or punishment. The Convention on Torture, other cruel, inhuman or degrading treatment or punishment has been included also in training courses for prison operators, supervisors, Directors, trainers, as well as related staff of the National Rehabilitation Institute. Training has been focused on the strengthening of non-custodial measures. In 2011 there were 275 trainings activities in the framework of the Ibero-American Fund for Children.

Law 18.777 of July 6<sup>th</sup>, 2011, through which the attempted theft and complicity to theft were included as adolescents behaviors that are liable to be judged as criminal law violations. This law extends the term for precautionary measures in cases of serious violations of criminal law (robbery, murder, rape) from 60 days to 90 days. Through this law the lack of a technical report from the juvenile detention center doesn't prevent the Judge to pronounce sentence.

Law 18.778 dated July 6<sup>th</sup>, 2011 established a National Registry of Criminal Records for Adolescents in conflict with the law. Through this legislation, when the adolescent in conflict with the law has been punished for the crime of rape, robbery, kidnapping or murder the judge, when pronouncing sentence, might decide to keep the records as an additional sentence in order for the adolescent not be considered first-time offender if she or he commits another offence once reaching 18 years old. This additional sentence can be applied only two years after reaching the age of majority or the commission of the crime.

A range of measures has been carried out in order to address the situation of children deprived of liberty. At the same time, the plan undertaken in 2011 aimed at reducing jailbreaks has caused a significant increase in the population of adolescents deprived of liberty (around 60%).

The Government is working tirelessly in order to increase the surface for new detention centers. Existing centers have been improved and refurbished and new centers have been fitted out. The CMC Center has been inaugurated with a 34 beds capacity. The level 2 of the SER Center has been refurbished in order to create 26 new places. Investments have also been made in centers like Cepriili and La Casona with the aim of expanding their capacity and improving their conditions.

The removal of metal modules that were used as a temporary solution to face the overpopulation must be highlighted.

In relation to deprivation of liberty as a measure of last resort, it should be noted that the National Code of Childhood and Adolescence incorporates the principle of subsidiary of the deprivation of liberty as a measure of last resort and for the shortest period possible. Juvenile judges have participated in many instances both in the area of training but also exchanging and working together on a comprehensive protection system within the Juvenile Justice system. It has included the involvement of other actors as well as the exchange of best practices.

Agreements have also being signed in order to include sport activities in juvenile detention centers. Therapeutic Crisis Intervention training program for adolescents who have committed offenses related to sexual abuse or serious offenses are also organized as part of agreements reached with civil society organizations.

INAU is undertaking specific programs with regard to children and adolescents living on the streets. The program “Calle” has already reached a population of 516 children and adolescents while the program “Calle Extrema” focused on 60 children and adolescents living in extreme situations. At the same time, the coverage of the “Calle Extrema” program has been expanded through two specific projects, co-implemented with civil society organizations which are part of the network of care for children and adolescents living in extreme situations, taking care of more than 820 children and adolescents.

Different agreements have been developed to provide comprehensive assistance to children and adolescents living on the streets, including through the provision of food, health care, housing and education.

Agreements with civil society organizations and the Ministry of Tourism and Sports were signed in order to provide recreational and sports activities aimed at the social integration of children living on the streets.

The number of people on the streets verifies a steady downward trend, which probably correlates with the improvement of country's economic indicators.

Uruguay took a second survey on child labor. This study revealed the main features of the phenomenon of child labor in Uruguay allowing having a clear and updated picture of the situation, of the root causes as well as of the consequences of economic exploitation. The information provided by the survey became essential for planning policies aimed at eradicating child labor in Uruguay. It must be pointed out that children and adolescents are the ones providing the answers.

In 2011 the National Committee on the Elimination of Child Labour (CETI) established a four years Action Plan (2011-2015) aimed at eradicating garbage scavenging.

CETI in coordination with ILO Uruguay has developed awareness workshops and campaigns on the issue of child labor aimed at reducing social stigmatization of those children victims of economic exploitation.

#### TOPIC: DISCRIMINATION

#### RECOMMENDATIONS

22. Further strengthen the institutional anti-discrimination framework by providing awareness-raising campaigns and promoting tolerance and equality based on sex, gender and race (Czech Republic);
23. Continue with its excellent national plan to combat all forms of discrimination and make the results available in English so that countries like Sri Lanka can absorb them as best practices (Sri Lanka);
24. Continue efforts to implement the outcome document of the Durban Review Conference at the national and international levels (Russian Federation);
36. Study the possibility of designing and implementing a national plan to combat discrimination against persons of African descent and indigenous peoples (Algeria);

## MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION

- The Honorary Commission against racism, xenophobia, and any other form of discrimination has strengthened its role, particularly regarding the reception of allegations of discrimination. So far 118 have been presented, mostly related to discrimination on the basis of racism, sexual orientation or disability.
- The ethnic dimension was included in the 2011 National Census. It was also included in the forms to be filled when entering the National Public University.
- Regarding accessibility to educational centers, renewals and adaptations have taken place in existing buildings. All new educational centers are being built taking into account this approach.
- Awareness-raising, training and specific measures related to combating discrimination have been put forward at the educational level, including training workshops. Human Rights have been included in all educational programs at all levels.
- A tripartite Commission (employers, workers, Government) has been created in order to promote ethnic-racial equity in the labour area.
- With the OHCHR support, during 2010 and 2011 the assessment stage towards a National Plan against all forms of discrimination was developed. The result of those studies is being assessed.
- The Parliament is considering a bill draft which promotes the entrance of African-descent people to the public Administration (10% of the vacancies to be filled by African-descendants).

**TOPIC: WOMEN'S RIGHTS AND DOMESTIC VIOLENCE**

**RECOMMENDATIONS**

25. Study measures that it judges appropriate to implementing the recommendation of the Committee on the Elimination of Discrimination against Women to eliminate discrimination between men and women in the area of employment and to enshrine the principle of an equal salary for equal work of equal value (Algeria);
26. Eliminate any discriminatory norms against women from its legislation (Italy);
27. Continue to promote gender equality and combat all forms of discriminatory practices against women (Bangladesh);
28. Eliminate discriminatory legal provisions in matters relating to family and marriage, for example by raising the minimum age of marriage for both men and women to 18 years, eliminating the concepts of “modesty”, “virtue” and “public scandal” from the characterization of sexual offences and making marital rape an offence under the Penal Code, as recommended by the Committee on the Elimination of Discrimination against Women (Portugal);
29. Criminalize marital rape and adopt further measures to ensure wide accessibility and public knowledge of support available to victims of domestic violence so that they are able to protect themselves; initiate effective and fast investigations leading to punishment of perpetrators (Czech Republic);
30. Abolish all discriminatory laws against women with regard to family and marriage (Germany);
31. Incorporate the definition of discrimination contained in CEDAW in its domestic legislation (Spain);
32. Reform provisions of the civil code that discriminate against women, such as those that set a minimum age of 12 for marriage, prohibit widows and divorced women from getting married again before 300 days, or provide a food pension for women who lead a “disorganized life” (Spain);
33. Continue to combat discrimination and violence against women (Ukraine);
34. Consider raising the minimum age for marriage to 18 years for both women and men (Republic of Korea);

35. Amend the Civil Code to raise the minimum age for marriage for both women and men to 18 years according to international standards (Netherlands);
37. Amend, in accordance with CEDAW, discriminatory provisions vis-à-vis women contained in the Civil and Penal Code, and more generally take necessary measures to promote equality of women and men in the realms of family, economy and policy (France);
38. Strengthen its efforts to ensure full equality between men and women and bring legislation in line with the recommendations of the Committee on the Elimination of Discrimination against Women, as well as human rights obligations and other international standards (Sweden);
41. Adopt necessary legislative and administrative measures to guarantee the security and safety of victims of domestic violence and facilitate their access to justice, legal assistance and medical and physiological care (Mexico);
42. Take further structural measures and provide adequate resources to protect women and children from domestic violence (Netherlands);
72. Continue to promote gender equity and the empowerment of women in all decision-making processes and in the design of public policies (Nicaragua);
73. Ensure women's adequate representation in high-level policy and decisionmaking institutions (Ukraine);
74. Continue its efforts to promote gender equality, and greater participation of women in the public and private sectors (Philippines);
75. Promote equality between women and men, in particular concerning the level of participation of women in public life and in the employment sector (Germany);

## MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION

- A bill promoting equal opportunities and rights between men and women was passed in 2007 (Law 18.104). This law is the legal framework for the implementation of the First National Plan of Equal Opportunities and Rights (2007-2011), and through it streamlined equity policies were put forward. Furthermore, the National Coordinator Council for Gender-Equity Public Policies was created, under the Ministry of Social Development structure and under the Women National Institute supervision, with the participation of several government agencies and other relevant stakeholders. The Council monitors the application of the aforementioned law, including by encouraging the commitment of public authorities with the Plan and its implementation. The Council is accountable to the Parliament on an annual basis regarding implementation of the Plan, in hearings that take place in the framework of the Womens' International Day.
- Since 2009 several initiatives had been considered by the Parliament in order to raise the minimum age to be legally able to marry, both for women and men, but they have not passed so far.
- In order to enhance access to justice, given the fact that women frequently face stigma and re-victimization, 4 specialized Courts have been created specifically to deal with domestic violence in the capital city Montevideo (law 17.514), and more Courts are foreseen for the rest of the country, in order to attend urgent cases. Furthermore, the judicial system was strengthened, including by creating two Organized Crime Courts with national jurisdiction, two Public Defender Offices (Law 18.362) and two specialized Prosecutors (Law 18.390) whose aim is to combat trafficking.
- Several measures have been taken in order to enhance the rights of women in the labour market. Guidelines and medical protocols have been implemented with the objective to diminish gender inequity in the area of health, in particular with regard to sexual and reproductive health services. In 2010, a Protocol was enacted in order to raise awareness amongst young scholars regarding domestic violence.
- Equal participation of women and men in the integration of governmental agencies, including Parliament, local legislative governments, local Councils, Electoral Boards and Directorates of political parties was recognized as of "general interest" by law in 2009 (Law 18.476).

However, the bill establishes the obligation to include women and men only in the electoral rosters to National and Local Conventions in that year election, 2009: "...in all primary election that takes place in order to elect national and local authorities, both women and men must be included in the rosters, considering troikas of one candidate and two alternates". This obligation to include both women and men in the troikas of candidates will be in place for the next national and local election (2014-2015). Given that the text of the law had different interpretations, an interpretative bill was passed in may 2009, which definitely fixed the participation of both genders in each troika. Although this bill (known as the quota bill) must be considered as a step forward since it is the first time that a general political agreement is reached on this issue, the Uruguayan government is aware of its weaknesses. In fact, the norm allows to allocate women candidates in any place of the troika, namely in the second place between alternates, so it's possible that its objective of increasing women participation may not have a correspondence at the end of the day. Moreover, as the text of the law specifically mentions the 2014 election, we are clearly before a transitional law. In 2009 elections 14,9% of the parliamentarians elected were women. Even when this situation can be considered a step forward, it is still a low percentage for Uruguay.

- In 2010, for the first time in Uruguay's political history, three women were elected at the maximum local governmental position (Intendentas). This is a tangible progress for political women. One of the three of the aforementioned women authorities rules the capital city. They all belong to different political parties. Moreover, the last local elections opened a third level of local governments in the country (Alcaldías). From a universe of 89 Alcaldías, 22 are held by women (25%). Where very few progress was achieved was at the local Councils positions: from a former 17,1% now 17,8% of the universe (589 "ediles") is held by women.

- With regard to the labour market, the National Authority ("Inspección del Trabajo") is competent to monitor accomplishment regarding equal treatment between women and men, as well as to sanction misconducts where needed. The main norms and actions developed in this regard are:

Law 18.561 on sexual harassment (2009). Consideration and investigation of all allegations received by the National Authority. Inspectors, lawyers and officials trainings. It's worth mentioning that a specific program regarding follow-up and systematization of allegations has been implemented.

Law on domestic Work (2011). Important progress has been achieved regarding the situation of domestic workers. More than 9.000 houses have been inspected in 2011. This new legislation has been disseminated and public awareness rising campaigns have been developed.

Law 18.874 (2011). Tax simplification and social contributions for small and individual enterprises. This tool was implemented by the program "Formalization and Inclusiveness of jobs" in the framework of the Ministry of Labour. 61% of the beneficiaries are women.

Specific gender paragraphs were included in the tripartite negotiations at the Salary Councils. A follow-up mechanism of all gender clauses included in all the tripartite agreements conducted by the Labour Market Observatory has been implemented.

Several awareness-raising and training campaigns have been put forward since 2008, taking into account that the issue can be approached from different points of view. Since 2012 the National Labour Division (Dirección Nacional del Trabajo) established as an objective the extension of training activities to its own workers, jointly with the Ministry of Labour's Gender Commission.

- Under the framework of the 2010-2015 Strategic Plan of the National Labour Division, the following action guidelines were implemented in the institutional Operative Plan:

Gender perspective mainstreaming. Awareness-raising and training activities directed to the officers of the Division. In October this year a training course of 21 hours will take place. In the same line, the gender perspective is being streamlined in all public policies. The Advisory Office has participated in the redefinition of contents of the labour intermediation and orientation of the Division.

National Dialogue for Employment 2011. The Executive Brunch, through the Minister of Labour and Social Security, boosted a National Dialogue for Employment, in order to reach broad agreements in order to shape and put forward employment policies, bearing in mind the development needs and the economic growth of the country in the framework of Decent Work for everybody. This Dialogue included relevant stakeholders such as employers and workers. One of its main issues was the enhancement of women participation in the labour world.

Coordination with the Professional Training Institute (Programa Proimujer). Taking into account the need for training that many unemployed people need in order to increase their possibilities to accede to decent salaries and posts, the National Labour Division has coordinated with different relevant stakeholders with this aim.

National Care System. This system can hopefully become a landmark towards gender equality, it will contribute to the eradication of gender division of labour and it will allow more women to enter the labour market.

"Corresponsible conciliation for a full citizenship for women" project, in partnership with UNDP. Its objective is to contribute to gender equality and the empowerment of women, targeting the productive sector in order to achieve a better distribution of paid and non-paid work. The increasing gap between family and labour is also tackled. This situation has an impact on women and people who need care (children, persons with disabilities and the elder) but also on the country's economic growth, as well as markets and productivity dynamics.

Agreement between the National Labour Division and the National Women Institute. The aim of this agreement is to reduce the gender gaps in the private sector, after an organizational diagnosis that has to take place in each enterprise, by awarding them with an “Equity Seal” at the end of the process. Furthermore, it seeks to promote the equity of opportunities, selection and recruitment of new personnel without gender prejudices, careers, salaries, harmonization and corresponsability between families and job, prevention and punishing of sexual harassment, among others. These measures are foreseen to benefit all parts, through improving working conditions, as well as personal relations, commitment, productivity and the image of the enterprise.

Tripartite Commission for Equality of Opportunities and Treatment. This is a Commission that gathers work unions, employers associations and government representatives and that has put forward several measures involving different divisions of the Ministry of Labour.

Ministry of Labour Gender Commission, through which it has been possible to mainstream the gender perspective within the Ministry and which has served as the origin for several concrete actions.

#### **TOPIC: PENITENTIARY SYSTEM AND PENAL REFORM**

#### **RECOMMENDATIONS**

39. Ensure that its national preventive mechanism complies with the Optional Protocol to CAT and sufficient human, financial and logistical resources are granted to it (United Kingdom);
40. Improve and ensure access to complaint mechanisms for detainees in case of mistreatment (Belgium);
52. Develop a long-term plan to address challenges in the area of incarceration and continue to give priority attention to improving prison conditions (Canada);
53. Make the necessary regulatory adjustments to guarantee that non-convicted prison inmates are separated from convicted ones (Canada);

54. Improve prison conditions, including by relieving overcrowding in prisons (Azerbaijan);
55. Implement reforms to improve the situation of overcrowding in prisons, with special attention being paid to the strengthening of the specialized system of juvenile justice and the recommendations of the Committee on the Rights of the Child (Portugal);
56. Undertake reform and an investment plan to improve conditions in the penitentiary system (Spain);
57. Take effective measures to improve the general situation in prisons and particularly the conditions under which women and children are detained (Italy);
58. Continue to allocate sufficient resources to address the challenge of overcrowding, inadequate health and other services in the prisons, and to bring the prison conditions into line with international standards (Turkey);
59. Take further measures to improve conditions in the juvenile detention centres and further structural measures to promote rehabilitation of minors in conflict with the law and prepare them for integration into the society (Netherlands);
60. Continue to reform the prison system and look further into ways of reforming the Penal Code to ensure adequate prison conditions and treatment of prisoners according to international standards (Netherlands);
61. Examine the measures needed to expedite trials and judgments, notably in the criminal area, and examine the possible modification of the criminal system to make it possible for victims to participate in trials (Algeria);
63. Take measures to continue to fight impunity in prisons (Belgium).

#### **MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

- The new National Human Rights Institution, which started its mandate in May 2012, will act as the National Mechanism for Prevention of Torture in accordance with the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In this regard, and with the OHCHR support, the Institution will strengthen the existing mechanisms, namely the Parliamentary Commissioner for the Penitentiary System, the Psychopath General Inspector and the Advisory Committee for Juvenile Offenders.

- Until 2006, there was no effective separation of remand and convicted prisoners, with the exception of some few detention centers. Separation was ensured only for those who committed sexual offenses or based on security reasons. After the visit of the Special Rapporteur against Torture, Dr. Manfred Nowak to Uruguay in 2009, a new detention center was built (Punta de Rieles prison) specifically in order to receive those prisoners who had received judicial sentence, progressively complying with Dr. Nowak's recommendations. In the cities of Rocha and Maldonado prisoners are already separated.
- The present management of the penitentiary system is focused on the dignified conditions of detention in accordance with the international human rights standards and commitments. Regarding the situation of women imprisonment, important progress has been achieved in order to solve overcrowding in detention centers in urban areas (where the vast majority of women is imprisoned). The Cabildo centre was definitely closed and the recently opened Rehabilitation National Centre has still available places. In Canelones, there was a serious problem of imprisoned women living with their children, so a process of redistribution with previous consent to another prison and one rural facility took place. In this case, the problem of overcrowding was partially solved, by moving 70 imprisoned women to the aforementioned Rehabilitation National Centre, but still more has to be done. In Maldonado, there is work in progress in order to improve the conditions of imprisoned women, by hosting them in the places that were left available when prisoners were moved to new facilities. In Rocha, women were allocated in facilities specifically renewed to host them with their children, keeping the separation they enjoyed before, with the result of better and dignified conditions of imprisonment.
- Clear progress has been achieved in the last 22 months regarding men imprisonment conditions and overcrowding. Only in four areas of the COMCAR prison and in the Canelones detention center problems persist.
- A new module for 250 inmates was inaugurated in June 2011 in the COMCAR prison. Simultaneously, a module with the most severe problems of overcrowding and hard conditions due to the deterioration of the facilities was closed (module 8). This relocation of 250 inmates (maximum capacity) to a module that meets the minimum standards regarding conditions of imprisonment, is not only a step forward and a significant change with respect to previous situation, but also contributed to the classification of all the inmates taking into account their judicial process situation. The main objective is to renew all the rest of COMCAR prison modules, one of most affected by overcrowding problems. Module 3 is next on the list to be closed and renewed, so as to receive inmates previously classified.

On the 28<sup>th</sup> December 2011 the module 9 was reopened, after a complete renewal from a former Police facility. For this renewal, many inmates participated and worked. The increase of capacity to a maximum of 220 places, in this case for prisoners classified with minimum levels of security, provided an important step in order to achieve progressively the goal of reducing overcrowding and inhuman conditions of imprisonment.

The opening of the Punta Rieles detention center provided a major solution to reorganize all the system, taking into account human rights standard of imprisonment. This prison, with a maximum capacity of 750 inmates from which only 336 are occupied so far, hosts only condemned prisoners with medium security level which represent a major step forwards towards implementation of those recommendations related to classification and separation of prisoners.

The same process took place in the Libertad prison, where a new module for 310 inmates has been renewed, opened and fully occupied. In the same line, this has resulted in an important step forward in combating overcrowding and inhuman conditions of imprisonment since they comply with international minimum standards. Libertad has now moved to a situation where there is no overcrowding as free places are available.

The “Granja” prison had also increased its capacity to a maximum of 110 places by July 2011. This prison hosts 98 places with minimum security level inmates.

Similar progress was achieved in Maldonado. A module for 256 inmates was opened, reducing overcrowding, improving conditions and starting a classification process. The Ministry of Interior has decided to build a similar facility with the same capacity, in order to solve definitively the overcrowding problem in Maldonado and to provide relief to the situation in the Canelones detention center.

In Rivera a new prison was inaugurated providing room for 422 inmates, moving all inmates who were imprisoned in the Police Offices in extremely hard conditions. This action is framed in the policy to completely empty the Police Offices of detained people, and moving the inmates to proper detention facilities. Although half of the available places have been used so far, the process of recruiting new trained personnel will allow the use of exceeding places.

The location of a new prison, in the very north of the country, will allow the closing of two additional centers in the region, namely the prisons of Tacuarembó and Artigas. The regionalization of the penitentiary system is one of the main objectives of the Uruguayan authorities.

Similarly, in Lavalleja the prison located in the Central Police Offices is foreseen to be emptied of detainees. This example of good practice demonstrated de strong commitment of the government to gradually move the penitentiary system from the Police to a specialized governmental agency.

The “Campanero” model of “Prisons-rural establishments” is under construction, with the help of inmates themselves. The existence of in-wall and out-walls areas allows the development of a progressive system.

The closure of the Central prison in Rocha has been decided and is foreseen to be fulfilled by the end of this year. In that regard, the expansion of the local Prison-Rural establishment has been accelerated.

It is worth mentioning that under the Private-Public Partnership bill framework passed by Parliament in 2011, a new prison (Punta de Rieles II) with a capacity of 1.800 inmates is going to be built. The planned joint management requires for the public sector to deal with Security issues, while the private sector will be in charge of the construction, maintenance, provision of food for inmates, and all tasks related to training and employment of those deprived of their liberty.

To sum-up, significant progress has been achieved towards combating the severe problem of overcrowding and even when there is still a lot to be done, the relation between inmates and available places has been significantly improved. In figures: considering a universe of 31 penitentiary centres in all the country (leaving aside the rural prisons which have an average of 10 to 20 inmates), more than 10 have an occupation of about 80%, including Libertad, one of the bigger ones; 8 have an acceptable level of overcrowding, namely 100 to 115%; and only 11 of them still show critical overcrowding levels (120% or more), being the latter the biggest challenge for the government and where the focus is centered on.

- Law aimed to reducing the overcrowding of the penitentiary system (Law 18.667 of May 2010). Through this tool, known as the “Penitentiary System Emergency Law”, several measures were undertaken in order to improve the conditions of imprisonment, namely the transfer of important financial resources and the finishing of pending renewal in prison facilities, among others. This Law has allowed the creation of 1.500 posts and the transfer of 15 million dollars to this aim. Priority was assigned to improving salaries of prison personnel, building new facilities, long- term training programs directed to the personnel, and the improvement of workers and security personnel life conditions, including housing, health care and recreation, just to name a few, as well as to improving general conditions in the area of infrastructure, technology and equipment.
- Law 18.719 (National Budget 2010-2014, December 2010) suppressed definitively the Prison General Directorate and unified the whole system in the new National Rehabilitation Institute, which is going to become a specialized agency under the framework of the Ministry of Interior as soon as its Organic Law comes into force. It will have the mandate to oversee the whole penitentiary national policy in accordance with the following three main lines of action: security, treatment and management. Its mandate includes: 1) the organization and management of penitentiary institutions; 2) the rehabilitation of prosecuted and condemned persons; 3) the implementation of non-deprivation of liberty measures.
- Through the Framework Agreement between the Ministries of Interior and Social Development (February 2010), joint strategies with the aim to improve the penitentiary system are being implemented. A Working Group was created, in order to assess the situation of the national system and to propose measures with the aim to improving it. The Ministry of Social Development is committed to focus its work on preventing recidivism through socio-educative processes and training for social reintegration, starting with 7 specific centers.

- Alphabetization programs for inmates have been put forward in three prisons (Maldonado, COMCAR and the Rehabilitation National Centre for women inmates), under the framework of the Program “En el país de Varela, yo si puedo”.
- Psychological individual support in order to solve familiar problems, information regarding citizenship rights, as well as training towards entering the labour market once released are provided for a group of 100 women inmates, taking into account a multidimensional approach and the gender perspective.
- In order to enhance the inclusion of inmates in the rural work, an agreement with the National Colonization Institute was signed (August, 2011). With this aim several projects are being implemented in order to promote encouragement policies, as well as to provide technical assistance and cooperation.
- In the same line, an agreement was reached between the National Water Authority (Obras Sanitarias del Estado) and the Ministry of Interior (October, 2011) aiming at providing job to those deprived of their liberty.
- The detention center “Centro 2” is a rural establishment which hosts an orchard managed by the inmates themselves. The orchard is now planned to be enlarged in order to increase the inmate population quality of life, by encouraging rehabilitation and social inclusiveness, health improvement, food self-sufficiency. This is being carried out through an agreement between the Ministry of Interior and the agency for the former prisoners (Patronato Nacional de Encarcelados y Liberados) and the NGO Foundation for Health, Education and Human Development.
- Agreements with the private sector have also been achieved. For example, the aforementioned specialized agency for the former prisoners reached an agreement with the enterprise Laura Elizabeth González in September 2011, through which inmates work for specific jobs requested by the enterprise. 1.000 wood chairs have been requested to the inmates of COMCAR and the painting of 2.500 chairs has been requested to those in Punta Rieles.
- Jobs of high symbolic value and of relevant social service are also conducted by inmates credited for good-behavior who leave the prison for work and return immediately after the working day. Through agreements with public or private actors, several programs are being put in place. One of the first ones was an agreement with local governments and the National Emergency System, in order to cut off vegetation in areas vulnerable to fires.

These inmates receive an equal salary compared to a private worker who conducts the same job. The mentioned experience is being conducted in Rocha, Canelones and Maldonado, with a high level of acceptance and efficiency. It is worth mentioning the project “Arte y Cárceles” (Art and Jails), initiative of the Cultural Citizenship Area, through the Vulnerable People Attention Program, aiming at ensuring the enjoyment of their cultural rights by inmates through a process of cultural learning and the exchange of experiences.

- Regarding the situation of women deprived of their liberty, the Rehabilitation Institute continues to coordinate actions with other public agencies. A joint Working Commission has been established between the Ministries of Interior and Social Development, in order to coordinate social development programs aimed at imprisoned people in general, focusing especially on the pre-release and release stages.
- Health care of inmates has been also an issue of increasing concern. Progressively, the Ministry of Public Health (Administración de los Servicios de Salud del Estado - ASSE) has assumed the responsibility to cover the health care needs of prisoners, including odontology, in accordance with the agreement recently signed with the Ministry of Interior. A Pilot Program has been implemented, starting with the COMCAR prison with the aim to be expanded to the rest of the detention centers. Mental health is also included in the Program requiring a recruitment process of 4 psychiatrist and 2 psychologist. Therapeutic operators will also be recruited in order to tackle the issue of drug consumption inside prisons.

**TOPIC: FIGHTING POVERTY AND SOCIAL INCLUSION**

**RECOMMENDATIONS**

- 76. Continue with current efforts to eradicate poverty, indigence and social exclusion (Cuba); A – 77. Continue efforts to fight poverty (Russian Federation);
- 77. Expedite the process of eradicating poverty through targeted programs and social inclusion policies (South Africa);
- 78. Continue to work on its national plans for social inclusion and poverty alleviation (Nicaragua);

79. Continue to scale up national efforts to eliminate poverty particularly targeting disadvantaged groups, with the support of the international community (Bangladesh);

80. Provide more allocations for social expenditures that could sufficiently benefit women and children, in particular, from the poor, rural and vulnerable sections of society (Malaysia);

81. Continue paying particular attention to the conditions of vulnerable groups such as persons with disabilities and indigenous peoples (Djibouti);

82. Continue with its sound social programs and plans undertaken to satisfy the most basic needs of people living in extreme poverty, including food, education, housing, health and work (Venezuela);

#### MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION

- Since the Uruguayan UPR (2009), poverty and extreme poverty rates have dropped significantly, particularly during the last years. From 2010 to 2011, the percentage of poverty dropped from 18,6% to 13,7%, while extreme poverty dropped from 1,1% to 0,5%.
- A variety of social programs ensuring broad coverage such as "Tarjeta Uruguay Social" (TUS) are being implemented as well as non-contributory family allowances. These initiatives have demonstrated their importance in building greater relationship between the State and those living in poor and vulnerable situations.
- During 2011-2012 the shelter system for homeless people was expanded and improved and a specific team of dedicated personnel was established in order to contact these persons and to refer them to appropriate shelters.
- A specific program with the aim of advancing on job training and internship programs is being implemented ("Uruguay Trabaja"). This program has constituted a clear step forward in the attraction of beneficiaries located in poorest areas.
- There is also a variety of programs being implemented directed to those living in the poorest conditions, such as:  
"Plan Juntos", dedicated to build homes for those who live in irregular settlements in conditions of extreme poverty.

Technical Working Groups have been established (Equipos Territoriales de Asistencia a las Familias - ETAF) in order to work closely with families living in extreme poverty. Those groups have been formed as vectors of referral to public programs, and as monitoring tools.

A health and nutrition program (Uruguay Crece Contigo) aimed at prenatal control and early childhood through specific work with families living in extreme poverty.

"Jóvenes en Red" is a program aimed at providing job training and education to young people who neither study nor work. It is also directed particularly to those living in extreme poverty.

- In 2010 Uruguay passed the law 18.651 on the rights of persons with disabilities in accordance with the commitments undertaken by ratifying the Convention. The statutory decree is being considered by the Executive Branch. In the current year Uruguay will submit its first report to the Committee.

With regards to the issue of indigenous peoples, consultations are being taken place in order to assess the possible ratification of ILO Convention 169, taking into account the particularities of the national reality.

#### TOPIC: EDUCATION

#### RECOMMENDATIONS

84. Continue to deepen measures underway to guarantee greater social inclusion in the national education system (Cuba);
85. Step up efforts to improve the overall quality of education for the children including by providing increased budget allocations for the education sector (Malaysia);
86. Step up efforts to address the problem of high school dropout rates particularly in the secondary schools and continue to invest in education (Turkey);

87. Take measures to address the high repetition rates and the high dropout levels in schools, especially of girls in vulnerable situations or facing multiple forms of discrimination, as recommended by the Committee on the Elimination of Discrimination against Women, including further incentives for parents to send their children, boys and girls, to school (Finland).

#### MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION

- A specific program committed to education ("Programa Interinstitucional Compromiso Educativo") is being implemented with the aim of improving the conditions for adolescents and young people to stay within the education system and to enhance their potential, in order for them to complete secondary school..
- Until 2010, 20 scholarships "Carlos Quijano" were granted for postgraduate studies abroad in the fields of education, cultural management and governance (5 for afro-descendants).
- A specific national plan related to reading was developed directed to children living in poverty situation (Plan Nacional de Lectura, Proyecto "Formación de agentes educativos para el fomento de la lectura para niños y niñas de contexto desfavorable), supported by OEI, through which libraries were distributed to 50 Childhood Education Centers and training activities for educators were implemented.
- The National Budget Act of 2009 reflects the educational policies established for the period 2010 – 2015, already being implemented: the expansion of teaching time in basic education: creation of 138 full-time schools, extension of "Plan Ceibal" (one laptop per child) to secondary education and educational policy development of non-formal education, articulated with the formal education directed to young people and adults: "Programa Nacional de Educación Trabajo, Uruguay Estudia".
- A variety of national plans addressing issues of retention, learning, performance and family commitment to education, under the Equity Plan ("Plan de Equidad") were developed. Those plans included community teachers (in 2010 the program acted in 337 schools with 553 teachers, serving a total of 16.749 children), recreation and sport strategies (the program on physical education in schools -"Programa de Educación Física Escolar"- attended 308.260 students in 1.016 schools with the support of 977 teachers,) and secondary education scholarships (in 2010 1.407 scholarships were granted, 48.8% more than 2005).

**TOPIC: TRAFFICKING IN PERSONS**

**RECOMMENDATIONS**

43. Strengthen its efforts to draw up comprehensive strategies and action plans to eradicate trafficking in persons (Turkey);
48. Accelerate efforts to combat human trafficking through integrated measures for prevention, prosecution and punishment of those responsible and for the protection, rehabilitation and social reintegration of the victims (Italy);
49. Consider the formulation of a national action plan or inter-agency mechanism to combat trafficking in persons and provide assistance to victims, bearing in mind the need to integrate a human rights-based approach (Philippines);
50. Take adequate measures to fight trafficking in women and girls for the purpose of sexual exploitation as well as domestic violence against women (Germany);
51. Increase efforts to stop traffickers, including law enforcement measure and border security; as appropriate, take measures to investigate, prosecute and penalize those agents who accept bribes or otherwise facilitate trafficking; increase efforts to implement the new anti-trafficking law; expand antitrafficking training for judges and law enforcement personnel and increase victim services and protection efforts (United States);

**MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

- Uruguay has made significant progress in the development of actions aimed at combating trafficking in persons, especially women, children and adolescents, in the recent years.
- The Uruguayan legislation includes the following provisions for the sanctioning of trafficking: the Migration Law 18.250, of December 27<sup>th</sup>, 2007, in its Section II, Articles 77, 78, 79, 80 as well as in its Section III, Article 81. It incorporates a new and specific criminal offence, designed to punish conducts related to trafficking in persons.
- Similarly, Law 17.815 on commercial and non-commercial sexual exploitation committed against children and adolescents typified the crimes of pornography, prostitution and trafficking for sexual exploitation. The Executive Decree 385/04 established a National Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of children and adolescents ("Comité Nacional para la Erradicación de la Explotación Sexual Comercial y no Comercial de niños, niñas y adolescentes" - CONAPESE) which is coordinated by the Institute for Children and Adolescents of Uruguay (INAU).

- The implementation of the first National Plan for the Eradication of Commercial Sexual Exploitation of Children and Adolescents (Plan Nacional para la Erradicación de la Explotación Sexual Comercial de Niños, Niñas y Adolescentes). These actions are consistent with the aforementioned National Plan for Equal Opportunities and Rights (Plan Nacional de Igualdad de Oportunidades y Derechos) approved by Law 18.104, which incorporates the obligation of the State to develop measures for people in situation of aggravated discrimination.
- There were several awareness raising and training workshops on trafficking of women for sexual exploitation.
- In 2012, as in previous years, awareness raising and training activities directed to the diplomatic personnel, through the Ministry of Foreign Affairs Academic Institute were organized. These activities have the aim of training those working in consulates and embassies of our country, which are often the firsts in receiving demands from victims of traffic.
- At the end of 2011, a National Protocol of action against trafficking in persons was finished and circulated to all Uruguayan Embassies and Consulates. The Protocol was drafted by the Ministry of Foreign Affairs and the National Women's Institute of the Ministry for Social Development. This instrument is aimed at standardizing the response given by embassies and consular offices before cases of trafficking in persons.
- A workshop directed to Organized Crime Judges and professionals of the Office of the Prosecutor and the Ombudsman was conducted.
- In September 2010 Uruguay received the visit of the Special Rapporteur on trafficking in persons, who met with a wide range of national actors linked to the theme, both governmental authorities and civil society representatives. Uruguay is following-up all recommendations received after the visit.
- The National Women's Institute (Instituto Nacional de las Mujeres) is managing a specific project named "Implementation of measures for the development of public policy on trafficking of women, boys, girls and adolescents for commercial sexual exploitation".
- A Joint Interagency Protocol for the development of actions aimed at prevention, care and restoration of rights is being drafted.
- Two pilot services related to the care of victims of international and internal trafficking for purposes of commercial sexual exploitation are being developed, both of them through interdisciplinary teams, one directed to women and the other to children and adolescents.
- In 2010, the book "Trafficking of women for commercial sexual exploitation in Uruguay. Steps taken towards a public policy" was published and distributed.

- In the framework of the International Day to Combat Human Trafficking (23rd September) an awareness raising campaign was held, including the screening of a documentary ("Nina") and the distribution of posters.
- A day of awareness raising and training activities directed to officials of the Ministry of Transport and Public Works was also convened.
- In May 2012, the Centre for Judicial Studies organized a course on human trafficking aimed at all country's Judges.

**TOPIC: IMPUNITY**

**RECOMMENDATIONS**

64. Review and where necessary abolish the laws resulting in impunity for those who committed crimes during the dictatorships, in particular the Law on the Expiry of the Punitive Claims of the State, No. 15848, and remove all obstacles to finding the truth about the past, in particular with regard to families of victims of enforced disappearance (Czech Republic);
65. Ensure that the Executive continues providing all necessary support to the judiciary to make progress in the investigation of cases of human rights violations which took place during the dictatorship, and that it further continues providing all necessary support to the work of the *Comisión de Seguimiento de la Comisión para la Paz* (Colombia);
66. Abolish the Law on the Expiry of the Punitive Claims of the State to allow for thorough and all-encompassing investigation and prosecution of all human rights violations in the past (Germany).

### MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION

- Article 1 of Law 18.831 (October, 2011) resets the full exercise of the punitive claim of the State for crimes committed during dictatorship, until the 1<sup>st</sup> of March 1985, included in Article 1 of Law 15.848, of 22<sup>nd</sup> of December 1986. Article 2 states that there will be no time limit, procedural, prescription or expiry, in the period between the 22<sup>nd</sup> of December 1986 and the entry in force of this legislation, for the offences referred to in Article 1 of this law. Notwithstanding the foregoing, article 3 states that the offences referred to in previous articles, are crimes against humanity in accordance with those international instruments to which the Uruguay is a party.
- On 30<sup>th</sup> of June 2011, the Executive Branch approved resolution 323/2011. This resolution, for reasons of legitimacy, revokes administrative actions and messages emanating from the Executive Branch, pursuant to Article 3<sup>o</sup> of Law 15.848 (December 1986), which considers that allegations made fell within the provisions of Article 1 of the referred Law. The resolution then declares that those facts are not included in the mentioned Law. A list of more than 80 cases was also published. Several court cases of human rights violations were reopened.
- An update of historical research was conducted, which is available on the presidential website ([www.presidencia.gub.uy](http://www.presidencia.gub.uy)). At the same time, a team of archivists was established in order to sort, catalogue, classify, digitalize and organize all of the documentation belonging to the Secretariat of the Commission for Peace ("Secretaría de Seguimiento de la Comisión para la Paz") since its establishment in August 2000.
- New excavations are being carried out by a team of anthropologists, in the course of which remains of disappeared persons were found.
- On 24<sup>th</sup> of March 2012, it was conducted a public recognition of State responsibility for human rights violations during the dictatorship, which was attended by representatives of the three branches of government.
- An Inter-ministerial Commission was created by Presidential Resolution (August, 2011). The Commission report directly to the President and it is integrated by the Ministers of Education and Culture, Foreign Affairs, National Defence and Interior, as well as the Executive Coordinator of the Secretariat of the Commission for Peace. It must monitor the compliance by the State with the judgment of the Inter-American Court of Human Rights (Case Gelman vs Uruguay) and it also must define public policies aimed at clarifying disappearances and killings occurred in similar circumstances during the period time referred to in Articles 1<sup>o</sup> and 2<sup>o</sup> of Law 18.596 of 18 September 2009 (recognition of State responsibility and the right of victims to comprehensive reparations).
- A plaque with the names of the victims and all those who were illegally detained was placed in the National Centre for Higher Studies (CALEN - former Defense Information System SID -) and the building was given by the Minister of Defence as the headquarter of the new National Human Rights Institution.

**TOPIC: HUMAN RIGHTS GENERAL RECOMMENDATIONS**

**RECOMMENDATIONS**

5. Attain the voluntary human rights goals approved by the Human Rights Council (Brazil);
6. Take steps to fully incorporate the core treaties ratified by Uruguay, namely CEDAW and CRC, into domestic legislation (Slovenia)
12. Continue and strengthen its efforts directed to the further promotion and protection of human rights (Ukraine);
13. Continue with all necessary efforts for the swift adoption and implementation of laws and programs for the defence and promotion of human rights (Colombia);
17. Put emphasis on this regional task (Asuncion Protocol of 2005 on MERCOSUR) because it will be beneficial for its own process and will also be a worthwhile contribution to other member States and will provide a model which other groups of countries can follow, since it is not common for States to work together in an integration model in order to promote human rights (Paraguay);
71. Continue searching for a way to adopt a legal framework which will enable its citizens resident abroad to exercise their right to vote (Colombia);
83. Conduct more public prevention and awareness-raising campaigns on protection measures against HIV/AIDS, in particular for poor adolescent and people from the vulnerable group (Malaysia);

**MEASURES UNDERTAKEN FOR THEIR IMPLEMENTATION**

- In the framework of the Uruguayan standing invitation, between 2009 and 2012 three special procedures visited the country (torture, trafficking in persons and the right to safe drinking water and sanitation). For the present year and 2013 we are expecting the visit of three new mandate holders (torture -follow up visit-, right to truth, justice, reparation and guarantees of non-repetition, as well as freedom of expression).
- Uruguay has participated in all MERCOSUR bodies, ministerial and specialized meetings, especially the ones of the Human Rights High Level Authorities and Ministries of Foreign Affairs (RAADDHH), supporting MERCOSUR initiatives and presenting proposals aimed at strengthening the sub-regional human rights perspective.

- In 2009, in the framework of the national presidential elections, a referendum was promoted in order to allow those Uruguayans who live abroad to be able to vote. This initiative didn't reach the necessary number of positive votes to be approved.
- Since 2010, the National STD-HIV/AIDS Program, supported by UNAIDS has supported the process of strengthening of the national response to STD-HIV/AIDS, especially through the creation and updating of a database system. At the same time, the Strategic National Plan has been updated in order to reduce the incidence of STD and HIV, to improve quality of attention for those living with HIV and their environment. The program has the objective of implementing public policies in accordance with ethical, racial and ethnic considerations, respect for sexual diversity, gender equality and giving priority to those in vulnerable situation.
- During 2009 and 2011, the referred program has taken care of the response to the epidemic and has promoted the coordination of actors and initiatives. It has also elaborated national guidelines, norms and recommendations, it has promoted healthy public policies, it has monitored and evaluated the implementation of existing norms and has focused the response on the those in vulnerable situation who suffer the epidemic in a disproportionally way. In December 2010 the Global Found approved a specific project on HIV/AIDS and those in vulnerable situation ("Hacia la Inclusion Social y el Acceso Universal a la Prevención y Atención Integral de VIH/SIDA de las Poblaciones más Vulnerables en Uruguay"). The agreement was signed in December 2011, in order to start the project in 2012.