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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

**Uruguay**

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\* The present document is being issued without formal editing.



## **I. Methodology**

1. This report was prepared<sup>1</sup> by the National Reporting and Recommendations Monitoring System of Uruguay,<sup>2</sup> consisting of 37 State institutions, and is submitted in follow-up to the voluntary midterm report submitted in 2021.
2. The report's preparation involved the compilation of inputs from focal points in the institutions that make up the System and the conduct of information-sharing activities with civil society, during which the report drafting process was explained and input was sought.
3. Chapter III below contains information on commitments described in previous reports that are currently being implemented and on new voluntary commitments.

## **II. Follow-up to recommendations**

### **A. International law and international norms**

4. With regard to the possible ratification of the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), Uruguay reiterates its commitment to continue considering how the Convention might be applied at the national level.

### **B. Follow-up to recommendations**

5. The National Reporting and Recommendations Monitoring System was established in 2016 and is coordinated by the Ministry of Foreign Affairs. It is composed of 37 national institutions in the three branches of government, departmental governments and the National Human Rights Institution and Office of the Ombudsman, which has permanent observer status. The System has a channel for consulting and communicating with civil society organizations, which are regularly invited to provide input before national reports are submitted. At present, steps are being taken to allow new national institutions and departmental governments to join the System and a computerized tool for following up on recommendations is being tested.
6. The System seeks to facilitate self-assessment by the State of its progress in implementing treaties and recommendations. In this regard, it takes the Sustainable Development Goals into account in order to integrate them into the periodic reports, ensuring that the linkages with them are reflected in the information on the follow-up given to recommendations.

### **C. General recommendations on human rights**

#### **National laws on human rights**

7. Uruguay has enacted laws that comply with the commitments undertaken in a number of international and regional human rights instruments that it has signed and ratified. National councils have been set up to coordinate and prepare national plans on central issues that should be developed as public policies.

#### **National Human Rights Plan 2020–2027**

8. In adopting the First National Human Rights Plan in 2023, Uruguay is fulfilling international commitments and the obligations set out in the national legal framework by laying the necessary groundwork for the periodic development of national human rights plans for promoting and protecting the human rights of all persons and ensuring accountability.

## **D. National Human Rights Institution and Office of the Ombudsman**

9. Under Act No. 19.822, the National Human Rights Institution and Office of the Ombudsman, which is an independent institution with category A status,<sup>3</sup> has the responsibility of searching for disappeared persons both within and outside Uruguay, including steps to locate their remains and investigate the circumstances in which the disappearances occurred.

10. The Institution currently has 51 budgeted positions, 42 of which have been filled by staff who are carrying out their duties. In order to comply with Act No. 19.822, 19 people have been seconded to the Institution and six people work on a part-time basis for the national mechanism for the prevention of torture, supported by international cooperation funds.

### **National mechanism for the prevention of torture<sup>4</sup>**

11. Uruguay is continuing to strengthen the work of the national preventive mechanism. One of the main tasks of the mechanism is to conduct monitoring visits to places of detention in order to examine the living conditions and treatment of persons deprived of their liberty. These visits are unannounced and are planned and carried out by interdisciplinary teams of experts and specialist consultants. In 2022, four systems were monitored: child protection services, the juvenile criminal justice system, the adult system and the mental health system, to which a total of 121 visits<sup>5</sup> were conducted. This was 50 per cent more than in 2021, when the possibility of conducting in-person visits was affected by the coronavirus disease (COVID-19) pandemic.

## **E. Torture and cruel treatment or punishment**

12. The work of the Office of the Parliamentary Commissioner continues to be strengthened. The Office collaborates continuously with the National Human Rights Institution and Office of the Ombudsman and the section of the Institution that constitutes the national mechanism for the prevention of torture. In 2023, 769 visits to prisons were conducted.

13. Torture was incorporated into the national legal system as a separate offence in the Criminal Code with the adoption of Act No. 18.026.<sup>6</sup> In order for torture to be defined as a separate offence, a consensus must be established among politicians, academics and justice officials, which is not possible to achieve within the time frame suggested in the recommendation.

14. With regard to capacity-building for police officers, the National Directorate of Police Education, in compliance with the Organic Act on Policing,<sup>7</sup> makes efforts to ensure that police officers who graduate are guided by the human rights approach. The Directorate signed an agreement with the National Human Rights Institution and Office of the Ombudsman for the inclusion in the curriculum of a course on the human rights perspective in police work.

15. Any police conduct that deviates from established standards may be reported through secure, publicly accessible channels. The Directorate of Internal Affairs of the Ministry of the Interior oversees all aspects of the functional management of police stations and has channels for reporting police practices that allegedly fall outside the law.<sup>8</sup>

## **F. Memory, truth and justice**

16. The country has made progress in this area, although there is still much work to be done to shed light on the crimes against humanity committed during the military dictatorship, especially the enforced disappearance of Uruguayan and foreign nationals within and outside the country.

17. With regard to reparations, the special commissions established under Acts No. 18.033<sup>9</sup> and No. 18.596<sup>10</sup> have performed their functions, despite the weaknesses identified in reports by the National Human Rights Institution and Office of the Ombudsman, which refer to a failure to guarantee full and comprehensive reparation to victims and the

discrepancy between the budgets for protection established in these laws, which should be harmonized.

18. Act No. 19.859 (2019),<sup>11</sup> which is an interpretative law, establishes that the right to receive free and lifelong comprehensive health care under the National Comprehensive Health System, as provided for in Act No. 18.596, applies to the persons referred to in article 10 of Act No. 18.596, the beneficiaries of Act No. 18.033 and the children and grandchildren of all such persons, whether biological or adoptive.

19. Act No. 19.641<sup>12</sup> (2018) on sites to commemorate recent history provides for suitable symbolic reparation in a range of places. Many such places have already been designated by public institutions and civil society, including the new headquarters of the National Human Rights Institution and Office of the Ombudsman, housed in what had previously been a notorious site of torture and unlawful repression.

20. With regard to the symbolic reparations provided to victims by the Standing Commission on Memory, Truth and Justice of the Southern Common Market (MERCOSUR) Meeting of High Authorities on Human Rights, the design of a MERCOSUR memory site seal, to be placed on sites associated with human rights violations committed during Operation Condor, has been approved. The purpose of the seal is to help preserve the collective and regional memory as a means of guaranteeing non-repetition and the non-recurrence of State terrorism.

21. Pursuant to the recommendations received from the Committee on Enforced Disappearances (2022), the Human Rights Secretariat for the Recent Past of the Office of the President of the Republic hired three archivists to speed up the process of digitizing the archives, in line with article 12 of Act No. 19.822. Six volumes have been produced, totalling 18 terabytes of information. This task has been completed for the time being. In order to preserve the archives and facilitate access to them, the team is continuing with the task of producing descriptions of the documents using the AtoM software.

22. The documents contained in the documentary archives of the Human Rights Secretariat for the Recent Past are available and freely accessible to the justice system and the Office of the Special Prosecutor for Crimes against Humanity. They are an essential resource for moving ahead in the investigations.

23. With regard to the progress made in investigations, prosecutions and convictions relating to crimes against humanity, in recent years there has been a significant increase in prosecutions and convictions under the rules of the old Code of Criminal Procedure. Under the rules of the new Code, two convictions have been secured, investigations have been authorized in two cases and charges in those cases are forthcoming. At the urging of the public prosecutor's office, convictions have been secured in recent years for enforced disappearance, an offence that had not previously been admitted.

24. With regard to the search for the remains of disappeared persons, in accordance with Act No. 19.822, an inter-institutional working group has been formed, consisting of the National Human Rights Institution and Office of the Ombudsman, the Argentine Forensic Anthropology Team and the organization Madres y Familiares de Detenidos Desaparecidos. This has made it possible to obtain a complete picture of the DNA samples taken and to work in concert to make headway in searching for and identifying remains.

25. Uruguay continues to provide human rights training to officials of the Public Prosecution Service and judges of the judicial branch. The Human Rights Secretariat for the Recent Past is developing a high-level in-service training module for judges that reflects the ultimate purpose of international standards on training in this field.

26. With regard to guarantees of access to information on the serious human rights violations that occurred during the dictatorship, information searches ordered by the judiciary and the Office of the Special Prosecutor for Crimes against Humanity are carried out by the relevant units in compliance with their role as auxiliaries of the justice agencies. Habeas data requests are answered within strict deadlines to ensure that the requested information or documentation is provided, including to journalists and researchers.

## G. Women's rights

### Strengthening of the National Institute for Women

27. In 2021, the National Institute for Women was constituted as an operational unit of the Ministry of Social Development under the National Budget Act for 2020–2024. However, the power to execute the budget remains with the Minister. The Institute's budget was increased by 50 per cent with respect to the previous five-year period, enabling it to strengthen the policy to combat gender-based violence throughout the country.

### Gender equality

28. With regard to measures taken to amend laws that discriminate against women, Uruguay passed relevant laws during the review period,<sup>13</sup> establishing a framework for public policies designed to combat gender-based violence and promote gender equality, equality of opportunity in employment and education, and equal access to justice.<sup>14</sup>

29. In 2019, the parliament adopted Act No. 19.846 on equality and non-discrimination between women and men, which provides for formal and substantive equality and equal recognition, in compliance with recommendations made by the Committee on the Elimination of Discrimination against Women. A definition of discrimination against women that complies with the Convention, definitions of different forms of discrimination and the concepts of intersectionality and mainstreaming have been incorporated into the national legal system.

30. The National Gender Council has been overhauled and expanded to include new public agencies and civil society organizations with expertise in the promotion and defence of gender equality and women's human rights. These include organizations of Uruguayan women of African descent and rural women and organizations working on care policies, which actively participate in the Council's meetings.

31. All State agencies are required to have specialist gender units, which must report to the most senior institutional authorities, have specially appointed human resources and be allocated sufficient budgetary resources for the effective fulfilment of their mandates.

32. Some 80 per cent of the public agencies that are members of the National Gender Council have established specialist gender units that report directly to the most senior authorities. All their members have received training on gender issues from the National School of Public Administration and the National Civil Service Office.

33. In 2023, the National Institute for Women, in coordination with the Planning and Budget Office, designed what are known as equality forums, which will be set up in 12 municipalities. The aim is to enhance the geographic decentralization of gender policies, thereby promoting the empowerment and independence of women, especially those who are most excluded, through counselling, training and opportunities for leisure and recreation near where they live.

### Minimum age for marriage

34. Under the Marriage Equality Act (No. 19.075<sup>15</sup> of 2013), the minimum age for marriage was increased to 16 years, irrespective of gender. At the time of completion of this report, a bill to raise the minimum age for marriage to 18 years<sup>16</sup> is being considered by the Committee on Human Rights and Gender Equity in conjunction with the Senate Committee on Constitutional and Legal Affairs.

## H. Combating gender-based violence and domestic violence

35. In 2017, articles 311 and 312 of the Criminal Code were amended by Act No. 19.538<sup>17</sup> to classify femicide as a serious aggravating circumstance of murder and define it as the killing of a woman that is motivated by hatred or contempt on grounds of her status as a woman. In addition, Act No. 18.850<sup>18</sup> provides for financial support,<sup>19</sup> psychological

counselling and care under the national health insurance scheme for orphaned children of persons who have died as a result of domestic violence.<sup>20</sup> The Act is currently in force.

36. Under the new Criminal Code, reparation agreements may not be entered into in connection with offences against individual freedom. Act No. 19.549 added article 382.7 to the Criminal Code, which disallows extrajudicial mediation in cases of sexual violence or exploitation (Act No. 17.815, domestic violence) and cases involving other criminal offences that are forms of gender-based violence.

37. Act No. 19.580<sup>21</sup> of 2018 on gender-based violence against women establishes comprehensive policies relating to prevention, support, protection, punishment and reparation. It defines gender-based violence against women as a form of discrimination in the public or private sphere. It recognizes different forms of violence and establishes a network of care services, procedures for protection, investigation and prosecution, and administrative and judicial proceedings.

38. The Act provides for the establishment of the Observatory for Gender-based Violence against Women, which monitors, collects, produces, records and systematizes data and information on violence against women on an ongoing basis. The Observatory is made up of representatives of the National Institute for Women, the Ministry of the Interior and the Attorney General's Office and can invite participation by civil society organizations dedicated to combating gender-based violence.

39. In 2018, the second national survey on gender-based and generational violence was carried out.<sup>22</sup> The survey showed that 76.7 per cent of women aged 15 years or older reported that they had been subjected to gender-based violence in one of the settings covered by the survey. Of these women, 47 per cent said that they had been subjected to acts of gender-based violence committed by a partner or former partner throughout their lives and 19.5 per cent said that this had occurred in the past year. The data showed that the prevalence of gender-based violence was higher for women of African descent in all the settings surveyed for the different reference periods.

40. In 2021, a broader and more comprehensive analysis of the data collected in the survey was carried out, revealing psychological violence to be the most prevalent form, followed by sexual, physical and digital violence.<sup>23</sup>

41. The 2015 Plan of Action for a Life Free from Gender-based Violence with a Generational Perspective 2016–2019 presented a comprehensive view of gender-based violence and employed an interdisciplinary and intersectoral approach. In 2020, an evaluation by the Planning and Budget Office concluded that gender should be mainstreamed in all areas for which the Government has responsibility and that specific and specialized measures to combat gender-based violence should continue to be carried out. This challenge is currently being met.

42. Uruguay currently has a new Plan of Action for a Life Free from Gender-based Violence against Women for 2022–2024, which was developed by the National Consultative Council. The purpose of the plan is to guarantee the effective enjoyment of women's right to a life free from gender-based violence.

43. Since 2016, the "Violence-Free Dating" (Noviazgos Libres de Violencia) campaign, which is led by the National Institute for Women of the Ministry of Social Development and implemented by the National Gender Council, has been carried out annually with the aim of contributing to cultural change by promoting non-violent patterns of behaviour in intimate partner relationships.<sup>24</sup>

44. Updates have been made to the protocols on tackling violence against women, children and adolescents that are implemented by the response system of the National Institute for Women, the National Comprehensive Health System of the Ministry of Health, the Attorney General's Office, the Ministry of the Interior, the Ministry of Labour and Social Security, the Municipality of Montevideo and the Municipality of Canelones.

45. A number of measures have been taken to raise awareness of gender-based violence against women and girls with disabilities in Uruguay and to prevent and respond to such violence. A total of 200 staff of the response services received training in the social model of

disability and the intersecting nature of violence, gender and disability from a rights-based perspective.

46. Under the National Budget Act, the budget allocated to the response system of the National Institute for Women was increased by 50 per cent, which has made it possible to expand and improve the Institute's gender-based violence response system to cover all women over 18 years of age in Uruguay.

47. Between 2016 and 2023, the number of support services within the gender-based violence response system increased from 18 to 35 nationwide. Since 2023, Montevideo has had two units, thereby improving the accessibility and local availability of services.

48. In addition, the number of teams offering services for male perpetrators of violence has increased from 3 to 15. Such teams now operate in 20 locations in the country. There is a national service to support women victims of trafficking for the purposes of sexual and/or labour exploitation, which has four regional offices throughout the country to respond to cases of trafficking in women over 18 years of age. The service is made up of multidisciplinary teams of experts who provide psychological, social and legal support.

49. The telephone counselling and consultation service (08004141) for women victims of domestic violence is a 24-hour, 365-day-per-year service that is free of charge, confidential and available nationwide. In 2023, the service was made accessible to deaf women.<sup>25</sup>

50. The Integrated System for the Protection of Children and Adolescents from Violence<sup>26</sup> has 33 local reception committees that deal with cases of violence in the 19 departments. The Uruguayan Institute for Children and Adolescents has seven new regional referral centres in four departments.

51. In addition, the Ministry of Health has domestic and sexual violence referral teams in all health-care providers throughout the country.

52. Under the electronic monitoring programme of the Ministry of the Interior for cases involving a high risk of domestic violence, compliance with the protection measures ordered by the courts is monitored by means of ankle tags, and psychosocial support and legal counselling are provided to victims and offenders. The programme currently has nationwide coverage. In 2020, the number of available electronic ankle tags increased from 1,200 to more than 1,700. Between January and October 2020, 1,720 ankle tags were in use.

53. The 281 police stations throughout the country and their district offices are authorized to receive complaints. Among these police stations, those specializing in domestic and gender-based violence have specially trained officers who have received training on multiple forms of discrimination.

54. In 2020, the Gender Policies Division was established to comprehensively address the gender perspective in policies relating to public security and human resource management and development, and to coordinate, support, monitor and evaluate the effective implementation of these policies by police units, with the main focus being the eradication of domestic and gender-based violence and the promotion of gender equality and non-discrimination. The Gender Policies Division is responsible for training officials of the Ministry of the Interior in this subject area by delivering courses and other content through the police education website.

55. As of 2023, the Attorney General's Office has 10 offices of the special prosecutor for gender-based violence (eight in Montevideo<sup>27</sup> and two in San Carlos, Maldonado). These offices have been established to cope with the rise in the number of cases registered in recent times, with a view to responding more effectively to the demand for services in this area and providing the specialized support that such cases require.

56. The Victims and Witnesses Unit of the Attorney General's Office has provided direct support to an annual average of 3,500 victims and witnesses since 2020, with the number of beneficiaries increasing every year. Approximately 3,000 victims and witnesses continue to be monitored in cases that are still under investigation. To this end, the Attorney General's Office has strengthened its methodology for meeting the needs of particularly vulnerable victims. It has six finalized protocols that are currently being implemented and that form part

of the process of mainstreaming the Office's gender policy in the victim and witness support and protection policy.<sup>28</sup>

57. The Department for the Screening, Prioritization and Assignment of Complaints became operational when the Code of Criminal Procedure entered into force on 1 November 2017. Among other functions, the Department coordinates the receipt of complaints at the national level, classifies the complaints received and assigns those relating to sexual offences within five days, as such offences have priority.

58. In Montevideo, the judiciary has 10 specialized family courts that work in two shifts around the clock, 365 days per year, and are competent to hear the protection proceedings provided for in Acts No. 17.514<sup>29</sup> and No. 19.580 and in article 117 of the Code on Children and Adolescents, concerning the protection of threatened or violated rights of children and adolescents. In addition, four courts specializing in gender-based violence have been established in San Carlos, two have been established in Salto and two will shortly be established in Rivera. In the other departments, until such courts are established, the magistrates' courts have emergency jurisdiction to deal with such matters and the first-instance courts have full jurisdiction.

59. The Municipality of Montevideo has a programme called Comuna Mujer that provides legal and psychosocial counselling to women in situations of domestic violence in 11 districts of Montevideo. It also has a service that supports men who decide to stop resorting to violence. The departmental government of Tacuarembó has a service that deals with cases of domestic violence, while the departmental government of Paysandú has a service for women in situations of gender-based violence.

60. The Ministry of Defence has a centralized domestic violence team within the National Health Directorate of the Armed Forces and referral teams in each branch of the armed forces.<sup>30</sup>

61. A specific approach to the problem of gender-based violence in rural areas was developed through joint and coordinated work undertaken by the rural organizations Asociación de Mujeres Rurales del Uruguay, Comisión Nacional de Fomento Rural and Red de Grupos de Mujeres Rurales del Uruguay, in addition to the National Institute for Women. In this connection, training courses were provided on advocacy of the right to a life free from gender-based violence in rural areas.

### **Digital gender-based violence**

62. In 2022, the National Institute for Women developed a tool for tracking digital violence on social media that provides information on digital violence against women politicians, journalists, communicators, activists and artists. Between March 2022 and 2023, 11.05 per cent of violent tweets were directed at women, with women politicians being particularly affected.

63. The National Council for the Coordination of Public Policies on Sexual Diversity was established pursuant to Decree No. 321/015 of 2015. The Council monitors and follows up on the National Sexual Diversity Plan<sup>31</sup> and the implementation of legislation for the protection of the LGBTIQ+ population. Uruguay is thus complying with its voluntary commitments to promote affirmative action for the transgender community and to collect data and indicators on acts of violence perpetrated against transgender women.

64. In 2018, the Comprehensive Act on Transgender Persons<sup>32</sup> was enacted to guarantee the right to a life free from discrimination and stigmatization. To this end, it provided for the establishment of mechanisms, measures and comprehensive policies on prevention, care, protection, promotion and redress, prohibiting all forms of discrimination in the areas of culture, health and housing. The Act establishes a quota for access to public posts and, although the quota has not been met, 44 transgender persons have taken up public posts, and vacancy announcements for 99 posts were published in 2022.<sup>33</sup>

65. The related regulatory decree establishes a reparations system for all transgender persons born before 3 December 1975 who can prove that, for reasons relating to their gender identity, they were deprived of their liberty and/or were victims of institutional violence owing to discriminatory practices by State agents (art. 5).

## I. Rights of children and adolescents

66. Uruguay has adopted regulations and measures in line with its international obligations and commitments, particularly those set out in the Convention on the Rights of the Child and the Optional Protocols to the Convention, taking into account the observations made by the Committee on the Rights of the Child.

67. Uruguay recognizes the Convention principle that children and adolescents are rights holders and, as a State, assumes responsibility for ensuring that their rights are respected and that they are not merely beneficiaries of protection.

68. The National Committee for the Elimination of Child Labour and the Protection of Adolescent Workers, which is chaired by the Ministry of Labour and Social Security, is a quadripartite inter-institutional coordination body responsible for advising on, coordinating and proposing policies and programmes to prevent and eliminate child labour. In 2023, the Committee is developing a national survey to ascertain and draw attention to the current situation of child labour in the country.<sup>34</sup>

69. In 2022, the operating plan of the Border Committees for the Prevention and Eradication of Child Labour in MERCOSUR was approved. These committees are tripartite regional bodies whose purpose is to coordinate, plan and evaluate measures to prevent and eliminate child labour in border areas within MERCOSUR. Uruguay and Brazil have established such a border committee (Rivera–Santana do Livramento).

70. With regard to the involvement of children and adolescents in armed conflict, the armed forces do not deploy personnel under 18 years of age, including in United Nations peacekeeping missions.

### Minors in conflict with the law and access to justice

71. Since 2015, Uruguay has been continuously improving detention conditions for adolescents in order to comply with regulations on the protection of human rights.

72. Articles 37 (b) and 40 (4) of the Convention on the Rights of the Child have been incorporated into the Code on Children and Adolescents, which means that adolescents are deprived of their liberty only as a measure of last resort and for the shortest possible time.

73. In 2018, a new model of non-custodial measures was put into operation, incorporating each of the measures provided for in the Code on Children and Adolescents. Operational protocols have been updated to establish zero tolerance of any form of physical or emotional abuse as a principle of management and of the new institutional framework.

74. Independent complaint mechanisms are available to adolescents to whom custodial or non-custodial measures have been applied.

75. In 2022, a survey of adolescents deprived of their liberty was carried out under an agreement between the United Nations Children's Fund (UNICEF) and the National Institute for the Social Inclusion of Adolescents.<sup>35</sup> The survey shows that 98 per cent of such adolescents are male, 36 per cent are 18 years of age or older and 53 per cent are 16 or 17 years of age.

76. Between 2018 and 2022, the number of adolescents who spent 18 hours per day in their cells fell by 50 per cent, while the number who spent between 12 and 18 hours in their cells increased. In 2022, the National Institute for the Social Inclusion of Adolescents noted that, for the first time, the percentage of adolescents serving non-custodial sentences was higher than the percentage serving custodial sentences. This change has been accompanied by an increase in the number of workshops and recreational and educational activities on offer. In 2022, 9 out of 10 adolescents reported that they had participated in at least one of the activities provided by the centre. On average, they had participated in at least three activities. Some 71 per cent of the adolescents were enrolled in formal education and all of them have access to health care and dental care.

77. The number of suicide attempts fell from 189 in 2019 to 34 in 2022 and 21 in 2023. The proportion of adolescents who take psychopharmaceuticals has fallen, currently standing

at 50 per cent, as compared with 64 per cent in 2008 and 56 per cent in 2018. Some 76 per cent of the young persons had met with a psychologist in the past month, while 70 per cent did so on a weekly basis. In 2022, three psychiatrists were hired. Some 27 per cent of the adolescents had been treated for episodes of anxiety, depression or breakdown, compared with 43 per cent in 2018.

78. In 2023, detention centre No. 1 for young persons over the age of 18, known as the “MD1” centre, was closed because its infrastructure was considered to violate the rights of adolescents and had a negative history. Consequently, a decision was taken to end this project.

## **J. Equality and non-discrimination**

### **Combating racism and discrimination**

79. Act No. 10.279<sup>36</sup> (art. 6 J), adopted in 1942, establishes penalties for any person who promotes, sets up, organizes, leads or participates in associations, bodies, institutes or sections formed with a view to inciting or perpetrating racial conflict or hatred.

80. In 2018, the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination and the National Human Rights Institution and Office of the Ombudsman jointly established a protocol for handling complaints and petitions. Within this framework, the two institutions have continually exchanged information.

81. Since 1989,<sup>37</sup> incitement to hatred, contempt or violence towards one or more persons on account of their skin colour, race, religion, national or ethnic origin, sexual orientation or sexual identity, and the commission of such acts, have been punishable under articles 149 bis and ter of the Criminal Code. The parliament is currently considering a bill to make direct discrimination punishable under specific legislation.<sup>38</sup>

82. In 2013, Act No. 19.122<sup>39</sup> on affirmative action was adopted to promote racial equity for people of African descent in education and employment, recognizing that this community has historically been subjected to racism, discrimination and stigmatization.

83. Under article 525 of Act No. 20.075 on accountability, the implementation period for the affirmative actions defined in the first paragraph of article 4 of Act No. 19.122 was extended to 15 years as from 2022.

84. Under Act No. 19.122,<sup>40</sup> 8 per cent of the vacancies to be filled during the year must be set aside for people of African descent who meet the relevant constitutional and legal requirements, following a public call for applications. Between 2014 and 2022, 440 posts were filled and a growing number of agencies are advertising vacancies in order to comply with the Act. Guidelines have been drawn up to strengthen the implementation of this policy.

85. The National Council for Racial Equity and People of African Descent, regulated by Decree No. 81/019 of Act No. 19.670, represents another significant step forward in institutionalizing the mainstreaming of the ethnic and racial perspective in public policies, since it serves as an inter-institutional forum made up of representatives of State agencies, civil society and academia.

86. In compliance with the National Plan for Racial Equity and People of African Descent (2019–2022), steps have been taken to make the population of African descent more visible in statistics. In this regard, in connection with the population census, the Ministry of Social Development, together with the World Bank, carried out a campaign to promote self-identification among people of African descent in order to obtain better statistics that reduce the underrepresentation of this community and guarantee its statistical visibility as a right.

87. In 2020, the Division for the Promotion of Public Policies for People of African Descent<sup>41</sup> was established within the Ministry of Social Development to help promote policies for improving the quality of life of such persons.

88. The National Institute for Women is organizing the Amanda Rorra awards, which promote the recognition and visibility of women of African descent throughout the country.<sup>42</sup>

89. Starting in July 2023, and continuing at the time of completion of this report, the Senate Committee on Population, Development and Inclusion has been considering a bill that, if adopted, would define discriminatory conduct as an offence by adding an article 149 quinquies to the Criminal Code and also providing for the liability of website administrators.<sup>43</sup>

90. Under the fifth Open Government Plan 2020–2024, a commitment was made to create an observatory to monitor the implementation of affirmative actions for people of African descent. This commitment is being fulfilled by the Division for the Promotion of Public Policies for People of African Descent.

### **Equal rights and opportunities for the whole population**

91. With regard to older persons, steps have been taken to implement articles 5 and 9 of Act No. 19.430<sup>44</sup> on the adoption of the Inter-American Convention on Protecting the Human Rights of Older Persons. This has helped to fulfil the commitment to strengthen the National Institute for Older Persons as a policymaking institution on ageing and older persons.

92. To address gender stereotypes in the labour market, the Inter-Institutional Committee for Women in Science, Technology and Innovation was established. The Committee, made up of 14 institutions, has identified policies in this area that help to enhance understanding of gender barriers.

93. In the 2020 to 2023 editions of the 8M Call for Women Entrepreneurs, the Ministry of Industry, Energy and Mining<sup>45</sup> awarded a total of 9,740,000 Uruguayan pesos in grants to 40 companies. Of these, 18 were based in the interior of the country and 22 in Montevideo. A total of 47 women entrepreneurs benefited, including two women of African descent and one migrant woman.

94. Under the Migration Act (No. 18.250), the State recognizes the right to migration as an inalienable right of migrants and their families, irrespective of their migration status, and migrants have free access to the health care, education, employment and other services provided by the State on an equal footing with Uruguayan nationals.

### **Families**

95. Uruguay recognizes the importance of families, irrespective of their composition, in ensuring the well-being of all their members. Under international law, it is human beings – the members of families – who hold rights; the family as a whole, as a group, is not a rights holder. Viewing the family from a multidimensional perspective, the State supports all families, irrespective of their composition, including families formed by persons of the same sex, and is under an obligation to formulate public policies that are consonant with existing family arrangements.

## **K. Disability**

96. Act No. 18.651<sup>46</sup> on the comprehensive protection of persons with disabilities establishes as a principle the right to be protected against any exploitation and any discriminatory, abusive or degrading treatment.

97. In 2022, the Ministry of Social Development, the University of the Republic and the National Civil Service Office coordinated the delivery of a course for technical assistants to enhance the inclusion of persons with disabilities in the workplace; the course was subsequently evaluated. Courses on sign language and courses employing sign language interpreters have been added to the curriculum of the National School of Public Administration.

98. In 2023, the digital curriculum vitae<sup>47</sup> used to apply for government jobs (Uruguay Concurso) was amended to include candidates' requirements for assistance in the workplace.<sup>48</sup> This change was made in collaboration with the subcommittee on employment of the Honorary Committee on Disability. This information facilitates the preparation of the selection process and the induction of persons with disabilities who are selected for posts. In

2021, a study on the inclusion of persons with disabilities in public sector employment was published.<sup>49</sup>

99. In the area of education, Decree No. 350/022 on the protocol for ensuring the right to inclusive education for persons with disabilities has been adopted.

100. Other measures worth noting are the enactment of Presidential Decree No. 72/015, which establishes the Commission for Educational, Social and Vocational Continuity for Persons with Disabilities,<sup>50</sup> and Presidential Decree No. 72/017,<sup>51</sup> launching the protocol for the inclusion of persons with disabilities in educational institutions.

101. Act No. 19.691 provides that, as from 2021, private sector employers with 25 or more permanent employees must ensure that suitably qualified persons with disabilities account for at least 4 per cent of their staff.

102. Article 8 of Act No. 20.075 on accountability amends article 49 of Act No. 18.651, extending the 4 per cent quota to all jobs, thereby creating more opportunities for persons with disabilities to enter public sector employment.

103. Pursuant to a decision taken in 2023 by the governing board of the National Human Rights Institution and Office of the Ombudsman, a working group was set up to agree on a protocol for implementing the Brasilia Regulations Regarding Access to Justice for Vulnerable People, with an emphasis on persons with disabilities. The working group is made up of representatives of all agencies of the Uruguayan justice system and representatives of academia, the Ministry of Social Development, the Uruguayan Institute for Children and Adolescents, the National Rehabilitation Institute, the National Institute for the Social Inclusion of Adolescents and civil society.

## **L. Right to vote abroad**

104. Two bills relating to the right to vote of Uruguayan citizens who live abroad are under consideration by the parliament.<sup>52</sup> One provides for the repeal of Act No. 19.654,<sup>53</sup> while the other sets out the regulations for voting at consulates.<sup>54</sup>

## **M. Economic, social and cultural rights**

105. In 2021, the “Viewpoint” (Mirador) project on economic, social, cultural and environmental rights was launched. The purpose of the project, which was developed by the National Human Rights Institution and Office of the Ombudsman and the Faculty of Social Sciences of the University of the Republic, is to present information on the commitments undertaken by Uruguay in respect of economic, social, cultural and environmental rights and to monitor the progress made and the gaps affecting groups in vulnerable situations. The information is systematized with data from national and international sources.<sup>55</sup>

### **Right to education**

106. Education in Uruguay is governed by the principles laid down in article 15 of the General Education Act,<sup>56</sup> namely that education should be free, secular and offered on an equal-opportunity basis. In accordance with the Act, all residents of Uruguay have access to education throughout the country. The network of primary schools caters for children in both urban and rural areas and has reached a coverage rate of 100 per cent, as has lower secondary education. In 2019, a guide was prepared on the enrolment of migrants in the Uruguayan education system at the pre-primary, primary, secondary and tertiary levels.<sup>57</sup>

107. Act No. 19.889 of 2020 amends article 110 of the General Education Act to read as follows: “Article 110 (Coordination in human rights education). The Coordinating Commission for Education shall form a National Commission for Human Rights Education, with responsibility for proposing general guidelines in this area.” Act No. 19.889 is regulated by Decree No. 63/021<sup>58</sup> of 18 February 2021.

### **Policies on employment, basic income, youth unemployment, women and persons with disabilities**

108. Act No. 19.973 is aimed at promoting access to gainful employment for young people between 15 and 29 years of age, workers over 45 years of age and persons with disabilities by granting subsidies to companies that hire people in these groups. Under the Act, in 2023 the Vulnerable Groups Programme was established to facilitate access to employment for transgender persons, people of African descent, migrants, waste collectors, sex workers and women victims of gender-based violence. Subsidies covering up to 80 per cent of wages are granted to companies that hire people under this programme.

109. Since 2021, the “I Study and Work” programme of the Ministry of Labour and Social Security<sup>59</sup> has come under this Act and, pursuant to the Accountability Act of 2023, the programme has been approved for implementation in the private sector from 2024 onward.

110. In 2020, the Sustainable Business Support Programme was launched to promote access to employment in hydroponic production companies for persons with disabilities, as a means of enhancing their social and labour-market inclusion. In 2023, the Green Productive Investment Programme was established to fund microenterprises in the departments of Canelones, Paysandú, Rocha and Rivera that meet the greening requirements set out by the programme.

111. Between 2018 and 2020, the National Institute for Women implemented a project to promote the financial independence and empowerment of women entrepreneurs of African descent by enhancing their capacity in terms of decision-making and development of their own productive enterprises.

112. The National Institute for Women and the National Institute of Employment and Vocational Training worked together to incorporate the gender perspective into vocational training courses nationwide, focusing on vulnerable groups such as women of African descent, gender-diverse and nonconforming individuals, women affected by long-term unemployment, women entrepreneurs, domestic workers and sex workers.

### **Right to health**

113. With regard to access to quality mental health services, the Mental Health Act (No. 19.529)<sup>60</sup> establishes the guiding principles of universal coverage, accessibility and sustainability and the comprehensive quality of the care process, based on an interdisciplinary approach.

114. Hospitalization as a form of treatment is limited to situations in which it provides greater benefits than other possible measures.

115. Under Act No. 18.426<sup>61</sup> on sexual and reproductive health, policies to ensure universal access to safe and reliable methods of contraception are being implemented. In the public sector, free subdermal implants have been distributed since 2014. In 2016, they were included in the basic basket of contraceptive methods available from the State Health Services Administration and in 2018 they were added to the basket of contraceptive methods available in the private sector.

116. Induced abortion<sup>62</sup> is a means of ensuring the exercise of women’s sexual and reproductive rights and reducing maternal mortality caused by unsafe abortions. Between 2013 and 2022, 101,671 women contacted the various health-care providers to ask about abortion services. Of these, 94 per cent proceeded to have an abortion, while the remaining 6 per cent continued their pregnancies.

117. The State Health Services Administration took steps to define good practices for promoting sexual and reproductive rights in a gender-sensitive and disability-inclusive way. In that connection, it delivered training on good practices in health care and treatment.

118. Where rural women are concerned, sexual and reproductive health services are included in the ambulatory health services and rural health fairs organized by the State Health Services Administration to increase access to such services throughout the country.

### **Right to adequate standards of living**

119. Since the establishment of the Ministry of Social Development, significant emphasis has been placed on social policies, bringing about a steady reduction in poverty.

120. The voluntary objective of continuing to implement the social programmes of the Social Integration and Assistance Network to eliminate extreme poverty and reduce the poverty rate to less than 10 per cent has been met, as has the goal of continuing to reduce inequalities in income distribution.<sup>63</sup>

121. Uruguay reaffirms its commitment to ensuring the universal right of access to drinking water. Today, 99 per cent of the population enjoys this right and over 90 per cent has access to sanitation. Since 2022, the “Drinking Water for All” plan has been implemented to improve the quality of life of families living in vulnerable areas. In this connection, 32,767 metres of water pipes have been installed in 34 settlements in Montevideo and 16,035 metres have been installed in the interior of the country.

## **N. Environmental issues**

122. The Ministry of the Environment<sup>64</sup> was established in 2020. The Ministry is responsible solely for environmental matters, as the relevant responsibilities were transferred from those assigned to the Ministry of Housing, Land Management and the Environment in 1990.

123. Mention should be made of Act No. 19.773<sup>65</sup> (2019), adopting the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

## **O. Persons deprived of their liberty and prison management**

124. The recommendations relating to the prison system continue to require particular attention. Priority has been given to broadening public health coverage in prisons, mental health care, the treatment of addiction, the organization of formal and informal education programmes tailored to the prison population, and the implementation of vocational training programmes and reintegration measures for released persons, all within the framework of rehabilitation programmes based on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

125. The Government has launched the “Prison Dignity Plan” to improve prison conditions. In order to reduce overcrowding, steps are being taken to create 3,500 new prison places.

126. In the national budget for the period 2020–2024, resources were earmarked for building new establishments, increasing the number of places available, and remodelling and refurbishing existing establishments (Act No. 19.924 of 2020, art. 199) with a view to combating prison overcrowding.

127. The Ministry of Education and Culture coordinates with different components of the national education system on measures to implement the National Prison Education Plan as part of the National Prison Education Programme.<sup>66</sup>

128. Under Act No. 20.075 on accountability, the Probation Supervision Office was upgraded to a national directorate (art. 136).

129. At the same time, increased resources have been allocated to the Ministry of the Interior to create more places in prisons, build a new prison in the department of Artigas and create new places in Treinta y Tres prison (arts. 138 and 139).

130. Attention is drawn to the adoption of chapter VI, “Rules on managing deprivation of liberty”, of Act No. 19.889, which makes the National Rehabilitation Institute responsible for implementing the National Strategy for the Reform of the Prison System and establishes the Crime and Prison Policy Council. This Act amended Decree-Law No. 14.470.<sup>67</sup>

131. In May 2023, the National Rehabilitation Institute published a resource guide on rights, and procedures for effectively exercising them,<sup>68</sup> for LGBTIQ+ persons deprived of their liberty and their families.

132. During the pandemic, prisoners were given priority in the schedule for vaccinations against COVID-19.

133. The Parliamentary Commissioner reports that measures to reform prisons and promote the dignity of prisoners should be continued and expanded with larger budget allocations, given that one third of the prison population is housed in very poor conditions, which the Commissioner described as “cruel, inhuman or degrading”, and lacks access to rehabilitation measures. The Commissioner calls for the expansion of programmes to treat addiction, provide comprehensive health care and mental health care and improve living conditions, access to courtyards and educational-vocational training, taking the best current national and international practices as benchmarks. He has called for criminal law reforms to correct the disproportionately high rate of imprisonment in the country by means of laws that promote alternative social and educational measures.

134. Uruguay points out that the process of achieving the highest international standards in the area of detention conditions, and effectively complying with the recommendations received, is ongoing and is currently being pursued.

## **P. Trafficking in persons and people smuggling**

135. Uruguay has stepped up measures to combat trafficking in persons, paying particular attention to the trafficking of women, children and adolescents.

136. In 2019, pursuant to Act No. 19.643, the National Council on Preventing and Combating the Trafficking and Exploitation of Persons was established. The Council is composed of representatives of high-level authorities.

137. In 2021, an inter-institutional guide for action in situations of trafficking and exploitation of persons in Uruguay was approved. The purpose of the guide is to promote effective coordination and/or referrals between actors involved in the detection and identification of possible situations of trafficking and/or exploitation of persons.<sup>69</sup> Training has been delivered by an inter-institutional training team.

138. In 2022, the National Council on Preventing and Combating the Trafficking and Exploitation of Persons approved the Second National Plan to Prevent and Combat the Trafficking and Exploitation of Persons in Uruguay (2022–2024), which defines priorities and measures to be taken over this period.

139. Act No. 19.643 sets out guidelines for public policy, empowering State institutions to take action and adopt and implement programmes, measures, protocols, registers and investigations aimed at eradicating trafficking in persons and exploitation. The Act also enumerates the rights of victims.

140. Trafficking is defined as a separate criminal offence; the offence of possessing pornographic material featuring children, adolescents or persons with disabilities is incorporated; the prison sentence applicable to enslavement is lengthened; and the offences of forced or servile marriage or cohabitation, forced prostitution and unlawful transfer of children and adolescents for adoption are established.

### **Inter-agency response system for situations involving the trafficking and exploitation of persons**

141. According to the information system for adversarial criminal proceedings in Uruguay, the number of individuals charged<sup>70</sup> with trafficking in persons and related offences<sup>71</sup> between 2019 and October 2023, defined according to the year of the first arraignment hearing, totalled 354.<sup>72</sup>

142. The Attorney General’s Office has rolled out a data visualization tool that provides a graphic representation of the number of charges and convictions since 2019. The tool can

show such information by type of offence, age, sex and department.<sup>73</sup> The Uruguayan Institute for Children and Adolescents is implementing the “Crossing” (Travesía) project to support child and adolescent victims of trafficking and commercial sexual exploitation. The project and the mobile teams set up to support children and adolescents in situations of commercial sexual exploitation have brought about an increase in the number of situations identified and assessed by regional teams and improved the quality of the care provided and the training delivered to technical experts.

143. The Institute has outreach projects for the comprehensive care of children and adolescents in situations of generational and gender-based violence in six departments. The projects are aimed at child and adolescent victims of ill-treatment, sexual abuse, commercial sexual exploitation and/or trafficking.

144. The Ministry of the Interior has taken steps to strengthen mechanisms for investigating cases by training its officials on trafficking in persons and related offences that particularly affect women of African descent and migrant, asylum-seeking, refugee and stateless women.

145. In 2023, the fight against trafficking in persons in the digital environment was strengthened with the establishment of the Cybercrime Unit<sup>74</sup> within the Ministry of the Interior. The Unit has helped to prevent trafficking in persons by continuously monitoring social media platforms and networks, making it possible to identify potential cases from an early stage.

146. With regard to the support provided to adult women, the National Institute for Women provides psychological, social and legal guidance to women directly involved in such situations and to their relatives and/or friends. It also provides women with timely information and advice about taking legal action in response to situations and filing complaints.

147. The Inspectorate General of Labour and Social Security processes 100 per cent of the complaints of labour trafficking that it receives, coordinating with the institutions that make up the National Council on Preventing and Combating the Trafficking and Exploitation of Persons in cases where it requires advice. In 2023, in different parts of the country, the Ministry of Labour and Social Security held training sessions for officials on trafficking in persons for the purpose of labour exploitation in Uruguay.

148. In 2021, the National Institute for Women actively participated in the redesign of the “MERCOSUR Free from Trafficking in Women” campaign, which was funded by United Nations agencies (the International Organization for Migration and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)) within the framework of the Meeting of Ministers and High-level Authorities on Women’s Affairs of MERCOSUR. The campaign featured a range of informational materials.

149. Act No. 17.515 regulates sex work and provides for the establishment of the National Honorary Commission for the Protection of Sex Work. The Act is currently being reviewed by the Labour and Social Security Committee of the parliament.

### **III. Commitments and voluntary pledges**

#### **Commitments undertaken**

150. The commitments undertaken in previous cycles of the universal periodic review are at different stages of implementation and have been addressed throughout the report.

#### **Commitments currently being implemented and new commitments**

(a) Continue to implement a system for measuring indicators of progress on economic, social and cultural rights;

(b) Continue to examine alternatives to help young persons and adults complete their schooling;

(c) Continue to investigate human rights violations, particularly enforced disappearances that occurred in the recent past, regardless of the time elapsed since the commencement of the crime, and ensure that all State officials receive specific training on the International Convention for the Protection of All Persons from Enforced Disappearance and the obligations it imposes on States parties;

(d) Continue to strengthen the State institutional gender framework and the training of its human resources at the central, departmental and municipal levels to promote gender equity and equality, in order to increase its impact on the transformation of organizational structures, policies and programmes.

## **Voluntary commitments**

(a) Move forward in the implementation of the First National Human Rights Plan with a view to improving the effective incorporation of the human rights approach in all areas of public policy in Uruguay;

(b) Continue to examine parliamentary initiatives relating to gender parity in political participation in national, departmental and municipal elective bodies, political party leadership and the MERCOSUR Parliament;

(c) Develop measures for promoting the enjoyment of guarantees concerning the development, care and comprehensive protection of children and adolescents;

(d) Move forward in the parliamentary processing of bills to raise the minimum age for marriage to 18 years;

(e) Strengthen the State's dialogue with organized civil society within the framework of the national mechanism;

(f) Continue strengthening the national mechanism for the prevention of torture to ensure that it has the necessary resources to continue carrying out its work effectively;

(g) Promote the generation of academically validated theoretical and methodological evidence concerning the commercial sexual exploitation of children and adolescents;

(h) Improve the identification of and follow-up to situations of sexual exploitation of children and adolescents, the collection of relevant data, action to address such situations and measures to enable victims to reclaim their rights;

(i) Move forward in developing a national strategy to strengthen public policies on prisons;

(j) Provide ongoing training to public officials, judges, prosecutors, public defenders, law enforcement officers, health-care staff and social workers, among others, in the prevention and eradication of violence against women and gender-based violence, from a gender and human rights perspective;

(k) Ensure access to sexual and reproductive health services, especially in rural areas;

(l) Assess the National Plan for Racial Equity and People of African Descent (2019–2022);

(m) Promote regulations that guarantee access to credit and productive resources for rural women;

(n) Strengthen the support and response capacities of institutions that ensure access to justice for women, children and adolescents living in situations of gender-based violence throughout the country;

- (o) Continue to implement the national transparency and access to information index and devise measures to step up its implementation;
- (p) Promote mental health in the adolescent population and prevent mental disorders in persons at this stage of development;
- (q) Strengthen the mental health services network within the National Comprehensive Health System;
- (r) Move forward in making the population of African descent more visible in statistics by promoting the inclusion of an ethnic and racial identification variable in all administrative records of the State.

### Notes

- <sup>1</sup> De conformidad con la Resolución CDH 16/21.
- <sup>2</sup> Al cierre de este informe, el Mecanismo cuenta con una integración de 37 instituciones del Estado: Poder Ejecutivo: Ministerio de Relaciones Exteriores (MRREE), Ministerio del Interior (MI), Ministerio de Economía y Finanzas (MEF), Ministerio de Defensa Nacional (MDN), Ministerio de Educación y Cultura (MEC), Ministerio de Transporte y Obras Públicas (MTO), Ministerio de Industria, Energía y Minería (MIEM), Ministerio de Trabajo y Seguridad Social (MTSS), Ministerio de Salud Pública (MSP), Ministerio de Ganadería, Agricultura y Pesca (MGAP), Ministerio de Turismo (MINTUR), Ministerio de Vivienda y Ordenamiento Territorial (MVOT), Ministerio de Desarrollo Social (MIDES), Ministerio de Ambiente (MA), Oficina de Planeamiento y Presupuesto (OPP), Instituto Nacional de Estadística (INE), Secretaría de Derechos Humanos de Presidencia de la República (SDH), Agencia Sociedad de la Información y del Conocimiento (AGESIC); Agencia Uruguaya de Cooperación Internacional (AUCI); Oficina Nacional del Servicio Civil (ONSC) Servicios Descentralizados: Instituto Nacional de Inclusión Adolescente (INISA), Obras Sanitarias del Estado (OSE), Instituto de la Niñez y la Adolescencia del Uruguay (INAU), Administración de Servicios de Salud del Estado (ASSE), Fiscalía General de la Nación (FGN); Administración Nacional de Correos (ANC) Entes Autónomos: Banco de Previsión Social (BPS), Administración Nacional de Educación Pública (ANEP), Poder Judicial (PJ), Poder Legislativo (PL – ambas Cámaras), Comisionado Parlamentario Penitenciario (CP); Gobiernos Departamentales: Intendencia de Canelones, Intendencia de Flores, Intendencia de Montevideo, Intendencia de Rocha, Intendencia de San José. Observadores: Institución Nacional de Derechos Humanos y Defensoría del Pueblo (INDDHH).
- <sup>3</sup> La INDDHH en 2016 obtuvo su acreditación de estatus A cumpliendo con los “Principios de París”. <http://www.diputados.gub.uy/inddhh/2016/Inf2016INDDHH.pdf> págs. 39 y 40.
- <sup>4</sup> Mecanismo Nacional de Prevención contra la Tortura <https://www.gub.uy/institucion-nacional-derechos-humanos-uruguay/mecanismo-nacional-prevencion-tortura>.
- <sup>5</sup> Sistema de protección de la infancia 27, Sistema penal juvenil 22, Sistema carcelario 27, Unidades policiales 20, Instituciones psiquiátricas 25, Totales 121.
- <sup>6</sup> <http://www.impo.com.uy/bases/leyes/18026-2006%20>.
- <sup>7</sup> Ley N° 19.315 <https://www.impo.com.uy/bases/leyes/19315-2015>.
- <sup>8</sup> La Dirección recibe denuncias a través del Servicio de Gestión de Calidad (0800-5000) la cual puede ser anónima, correo electrónico, atención presencial o derivaciones de dependencias ministeriales o del Sistema Judicial.
- <sup>9</sup> <https://www.impo.com.uy/bases/leyes/18033-2006>.
- <sup>10</sup> <https://www.impo.com.uy/bases/leyes/18596-2009/11>.
- <sup>11</sup> <https://www.impo.com.uy/bases/leyes/19859-2019>.
- <sup>12</sup> <https://www.impo.com.uy/bases/leyes/19641-2018>.
- <sup>13</sup> Período de revisión contemplado en el presente informe: 2019-2023.
- <sup>14</sup> Anexo I.
- <sup>15</sup> Ley N° 19075 <https://www.impo.com.uy/bases/leyes-originales/19075-2013>.
- <sup>16</sup> <https://parlamento.gub.uy/documentosyleyes/documentos/versiones-taquiograficas/senadores/49/1686/0/PDF>.
- <sup>17</sup> <https://www.impo.com.uy/bases/leyes-originales/19538-2017>.
- <sup>18</sup> <https://www.impo.com.uy/bases/leyes/18850-2011>.
- <sup>19</sup> Pensión y asignación familiar especial mensual.
- <sup>20</sup> Menores de 21 años o mayores solteros con discapacidad para todo trabajo.
- <sup>21</sup> <https://www.impo.com.uy/bases/leyes/19580-2017>.
- <sup>22</sup> <https://www.gub.uy/ministerio-desarrollo-social/comunicacion/publicaciones/encuesta-nacional-prevalencia-sobre-violencia-basada-genero-generaciones>.

- <sup>23</sup> La violencia psicológica es la que tiene mayor prevalencia, 30,9% en los últimos 12 meses y 61,5% en toda la vida, seguido por la sexual 20,1% y 55,2%, respectivamente, la física 4,9% y 41,7% y, por último, la digital 1,5% y 5,2%.
- <sup>24</sup> En las ediciones de 2016 a 2022 han participado más de 86.700 adolescentes, con el apoyo de 8.500 personas adultas referentes.
- <sup>25</sup> Las mujeres sordas en situación de violencia doméstica pueden comunicarse a través de video llamada al 092 626 928.
- <sup>26</sup> Artículo 4 de la ley N° 19.747 <https://www.impo.com.uy/bases/leyes/19747-2019/4>.
- <sup>27</sup> Resolución de la FGN n.º 1177/2023 <https://www.gub.uy/fiscalia-general-nacion/> → Institucional → Normativa.
- <sup>28</sup> Protocolo para actuación en víctimas de Trata de personas (año 2021), Protocolo para actuación en VD y delitos sexuales (año 2021), Protocolo para actuación del servicio de guardia de la UVyT de la FGN (año 2021), “Guía de investigación y litigación de femicidios. Guía actuación para fiscales” (año 2022, FGN. Eurosocial. ONU Mujeres), “Violencia sexual y acceso a la justicia penal. Sistematización de jurisprudencia y relevamiento de buenas prácticas de acompañamiento a víctimas de delitos sexuales” (año 2022, FGN. UNFPA), “Impacto del femicidio en la vida de niñas, niños y adolescentes. Recomendaciones para un primer abordaje” (año 2022, FGN, SIPIAV, Facultad de Psicología-UdelaR, UNICEF).
- <sup>29</sup> <https://www.impo.com.uy/bases/leyes/17514-2002>.
- <sup>30</sup> Armada, Fuerza Aérea y Ejército Nacional.
- <sup>31</sup> Plan Nacional de Diversidad Sexual. <https://www.gub.uy/ministerio-desarrollo-social/sites/ministerio-desarrollo-social/files/documentos/publicaciones/Plan%20Nacional%20de%20Diversidad%20Sexual.pdf>.
- <sup>32</sup> Ley N° 19.684: <https://www.impo.com.uy/personastrans/>.
- <sup>33</sup> <https://www.gub.uy/oficina-nacional-servicio-civil/comunicacion/publicaciones/ingreso-personas-trans-estado-2022>.
- <sup>34</sup> La OIT, INE, UNICEF y MTSS firmaron un memorandum de entendimiento para el desarrollo por parte del MTSS y ejecución por parte del INE que será realizada a mediados del año 2024.
- <sup>35</sup> Censo de población adolescente privada de libertad y capacidad de respuesta de la Institución-2022 <https://inisa.gub.uy/index.php/component/dpcalendar/event/420?calid=35>.
- <sup>36</sup> <https://www.impo.com.uy/bases/decretos-ley/10279-1942>.
- <sup>37</sup> Actualizados en 2003.
- <sup>38</sup> <https://parlamento.gub.uy/documentosyleyes/documentos/versiones-taquigraficas/senadores/49/1680/0/CAR>.
- <sup>39</sup> <https://www.impo.com.uy/bases/leyes/19122-2013>.
- <sup>40</sup> Están obligados al cumplimiento de la Ley los Poderes del Estado, el Tribunal de Cuentas, la Corte Electoral, el Tribunal de lo Contencioso Administrativo, los Gobiernos Departamentales, los Entes Autónomos, los Servicios Descentralizados y las personas de derecho público no estatal.
- <sup>41</sup> Ley N°19.924 artículo 510.
- <sup>42</sup> Es una acción enfocada al reconocimiento y visibilización del aporte sustancial que las mujeres afro Uruguayas emprenden, desde las distintas áreas de su desarrollo, a la conformación del país.
- <sup>43</sup> <https://parlamento.gub.uy/camarasycomisiones/senadores/documentos/documentos-comision/49/1680/0/CON>.
- <sup>44</sup> <https://www.impo.com.uy/bases/leyes/19430-2016>.
- <sup>45</sup> El MIEM cuenta además con otras 7 convocatorias a fondos para empresas transversalizadas con perspectiva de género.
- <sup>46</sup> <https://www.impo.com.uy/bases/leyes/18651-2010>.
- <sup>47</sup> El CV digital es un sistema web a través del cual las personas interesadas en postularse a un llamado en el Estado cargan sus datos personales, de formación y experiencia.
- <sup>48</sup> Las necesidades de apoyo son ajustes que pueden necesitar las personas con discapacidad para facilitar su adaptación al empleo (ej. adaptaciones arquitectónicas, sillas especiales, softwares, listas de tareas, etc.).
- <sup>49</sup> <https://www.gub.uy/oficina-nacional-servicio-civil/comunicacion/publicaciones/insercion-laboral-personas-discapacidad-estado>.
- <sup>50</sup> <https://www.gub.uy/ministerio-educacion-cultura/politicas-y-gestion/comision-para-continuidad-educativa-socio-profesional-para-discapacidad>.
- <sup>51</sup> <https://www.impo.com.uy/bases/decretos/72-2017>.
- <sup>52</sup> Comisión de Constitución y Legislación del Senado.
- <sup>53</sup> <https://parlamento.gub.uy/documentosyleyes/documentos/versiones-taquigraficas/senadores/49/1376/0/PDF>.
- <sup>54</sup> Se fundamenta en la declaración de inconstitucionalidad de su artículo 1º por Sentencia N° 57 de 2020 de la SCJ. Este proyecto de ley cuenta con media sanción aprobado por la Cámara de Representantes <https://parlamento.gub.uy/documentosyleyes/documentos/versiones->

- [taquigraficas/senadores/49/1816/0/CAR](https://www.miradordesca.uy/el-mirador/).
- <sup>55</sup> El Mirador DESCA propone un sistema de información e indicadores de derechos económicos, sociales, culturales y ambientales, que pretende ser un monitor permanente de la situación de Uruguay en términos de cumplimiento de los compromisos asumidos. Una de las características más importantes del Mirador DESCA es su intención de elaborar indicadores que permitan visualizar la evolución de las brechas de cumplimiento y de realización efectiva de derechos. De tal manera, siempre que es posible, los indicadores están contruidos con el objetivo de evidenciar de la manera más sencilla posible, las brechas, la evolución y los desafíos pendientes.  
<https://www.miradordesca.uy/el-mirador/>.
- <sup>56</sup> Ley N° 18.437: <https://www.impo.com.uy/bases/leyes/18437-2008#:~:text=%2D%20Decl%C3%A1rase%20de%20inter%C3%A9s%20general%20la,vida%2C%20facilitando%20la%20continuidad%20educativa>.
- <sup>57</sup> <https://www.gub.uy/ministerio-educacion-cultura/comunicacion/publicaciones/guia-para-ingreso-migrantes-sistema-educativo>.
- <sup>58</sup> <https://www.impo.com.uy/bases/decretos/63-2021/27>.
- <sup>59</sup> Programa coordinado por la DINAE desde 2012 a la fecha. Ofrece una primera experiencia laboral formal a jóvenes estudiantes, de entre 16 y 20 años, que no tengan experiencia laboral formal previa.
- <sup>60</sup> <https://www.impo.com.uy/bases/leyes/19529-2017>.
- <sup>61</sup> <https://www.impo.com.uy/bases/leyes/18426-2008>.
- <sup>62</sup> Ley N° 18.987 <https://www.impo.com.uy/bases/leyes/18987-2012>.
- <sup>63</sup> Según el Instituto Nacional de Estadísticas (INE) el valor que toma la proporción de personas pobres para el año 2022 implica que de cada 1000 personas, 99 de ellas no superan el ingreso mínimo para cubrir las necesidades básicas alimentarias y no alimentarias consideradas.
- <sup>64</sup> Ley de Urgente Consideración <https://www.impo.com.uy/bases/leyes/19889-2020>.
- <sup>65</sup> <https://www.impo.com.uy/bases/leyes/19773-2019>.
- <sup>66</sup> <https://www.gub.uy/ministerio-educacion-cultura/pnec>.
- <sup>67</sup> <https://www.impo.com.uy/bases/decretos-ley/14470-1975>.
- <sup>68</sup> La Guía incluye el contacto de instituciones de referencia para personas privadas de libertad, familiares y personas liberadas del sistema penitenciario. La iniciativa contó con el apoyo de la Dirección Nacional de Políticas de Género del Ministerio del Interior y fue elaborada en conjunto entre el Departamento de Género y Diversidad del INR y el proyecto Horizontes de Libertades.
- <sup>69</sup> Son llevadas adelante por un equipo capacitador interinstitucional, integrado por FGN, MDN, MRREE, MI e Inmujeres.
- <sup>70</sup> Se informa la cantidad de personas imputadas por delitos de trata de personas y asociados según fecha de la primera audiencia de formalización. Es importante advertir que estos datos refieren a la cantidad de personas que fueron imputadas en distintas denuncias, esto es, si una persona A fue imputada en las denuncias B y C, se contabilizarán dos personas imputadas.
- <sup>71</sup> Para la generación de este informe se tomaron en consideración los siguientes delitos:
- A) Los sancionados en la Ley N° 19.643 (incorporados al Código Penal):
- Artículo 280: Reducción de personas a la esclavitud, servidumbre o trabajo forzoso.
  - Artículo 280 bis: Esclavitud sexual.
  - Artículo 280 ter: Unión matrimonial o concubina forzada o servil.
  - Artículo 280 quater: Prostitución forzada.
  - Artículo 280 quinquies: Apropiación de niñas, niños o adolescentes para la adopción.
- B) Los sancionados por Ley N° 17.815: pornografía infantil, contribución a la prostitución de menores de edad, retribución a menores de edad, etc.
- C) Los sancionados por Ley de migraciones N° 18.250: artículos 77 (tráfico), 78 (trata) y 79 (facilitación).
- D) Proxenetismo (Ley N° 8.080).
- <sup>72</sup> Sistema de Información del Proceso Penal Acusatorio de Uruguay (SIPPAU): Año 2019 56 personas imputadas, en 2020 103 personas imputadas, en 2021 69 personas imputadas, en 2022 84 personas imputadas y a octubre de 2023 un total de 42 de personas imputadas.
- <sup>73</sup> [https://visualizador.gobiernoabierto.gub.uy/visualizador/api/repos/%3Apublic%3Aorganismos%3Afiscalia%3ADatos\\_fiscalia.wcdf/generatedContent](https://visualizador.gobiernoabierto.gub.uy/visualizador/api/repos/%3Apublic%3Aorganismos%3Afiscalia%3ADatos_fiscalia.wcdf/generatedContent).
- <sup>74</sup> <https://www.gub.uy/ministerio-interior/politicas-y-gestion/es-unidad-ciberdelito>.