



## Economic and Social Council

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### Committee on Economic, Social and Cultural Rights

## Sixth periodic report submitted by Uruguay under articles 16 and 17 of the Covenant, due in 2022\* \*\*

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

\*\* The annexes to the present report may be accessed from the web page of the Committee.



## **I. Introduction**

1. In compliance with the international commitments assumed before the Committee on Economic, Social and Cultural Rights, this report was prepared by the Human Rights and Humanitarian Law Directorate of the Ministry of Foreign Affairs in coordination with the corresponding national institutions.
2. Beginning at the end of 2020, regular meetings with focal points were organized for the purpose of updating the information to be included in the sixth periodic report of Uruguay, responding to the recommendations contained in the concluding observations (E/C.12/URY/CO/5) issued in respect of the fifth periodic report (E/C.12/URY/5) and taking into account the replies to the list of issues (E/C.12/URY/Q/5/Add.1) and the follow-up report to the concluding observations (E/C.12/URY/CO/5/Add.1).

## **II. Information relating to the general provisions of the Covenant**

### **Article 1**

#### **Right to self-determination**

3. The information set forth in paragraphs 5 and 6 of the fifth periodic report remains valid.

### **Article 2**

#### **International assistance and cooperation**

4. The Government reiterates the information contained in paragraphs 13, 14 and 15 of the fifth periodic report, adding that, on 12 July 2022, Uruguay presented its fifth Voluntary National Review before the United Nations high-level political forum on sustainable development.
5. In addition, the following international instruments were ratified during the reporting period:
  - Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, by Act No. 19.517 of 21 July 2017
  - Inter-American Convention against all forms of Discrimination and Intolerance, by Act No. 19.584 of 28 December 2017
  - Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), by Act No. 19.773 of 17 July 2019
  - Additional Protocol to the Ibero-American Convention on the Rights of Youth, by Act No. 19.789 of 30 August 2019
  - Operating agreement for the implementation of mechanisms for the exchange of information on migration among the States Parties of MERCOSUR, by Act No. 19.914 of 13 November 2020
  - Protocol amending the Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data (Strasbourg, 2018), by Act No. 19.948 of 16 April 2021

## Article 3

### Anti-discrimination measures

#### Reporting mechanisms

6. Various channels for reporting cases of discrimination under Act No. 17.817 of 2004, on the fight against racism, xenophobia and all other forms of discrimination, and under articles 149 bis and 149 ter of the Criminal Code are available in Uruguay. The main channels are: the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination; the National Human Rights Institute; and the various departments of the Ministry of the Interior. These mechanisms work in coordination with national and departmental agencies to guarantee awareness of and access to their services throughout the country.

7. Pursuant to Act No. 17.817, the term “racial discrimination” is understood to mean “any distinction, exclusion, restriction, preference or use of physical or psychological violence based on race, colour, descent, national or ethnic origin, disability status, appearance, gender, sexual orientation or sexual identity that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in political, economic, social and cultural spheres and any other area of public life”.

8. Article 149 bis of the Criminal Code states that: “Any person who, either publicly or by any appropriate means of public dissemination, incites hatred, contempt or any form of physical or psychological violence against one or more persons because of their colour, race, religion, national or ethnic origin or sexual orientation or identity shall be punished with a term of imprisonment of 3 to 18 months”.

9. According to the Ministry of the Interior’s records, there were 37 complaints of racism, xenophobia and other forms of discrimination in 2016, 93 in 2017, 78 in 2018, 109 in 2019 and 43 in 2020, while complaints of incitement to hatred, contempt or violence towards certain persons totalled 42 in 2016, 53 in 2017, 72 in 2018, 84 in 2019 and 94 in 2020.

10. Article 149 ter of the Criminal Codes states that: “Any person who commits acts of physical or psychological violence motivated by hatred or contempt against one or more persons because of their colour, race, religion, national or ethnic origin or sexual orientation or identity shall be punished with a term of imprisonment of 6 to 24 months”. Under this article, the Ministry of the Interior registered 18 complaints in 2017, 51 in 2018, 41 in 2019 and 44 in 2020.

#### Anti-discrimination policies

##### Persons of African descent

11. The primary aim of the National Plan for Racial Equity and People of African Descent 2019–2022 (attached as an annex) was to guarantee the full exercise of their rights for the Afrodescendent population and to incorporate a racial and ethnic equity perspective into the design, implementation, monitoring and evaluation of public policies, programmes and affirmative actions. The guiding principles of the Plan are closely linked to the 2030 Agenda for Sustainable Development, creating a framework particularly favourable to progress in achieving racial and ethnic equity.

12. Action taken in implementation of the National Plan has included an extensive programme of training aimed at State officials and public servants and designed to ensure that the Afrodescendent ethnic and social perspective is taken into account in policies and in the implementation of Act No. 19.122 of 2013 and thus to promote the participation of people of African descent in education and employment. To this end, the authorities are working to raise awareness and support the application of the quota established for persons of African descent specifically in employment, where the numbers reveal a low level of compliance with the regulations nationwide.

13. The Ministry of Social Development’s Division for the Promotion of Public Policies for People of African Descent was created in 2021 to contribute to the eradication of racial

inequality and discrimination through integrated, regional, decentralized actions aimed at combating discrimination against persons of African descent in the areas of education, employment, health and public affairs in general, including affirmative action measures in the private sector. These initiatives include basic training programmes tailored to the needs and profile of the target population, in line with current conditions and requirements on the Uruguayan labour market. These programmes include:

- the “Affirmative Uruguay at Work” (Uruguay Afirmativo Trabaja) Programme to promote the labour market insertion of persons of African Descent in the private sector, according to the profile and needs of the target population and in line with current conditions and requirements in the Uruguayan labour market
- a social integration and labour insertion project in the Department of Montevideo aimed at incorporating persons of African descent into the private sector labour market in those municipalities of the capital in which the Afrodescendent population is concentrated, the intention being to work with private sector companies looking to hire persons – mainly women – of African descent, primarily by providing technical support that continues after recruitment
- design and implementation of an economic autonomy and empowerment programme for Afro-Uruguayan women entrepreneurs, the aim of which was to contribute to their economic autonomy and empowerment by building their capacity for decision-making and developing productive enterprises
- the award of grants, including, for example, under a project whereby funding is provided, for a period of eight months, for persons of African descent wishing to pursue health-related studies. In the first stage of this project, with the aim of achieving decentralization goals, the authorities are working with five of the country’s departments, namely, Artigas, Cerro Largo, Montevideo, Lavalleja and Colonia. Another example is the “Affirmative Uruguay at Work” Programme, which provides grants for language studies

14. Furthermore, under the Educational Trajectories Monitoring Programme – the fruit of an agreement with the Universidad de la República – mentoring is offered to students of African descent studying at the university to encourage their continued education, improve their educational trajectories and, ultimately, increase the number of persons of African descent who enter, remain in and graduate from higher education.

15. In addition, the Division for the Promotion of Public Policies for People of African Descent is continuing the roll-out of a project financed by the Spanish Agency for International Development Cooperation, in coordination with the Uruguayan Agency for International Cooperation, that supports decentralized projects promoting the social and labour inclusion of people of African descent and is already operational in the Department of Rivera. The National Plan for Racial Equity and People of African Descent in Uruguay is being implemented on a regional basis, prioritizing the education and labour components with a view to fostering the social and labour market inclusion of the Afrodescendent population.

16. The process of mainstreaming and further developing policies addressing racial equity and Afrodescendent issues at the departmental level has been reinforced with the creation and implementation of the National Council for Racial Equity and People of African Descent, which is chaired by the Ministry of Social Development and composed of representatives of State bodies, civil society and academia, among other entities. The Council serves as a forum for the coordination of public policies with a racial and ethnic focus and for the development of joint action to advance the rights of persons of African descent. Within the Council, working groups have been organized on the issues of: health; education and culture; labour, employment and social security; and discrimination and racism. Key lines of action under the 2022 annual operating plan included:

- designing mass campaigns to combat racism, targeting citizens in general
- recognizing and highlighting the value of the Afrodescendent community’s contribution to the development of the nation

- combating all forms of discrimination in order to ensure the exercise of their rights for the Afrodescendent population
- carrying out training and capacity-building activities with a racial and ethnic perspective for teams involved in the design and implementation of policies and programmes in all institutions represented on the Council
- increasing coordination between the State and Afrodescendent civil society
- raising awareness of current legislation addressing Afrodescendent affairs, principally Act No. 18.059 and Act No. 19.122

17. The Ministry of Health is working to enhance the inclusive, digital children's identity card so that it includes racial and ethnic variables. These variables are also being incorporated into certificates of live and still births. The aim is to make information about the Afrodescendent population more widely available and more visible and to reduce the current divide through better health care.

### **Persons with disabilities**

18. The National Care System has launched a project to promote the right to equality and non-discrimination of persons with disabilities specifically in connection with the sexual and reproductive health of adolescents and women with disabilities. For this purpose, accessible information materials on contraception, key aspects of sexual health, the importance of regular check-ups, childbirth and the stages of the menopause, among other topics, have been produced.

19. Through specialized support facilities in place across the country, the Uruguayan Institute for Children and Adolescents provides comprehensive protection for children and adolescents with disabilities whose rights have been violated or are at risk, seeking through its interventions to uphold, protect and restore their rights. Aware that, in children and adolescents, disability may in itself be a contributing factor in violations of fundamental rights, especially when children are living in a family and/or social environment that is unable to provide them with the support and developmental opportunities they need, the authorities have based the intervention strategy of these support facilities on socio-educational and therapeutic action governed by the principles of transience and consideration of the best interests of the children, adolescents and families who are the focus of the intervention.

20. The Institute for Children and Adolescents currently operates 30 round-the-clock residential care centres, of which 16 cater for children and adolescents with a disability and 14 for children and adolescents with mental health issues. In total, the centres are able to care for 1,103 children and adolescents. In addition, there are 33 part-time care centres, of which 31 cater for children and adolescents with a disability and 2 for children and adolescents with mental health issues. Overall, these centres have capacity to care for 1,490 children and adolescents. In addition, there is a part-time care centre referred to as the "Inclusive Children's Club" that has total capacity for 60 children, including 20 children with some form of disability.

### **Equal treatment of non-nationals**

21. The legal framework described in paragraphs 32 to 34 of the fifth periodic report remains in effect.

22. The principle of equal rights for nationals and non-nationals in Uruguay is further reinforced by Act No. 18.076 on the Right to Asylum (as amended by Act No. 19.996) and Act No. 18.250 on Migration, also as amended by various subsequent regulations.

23. The Migrants Department of the Ministry of Social Development is engaged in ongoing action nationwide to ensure inclusion, integration and social equality, particularly in the exercise of the rights of migrants who come to Uruguay to set up home. Its actions span four main areas:

- management and advisory services related to the regularization of documentation and inter- and intra-institutional coordination and referrals with a view to meeting the specific needs of migrants

- sensitization and awareness-raising activities: in the period 2020–2021, 1,586 persons from different organizations nationwide received training
- production of educational and informational materials and resources in coordination with other agencies, including, in particular, the preparation of transition documents, a proposal to standardize the migrant support model and a bill to regularize the documentation of migrants with Uruguayan parents who lack the required documentation
- promotion and inter- and intra-institutional relations, including with civil society and international organizations, generating spaces for dialogue, and participation in regular meetings of the National Migration Board and the Migrants Hub in Montevideo Municipality B

24. In parallel, services provided for migrants who are in a particularly vulnerable situation and, for reasons beyond their control, are unable to regularize or access their documentation were further developed, and, through this painstaking process of data collection and inter-institutional coordination, it was possible for at least 40 persons to obtain an identity card.

25. With regard to migrant children and adolescents, a robust regulatory framework is in place that guides the Uruguayan Institute for Children and Adolescents in its stewardship and management role. In accordance with the international and regional instruments to which Uruguay is a party, the guiding principles for guaranteeing the human rights of children and adolescents who are separated from their families are: the best interests of the child; equality and non-discrimination; special protection; family unity and non-refoulement; and the prohibition of deprivation of liberty.

### **Equality between men and women**

26. The Committee's general recommendation in its previous concluding observations was that the State should intensify its efforts to achieve substantive equality between men and women. As mentioned in the follow-up report to the concluding observations ([E/C.12/URY/CO/5/Add.1](#)), Act No. 19.580 on gender-based violence against women was adopted in 2017. Its purpose is to ensure that women, including transgender women, can exercise their right to a life free from gender-based violence, irrespective of their age, sexual orientation or gender identity, socioeconomic status, territorial affiliation, beliefs, cultural or ethnic origin, race or disability status. To this end, comprehensive mechanisms, measures and policies for prevention, care, protection, punishment and redress have been established. These include, since 2018, the Observatory on Gender-Based Violence. Pursuant to Act No. 19.924 of 2020, the set of institutions forming part of the Observatory was extended to include the Ministry of the Interior, the Attorney General's Office and the Uruguayan Network against Domestic and Sexual Violence and, since the Act's adoption, the presidency has been held by the National Women's Institute attached to the Ministry of Social Development.

27. The Gender Equality Strategy 2030 adopted in 2018 provides a comprehensive strategic road map for achieving gender equality in the medium term. It takes account of trends and critical factors affecting equality and incorporates the main priorities identified by the National Gender Council and organized civil society. The main actions carried out in the last few years were focused on fighting the pandemic and its principal impacts.

28. In 2019, the recommendations and suggestions resulting from an external evaluation of the Plan of Action for a Life Free from Gender-Based Violence for the period 2016–2019 provided key input for continued action towards this goal through the formulation of the Plan for a Life Free from Gender Violence against Women for the period 2022–2024. Drawn up under the guidance of the National Gender Council, the new plan includes an updated analysis of the incidence and nature of gender violence throughout the country and encapsulates the commitments assumed by State agencies with a role in the response to gender-based and generational violence, while entrusting organized civil society with follow-up.

29. Act No. 19.846 of 2019 defines discrimination using the language of the Convention on the Elimination of All Forms of Discrimination against Women. It establishes public policies for pursuing gender equality and budgetary rules for the allocation of funds for achieving the objectives set under the Act and establishing appropriate mechanisms. As a basic principle, the point of departure for the Act is that equality between women and men is a right, that men and women are equal in dignity and rights, and that any form of discrimination based on gender is prohibited.

30. Besides expanding the membership of the National Gender Council, providing for the creation of a national gender system and proposing public policies, the Act recognizes the need to use temporary measures to give effect to the right to equality and to establish databases in accordance with the guidelines of the national statistical system.

31. It also envisages the creation of a competitive grant fund for gender equality to finance civil society projects aimed at increasing advocacy in favour of public policies for gender equality and monitoring compliance with its provisions.

32. In addition, the Act establishes an obligation for all State agencies to have specialized gender units, which should report to the institution's most senior decision makers and have specially designated human resources and the budget necessary for the effective fulfilment of their tasks.

33. Within the Ministry of the Interior, it is the National Directorate of Gender Policies that ensures that domestic and gender-based violence are accorded priority and precedence and, working in coordination with other institutions, that gender and human rights are mainstreamed in public security policies. The Ministry of the Interior has 19 departmental directorates specialized in gender-based violence, which between them manage 53 units specializing in domestic and gender-based violence.

34. Additionally, the Public Security and Management System includes a specific module on domestic violence that makes it possible to identify links between criminal acts such as personal injury, threats, private violence, suicides and homicides and acts of domestic violence, and thus to analyse, inter alia, the nature of such violence, the risk factors involved and victims' family and social networks, to keep a record of protective measures imposed by the courts, and to instruct operators to make any pertinent inquiries about the alleged offender through the System. The implementation of this module has resulted in a significant increase in the registration and identification of policing incidents associated with domestic violence.

35. Action to prevent gender-based violence has included the "Violence-free dating" (Noviazgos libres de violencia) campaign, a collective nationwide initiative that fosters teenagers' engagement and active participation in actions that promote reflection, awareness and cultural change by encouraging non-violent patterns of behaviour in young persons' first relationships. For the sixth phase of the campaign, run in 2021, a focus on digital violence in dating contexts was proposed, in view of the fact that digital tools have led to violence being reflected in the online environment. This problem is a threat to the construction and full enjoyment of a life free from violence for women, children and teenagers and also to respect for dignity, freedom of expression and the protection of personal data, among other things. More than 12,500 teenagers and young persons took part in this phase of the campaign, along with 2,800 adult facilitators who worked to promote rights through hundreds of activities throughout the country.

36. With regard to measures to prevent sexual harassment in the workplace (Act No. 18.561 of 2009), multiple training sessions have been organized for public servants, State agencies and private companies with which the Ministry of Labour and Social Security has links. The Inspectorate General of Labour and Social Security is the body competent to receive complaints from workers concerning both rights established in in-force labour regulations (i.e. general conditions of work) and fundamental, universal human rights that are violated in the workplace (e.g. complaints of mobbing, psychological harassment, discrimination, etc.). Uruguay was an active participant in discussions leading to the adoption of the International Labour Organization (ILO) Violence and Harassment Convention, 2019, (No. 190) and Violence and Harassment Recommendation, 2019 (No. 206), which calls for an end to violence and harassment in the world of work, recognizing that violence and harassment are a threat to equal opportunities and incompatible with decent work. Uruguay

was the first country to ratify Convention No. 190, which, having been adopted by Act No. 19,849 (2019), now forms part of national legislation.

37. In addition, the Gender Equality Commission and several executive units have prepared protocols for assisting women in situations of violence who have recourse to the Ministry of Labour and Social Security through differing procedures or contact employment offices in search of a job placement.

38. Act No. 19.889 of 2020 introduced gender-related adjustments to the Criminal Code and Code of Criminal Procedure and also to the organizational structure of several government bodies.

39. Article 2 of the Act amended article 312 of the Criminal Code to recognize femicide and acts of discrimination based on sexual orientation, gender identity, race or ethnic origin, religion or disability, which had first been incorporated in the Criminal Code in 2017 and 2018, by Act No. 19.538 and Act No. 19.645, respectively, as very special aggravating circumstances in the offence of homicide.

40. Articles 6 and 7 amended article 272 of the Criminal Code, on the offence of rape, to state that: “Any person who forces another person of the same or a different sex, through violence or threats, to endure carnal intercourse commits an offence of rape even if the act is not consummated”. The new article 272 provides that violence is assumed when, among other factors, the carnal intercourse involves a person under 15 years of age, proof to the contrary being admitted only when the victim is at least 13 years old and there is an age difference between the victim and the offender of no more than 8 years. Article 7 increased the minimum and maximum penalties for sexual offenders – defined as any person who, through intimidation, psychological pressure, abuse of power, threats, use of force or any other means of coercion, performs an act of a sexual nature on a person of the same or a different sex – to imprisonment for 2 and 12 years, respectively.

41. Article 15, on the use of ankle tags, introduced article 359 bis to the Criminal Code, which defines the removal or destruction of these mechanisms as a new offence punishable by a prison term of 10 to 18 months and a fine. Article 26 amended article 272 of the Code of Criminal Procedure, on summary proceedings, to prohibit the use of the summary procedure in cases of special and especially aggravated homicide and cases of femicide.

42. As regards measures taken to amend existing discriminatory regulations, in addition to those already mentioned and those mentioned later in this document, the Uruguayan legislature adopted the following legislation during the period under review:

- Act No. 19.480 (2017), on the register of persons required to pay alimony through income withholding
- Act No. 19.530 (2017), on the establishment of breastfeeding rooms
- Amendment of articles 311 and 312 of the Criminal Code
- Act No. 19.549 (2017), prohibiting extrajudicial mediation in cases of sexual and gender-based violence
- Act No. 19.555, on the equitable participation of persons of both sexes in national and departmental elected bodies and the leadership of political parties
- Act No. 19.582 (2018), ratifying the ILO Night Work Convention, 1990 (No. 171)
- Act No. 19.716 (2019), protocol amending the Convention on Offences in Aircraft in order to extend the non-exhaustive list of forms of discrimination to include gender discrimination
- Act No. 19.775 (2019), amending the Organic Armed Forces Act to incorporate the principle of non-discrimination and to reflect the gender perspective and situations of domestic violence
- Act No. 19.778 (2019), regulating the social work profession and prohibiting discrimination based on gender, age, sexual orientation, ethnic, racial and socioeconomic origin, religious or political affiliation, disability status or any other characteristic



- Act No. 19.781 (2019), amending article 7 of Act No. 11.029, on the co-ownership of land awarded by the National Institute of Colonization
- Act No. 19.789 (2019), adopting the additional protocol to the Ibero-American Convention on the Rights of Youth, establishing the need to incorporate a gender perspective in all public policies
- Act No. 19.791 (2019), on preventive measures for institutions that have direct dealings with children and adolescents, persons with disabilities and older persons in situations of dependency, incorporating a reference to Act No. 19.580 on gender-based violence
- Act No. 19.826 (2019), amending the pension system of the Notarial Social Security Fund and creating the Maternity Allowance Fund
- Act No. 19.828 (2019), on the promotion and protection of the sports system, establishing that gender equity and inclusive policies should be promoted in federated sport
- Act No. 19.831 (2019), regulating the probation regime in cases of gender-based violence
- Act No. 19.837 (2019), amending article 141 of Act No. 18.407 on housing cooperatives in relation to the right to remain and continue living in the home enjoyed by the person who did not cause the conflict in situations of domestic or gender-based violence
- Act No. 19.841 (2019), amending the Statute of Public Servants of the Foreign Office with a view to achieving an equitable distribution of director and head of mission positions between men and women working within the Foreign Office
- Act No. 19.879 (2020), announcing an extraordinary suspension of all in-person trial proceedings and trial-related deadlines due to the pandemic, with certain cases, such as trials related to gender-based violence against women, meriting special treatment

43. As regards amendments to discriminatory legislation, Decree No. 337 (2020) repealed the disqualification from blood donation of men who have sex with men.

#### **Gender-based violence. Statistics and actions**

44. The aforementioned Observatory on Gender-Based Violence is currently engaged in a diagnostic analysis of the administrative systems used to record State responses to gender-based violence. As part of this analysis, the current state of records has been assessed, technical support has been provided for agencies that need it and information about the reach of State responses has been collected. The Observatory is also in the process of reviewing the set of indicators, and specifically the measurement criteria, used by the institutions that keep records of femicides, with a view to aligning them with the international criteria established for the measurement of this phenomenon.

45. In 2019, the second survey on the prevalence of gender-based and generational violence was conducted, revealing how the incidence of the phenomenon had changed since the last survey, conducted in 2013, and providing information about issues that were not addressed the previous time, such as obstetric violence and violence in the context of voluntary termination of pregnancy.

46. The prevalence of gender-based violence in 2019 was comparable to the 2013 level; 76.7 per cent of women in Uruguay over 15 years of age reported having experienced some form of gender-based violence in their lifetime and 47 per cent of women who had had a partner at some point in their life reported having experienced gender-based violence. Psychological violence was the most prevalent form of violence, accounting for 44.6 per cent, and was more frequent among Uruguayan women of African descent than among women not of African origin, with 60.5 per cent of the former and 44.6 per cent of the latter having experienced such violence at some point in their life. When all stages of women's lives are considered, it can be seen that gender-based violence affects women between 30 and 49 years of age most of all, with 54.8 per cent of women in this age bracket experiencing such violence.

However, when the last 12 months only are taken as the period of reference, the highest incidence is found in the 15- to 18-year-old age group, with 27.2 per cent of women in this bracket experiencing it. Data on the incidence of gender-based violence among women with disabilities show that, in the private sphere (family, partner and former partner violence), these women are more likely to suffer gender-based violence at some point in their life than women without disabilities (55.4 per cent vs. 47.0 per cent), a similar pattern being visible when the last 12 months only are considered (33.3 per cent vs. 27.2 per cent).

47. The third survey on the prevalence of gender-based and generational violence, which is scheduled for 2024, will also specifically consider gender-based violence experienced by women with disabilities, migrants, persons of African descent and rural women.

48. It should be noted that, between 2018 and 2021, the number of complaints of domestic violence and related acts received by the Uruguayan police remained unchanged, at around 40,000 per year.

49. The toll-free gender-based violence counselling service provided by the National Women's Institute handled 13,459 calls in 2020 and 12,180 calls in 2021. Since 13 March 2020 (the beginning of the pandemic), the number of calls received by the helpline for women in situations of domestic violence has increased substantially. The health emergency led to the availability of the helpline being extended to 24 hours a day, with an 80 per cent increase in calls received.

50. Meanwhile, complaints of sexual offences processed by the Attorney General's Office totalled 209 in 2018, 391 in 2019, 512 in 2020 and 434 in 2021. Complaints of domestic violence processed totalled 770 in 2018, 1,342 in 2019, 1,530 in 2020 and 1,169 in 2021.

51. Lastly, in the period 2018–2021, the number of special pensions paid by the Social Security Bank to children and adolescents orphaned by femicide varied between 168 in 2018 and 141 in 2021.

52. It is also important to highlight the progressive strengthening and expansion of the gender-based violence response system operated by the National Institute for Women. The system includes the following support mechanisms:

- Telephone guidance and counselling service for persons affected by domestic violence, which, since August 2021, has been operating 24 hours a day, 365 days a year
- 35 service centres providing legal and psychosocial support for persons affected by domestic violence by partners or former partners and advice and referrals in cases involving other forms of gender-based violence
- 18 local cooperation mechanisms
- Local team in Montevideo
- 12 teams providing support to men who use violence against partners or former partners, in 17 locations throughout the country
- Portal for admission to temporary shelters
- A short stay home with national coverage for women victims of domestic violence whose lives are at risk
- Three temporary shelters with national coverage in Montevideo, Tacuarembó and Maldonado
- A halfway house with national coverage for women in the process of leaving situations of gender-based violence

53. The system can be accessed by all women throughout the country, without discrimination of any form. In other words, it is open to all vulnerable groups, including women of African descent, women with disabilities, migrants, refugees and asylum-seekers.

54. The start-up of the Gender Equality and Women's Empowerment Programme, with support from the Inter-American Development Bank, has been central to numerous initiatives and improvements in this area, including some of those already mentioned above, such as,

for example, the improvements to the quality and use of data on gender-based violence attributable to the increase in the resources of the Observatory on Gender-Based Violence and the design and implementation of the third national survey on the prevalence of gender-based violence.

55. The Programme's implementation will also increase the capacity of the support services provided through the gender-based violence response system and allow for closer coordination between the National Institute for Women and the National Public Education Administration and the Ministry of Education and Culture in the development and implementation of annual plans for the prevention of violence among young persons in school and in dating relationships.

56. The Housing Alternatives Programme is continuing to implement an initiative that has been ongoing since 2009 and is focused on ensuring availability of the accommodation necessary to support women in the process of leaving situations of domestic violence and trafficking for purposes of sexual exploitation. Up to 500 rental subsidies are available under this initiative, depending on the number of already existing agreements. Funding can be reassigned when the subsidies come to an end, allowing the total number to be maintained and new applications to be considered.

57. Lastly, an agreement has been concluded between the National Institute for Women and the National Institute for Employment and Vocational Training that serves to enhance the know-how and work skills of women in situations of gender-based violence through the design and implementation of vocational training plans tailored to their needs.

## **II. Information on specific rights**

### **Article 6**

#### **Right to work**

58. The Committee recommended that Uruguay intensify its efforts to reduce unemployment rates among the groups in which the rates are highest and urged it to strengthen its National Employment Promotion Strategy, the "Uruguay at Work" (Uruguay Trabaja) Programme and other labour policies. The Committee also recommended that the Government continue to accord priority to quality technical and vocational training programmes that are tailored to the needs of the labour market and those of the most disadvantaged and marginalized persons and groups.

59. The expansion of the "Uruguay at Work" Programme (Act No. 19.910 of 2020) and the creation of two new programmes with specific objectives are of note in this connection. The aim of the first of these programmes, the "Access" Programme (Act No. 19.996 of 2021), is to promote the employment and socioeducational development of participants in the programmes run by the Ministry of Social Development and other government agencies. The objective of the second, the "Work Opportunities" Programme, is to achieve the labour market integration or reintegration of persons between 18 and 65 years of age who do not receive any public or private sector income-based benefits, unemployment benefit, sickness benefit, retirement or other type of pension, or any other personal income of any form.

60. A quota of 8 per cent was reserved for young persons of African descent applying for places on the "I'm Studying and Working" (Yo Estudio y Trabajo) Programme as of its third year of operation. Since 2021, the tenth year of the Programme's operation, the quota has been calculated based on the total number of applicants nationwide. Since 2014, 386 young persons of African descent have obtained their first work experience thanks to the quotas in place under this Programme.

61. In 2021, the activity ratios of the Afrodescendent population and the rest of the population were similar, with the same gender inequalities apparent in both and no reduction or increase in the existing gaps. In the early months of 2022, the activity ratio of the Afrodescendent population was 2 per cent higher than the average for the rest of the population, at 64.5 per cent. However, this cannot yet be considered a trend; it may be a one-off or even a seasonal difference.

62. In 2021, the employment-to-population ratio among persons of African descent was 53.9 per cent, 1.3 per cent lower than the rate among the rest of the population. Although the ratio did not recover pre-pandemic levels, there was an improvement, which continued into 2022, when, in the first four months, the employment-to-population ratio of the Afrodescendent population returned to pre-pandemic levels (57.3 per cent), 0.5 per cent below the employment-to-population ratio of the non-Afrodescendent population.

63. In 2021, the unemployment rate among persons of African descent was 13 per cent, slightly more than 3 percentage points higher than the rate for the non-Afrodescendent population and almost 2 per cent lower than the 2020 rate of 14.9 per cent. Unemployment among the non-Afrodescendent population fell by 0.9 per cent over the same period.

64. In the first four months of 2022, the unemployment rate among persons of African descent fell to 11 per cent, almost 4 per cent higher than the unemployment rate for the non-Afrodescendent population. The decline marked a return to 2017 levels of unemployment among the Afrodescendent population and a one-per cent reduction in the gap in the employment of persons of African vs. non-African descent.

<i>Informal employment by ethnic origin. Country total</i>				
<i>Ethnic origin</i>	<i>January 22</i>	<i>February 22</i>	<i>March 22</i>	<i>April 22</i>
Afrodescendent/Black	28.7	30.9	28.8	29.6
White	20.8	20.8	20.4	20.2
Other	25.9	22	22	22.6

<i>Underemployment by ethnic origin. Country total</i>				
<i>Ethnic origin</i>	<i>January 22</i>	<i>February 22</i>	<i>March 22</i>	<i>April 22</i>
Afrodescendent/Black	12.5	14	12.7	13.1
White	7.3	8.2	8.4	8.4
Other	12.2	11.2	9.7	13.9

65. Growth in formal employment over the last four years has led to a reduction in informal employment, understood as including all work carried out by workers not registered with the social security system. Although there was a drop in informal employment among both sexes, the decline in the informal employment rate was more pronounced among women, at 14.9 per cent, than among men (12.7 per cent).

<i>Informal employment as main occupation by sex. Country total. 2018–2021</i>		
<i>Year</i>	<i>Men</i>	<i>Women</i>
2018	26.0%	22.7%
2019	26.0%	23.5%
2020	24.0%	19.9%
2021	22.7%	19.3%

*Source:* Ministry of Labour and Social Security Statistics Unit, based on the 2021 continuous household survey carried out by the National Institute of Statistics.

66. The rate of informal employment varies according to workers' gender, age and level of education as well as by department and geographical region. A greater percentage of women in informal employment (80.7 per cent) than men (77.3 per cent) make social security contributions.

### **Right to work of persons with disabilities**

67. As reported in the information provided in follow-up to the concluding observations on the fifth periodic report (E/C.12/URY/5), Act No. 19691 on the inclusion of persons with

disabilities in the private sector workforce was adopted in 2018. This Act provides that 4 per cent of the permanent staff of all private sector companies with 25 or more employees must be persons with disabilities. The quota is applied on a progressive basis and is intended to attract persons with disabilities who have the ability and expertise to occupy such positions.

68. All employers must ensure workplace accessibility, adhering to the principle of equal opportunities for job performance and career development. Likewise, all job openings must mention that persons with disabilities are encouraged to apply and must specify the minimum number of vacancies to be filled, taking accessibility criteria into account. To this end, employers may seek advice from the National Secretariat for Care and Disability of the Ministry of Social Development.

69. Lastly, the Act accords companies benefits including a progressive exemption from the payment of employer pension contributions, allowances to cover the works necessary to adapt workplaces and make them more accessible, and the services, without charge, of a technical advisor specialized in disability support, accessibility and workplace adaptation. In addition, the executive branch may extend preferential treatment to employers who exceed the minimum quota for the employment of persons with disabilities and may grant incentives to private sector companies that source products from sheltered or cooperative workshops that provide employment for persons with disabilities.

70. Furthermore, Act No. 16095 of 1989, on the establishment of a comprehensive protection system for persons with disabilities, and Act No. 18651 of 2010, on the comprehensive protection of persons with disabilities, provide for the inclusion of persons with disabilities in the public sector workforce.

### **Working conditions for women**

71. The pandemic resulted in job losses across the workforce. However, the sectors in which employment and income were most affected by the pandemic, namely, the retail, domestic labour and property sectors, liberal professions and sciences, administrative and support sector, and accommodation and services, accounted for a significant number of jobs held by women.

72. Moreover, despite the efforts of the State, which accord particular attention to the care system, women devote, on average, three times as much time as men to housework and the care of dependent persons within the family and community. The extent of this divergence varies significantly by quintile, and is particularly pronounced in the case of single-parent households (which account for around 14 per cent of total).

73. In 2021, the activity ratio was 61.9 per cent for both sexes combined and 55 per cent for women. This figure represents an increase of 1.2 per cent on 2020 and a return to pre-pandemic levels but remains far below the activity ratio of 69.3 per cent recorded among men. In the same year, the unemployment rate was 10.4 per cent among economically active women, 2.7 per cent higher than the unemployment rate among men and representing a reduction in the gender employment gap of 1 per cent compared to the 2020 level and 0.7 per cent compared to pre-pandemic levels.

74. In the course of 2021, the employment rate among women recovered 2 percentage points relative to the previous year to reach 49.3 per cent, which was similar to the pre-pandemic level. The employment rate among men also rose, albeit at a slower rate, and ended the year 1 per cent below pre-pandemic levels but still higher, at 64 per cent, than the rate among women.

Years	Activity ratio			Employment-to-population ratio			Unemployment rate		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
2017	62.9	71.6	55.0	57.9	66.9	49.8	7.9	6.6	9.5
2018	62.4	70.7	54.9	57.2	65.8	49.4	8.3	6.9	10.1
2019	62.2	70.1	54.9	56.7	65.0	49.1	8.9	7.3	10.7
2020	60.5	67.9	53.8	54.3	62.1	47.1	10.4	8.6	12.4

Years	Activity ratio			Employment-to-population ratio			Unemployment rate		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
2021	61.9	69.3	55.0	56.4	64.0	49.3	8.9	7.7	10.4

75. On average, men earned more than women in every year shown in the table below, although, in 2021, average income fell among both sexes and the pay gap narrowed to 19 per cent. The 19 per cent gap in income earned by women and men from their main occupation in the first half of 2021 meant that women earned 81 pesos for every 100 pesos earned by men.

#### Average income by sex. Period 2018–2021

Year	Sex		
	Men	Women	
2018	19 984	15 591	22%
2019	19 575	15 308	22%
2020	21 358	16 981	20%
2021	19 606	15 920	19%

Source: Ministry of Labour and Social Security Statistics Unit, based on the 2021 continuous household survey carried out by the National Institute of Statistics.

76. In previous years for which hourly wage data are available for men and women according to area of activity, it was observed that men earned more per hour than women in most areas.

77. Furthermore, analysis of average hours of work for men and women revealed that the average number of hours of remunerated work was higher for men than for women in all years analysed, although similar trends were apparent in both cases, with a reduction in work hours evidenced between 2018 and 2020 and an increase in the first half of 2021. It must be remembered, as indicated above, that these figures reflect hours of remunerated work and do not include the unpaid care work that is mostly performed by women.

Average hours of remunerated work			
Year	Total	Men	Women
2018	39.3	42.2	35.9
2019	38.9	41.7	35.5
2020	34.4	37.0	31.2
January–June 2021	35.4	38.0	32.3

Source: Ministry of Labour and Social Security Statistics Unit, based on the 2021 continuous household survey carried out by the National Institute of Statistics.

78. In 2021, in compliance with the provisions of Act No. 19.846, the Ministry of Labour and Social Security created the Specialized Gender Unit, which has since been working both within the Ministry and on an inter-institutional basis. Its actions have included:

- promoting telecommuting as a tool for reconciling work and family life (web-based customer services were launched during the pandemic)
- ensuring universal access to training and/or education, with priority given to women employees for both on-site and remote courses. The intention is that such courses are taken during normal working hours, which may be adjusted if necessary, to take account of the different family responsibilities of men and women. As an example, negotiating skills courses are offered to provide opportunities for labour mobility

- encouraging women employees to apply for compensatory payments in return for assuming tasks other than their regular duties, which have been successfully obtained in several cases

79. In Uruguay, care is both a right and a social function. Historically, women have dedicated far more time to care-related tasks; thus, the National Integrated Care System was created with the aim of fostering a care model under which responsibility is shared between families, the State, the community and the market. The recognition and professionalization of care work is one of the objectives of the National Integrated Care System.

80. A key aim of the National Integrated Care System is to ensure access to quality care that promotes autonomy and inclusion, specifically through its Personal Assistants for Long-term Care for Severely Dependent Persons Programme. As at May 2022, 6,238 severely dependent persons were benefitting from the services of a personal assistant under the terms of the current regulations. Ninety per cent of personal assistant positions, the total number of which rose from 2,000 in 2017 to 4,681 in 2019, are held by women, demonstrating that the Government must continue to work hard to reverse gender stereotypes that reproduce the historical distribution of caregiving tasks even in institutional contexts.

81. Long stay centres are also included in the range of services provided through the National Integrated Care System. In addition to overseeing these centres, the National Integrated Care System is responsible for training the staff that work there with a view to ensuring minimum quality standards.

82. Another key service provided through the National Integrated Care System is its Teleassistance and Day Centre Programme, designed for persons who are mildly or moderately dependent and living in their own homes. Teleassistance became available in 2017 and provides access to a subsidized service whereby persons who are mildly or moderately dependent can alert their family, neighbours or a medical service in the event of an incident occurring in their home. The service works through a bracelet or necklace that, when pressed, activates a connection to a care centre operating 24 hours a day, 365 days a year, facilitating immediate and timely responses to possible emergencies. As at May 2022, 1,554 people were using this service.

83. The day centres provide day care for persons over 65 years of age who are mildly or moderately dependent and live in their own homes. The aim is to help users to remain autonomous and continue living in their habitual environment while also redistributing the burden of care.

84. The recognition and professionalization of care work is one of the objectives of the National Integrated Care System. One of the means it is using to achieve this end is to develop and/or enhance training courses designed to foster improvements in working conditions. Within this framework, specific training for care workers has been developed and has been imparted to 3,772 carers.

85. Examples of such training include online courses on sexual and reproductive health in women with disabilities, developed following the issue of an updated guide on sexual and reproductive health in persons with disabilities and a protocol for the humane communication of a disability diagnosed before or after birth designed for the use of health-care personnel.

86. Other significant measures adopted to promote the equitable labour market participation of women include:

- implementation of the third time-use survey (2021/2022), which, based on an assessment of the value of unpaid work and satellite accounts, will be used to measure and turn the spotlight on the economic contribution of women and prevailing labour market standards with the aim of ensuring that women can take advantage of available opportunities and leverage their skills and talents
- the Gender-Based Violence Response System, which offers employment training for women in the process of leaving situations of gender-based violence with a view to strengthening their social and economic autonomy
- the Employability and Care Programme (2021/2022), developed as part of a cooperation project to lay the bases for women's progressive empowerment towards

achieving economic autonomy. Sixty-three percent of participants obtained internships or job placements after completing the Programme

- the Migrant Women's Project, which provides support for women entrepreneurs, particularly women migrants, in the form of training, advice and cash transfers. Over 50 women entrepreneurs have participated in the project; 30 of them have since been able to formally launch their businesses and the remaining 20 are in the process of doing so
- vocational training at the National Institute of Employment and Vocational Training, the general aim of which is to strengthen the knowledge and occupational skills of socioeconomically vulnerable women through the creation and implementation of vocational training programmes tailored to the profile of participants and with an emphasis on the development of transversal skills and provision of expert support in occupational training processes
- design of a guide to economic autonomy for women, with a view to providing conceptual materials to inform decision-making and ensuring that related public policies are guided by comprehensive and up-to-date information
- support for the development, within the framework of MERCOSUR, of guidelines on gender and international trade, with the aim, inter alia, of compiling statistics on women's participation in international trade and promoting the incorporation of a gender perspective in the trade agreements negotiated by MERCOSUR with third countries or groups of countries
- development, with the support of the Economic Commission for Latin America and the Caribbean, of a preliminary gender-sensitive assessment of international trade in Uruguay
- inclusion of a section on gender in the Uruguay-Chile Free Trade Agreement, and development of a 2021–2022 workplan for its implementation, designed to contribute to the post-pandemic economic revival by means of an approach incorporating gender considerations

87. Various measures aimed at achieving an equitable distribution of family responsibilities between men and women have also been adopted. For example, leave allowances for private sector workers have been increased, with maternity leave being extended from 13 to 14 weeks, postpartum paternal leave being extended from 3 to 10 days (plus 3 days for employed workers), and the part-time work allowance, which is transferable between the father and mother, being extended to cover the first six months of the child's life. In addition, Act No. 19729 of 2018 grants 10 days' leave to allow the parents of children with disabilities to attend medical check-ups. Civil servants who are the biological or adoptive parents of premature children are also entitled to special leave.

88. Lastly, in terms of mass campaigns, the National Institute for Women has spearheaded initiatives to promote shared responsibility between men and women through communication campaigns under the slogans "March is Women's Month" and "April is Care Month".

### **Trafficking and exploitation of persons for labour purposes**

89. The National Council for the Prevention of and Fight against the Trafficking and Exploitation of Persons, created by Act No. 19643 (2018), is the lead agency and coordinator of relevant policies. Chaired by the National Institute for Women of the Ministry of Social Development, the Council is composed of representatives of several agencies of the executive branch, the judiciary, the Attorney General's Office and civil society, among others.

90. Act No. 19643 created the Inter-Agency System for Responding to Trafficking and the Exploitation of Persons, stipulating that the system must be integrated, interinstitutional, interdisciplinary and geographically decentralized, and must encompass preventive action, care services, counselling and legal representation for victims, reparation measures, data collection and processing, training and skills development for personnel, and evaluation and accountability mechanisms.



91. Within the Inter-Agency System, the Ministry of Social Development is responsible for the care of men, the Ministry of Social Development's National Institute for Women is responsible for the care of women and the National Institute for Children and Adolescents is responsible for the care of children and adolescents. The Ministry of Labour and Social Security is responsible for coordinating the response to situations of labour exploitation.

92. The Act also sets forth the responsibilities of Uruguayan embassies, missions and consular posts abroad in the specific response to international trafficking, as well as those of the Attorney General's Office in respect of guarantees of access to justice.

93. The Inter-Agency Action Guide for addressing situations of human trafficking and exploitation, published in 2021, facilitates effective coordination between the actors involved in detecting and identifying different situations of trafficking in and/or exploitation of persons, the aim being to ensure an early response and the immediate initiation of victim support processes and criminal prosecution proceedings. The Guide was developed in conjunction with the institutions and organizations that make up the National Council for the Prevention of and Fight against Trafficking and Exploitation of Persons and the collaborative process was facilitated by an expert consultant from the International Organization for Migration.

94. The Ministry of Labour and Social Security, as a member of the National Council for the Prevention of and Fight against Trafficking and Exploitation of Persons and within the framework of its competencies, has developed an operational guide for dealing with these situations and has carried out training and awareness-raising activities in coordination with civil society and international organizations.

95. When faced with a possible situation of labour trafficking, the members of the Inter-Agency System must coordinate their response with the Ministry of Labour and Social Security, whose functions include inspecting places of employment, particularly in cases of suspected forced labour or other types of trafficking and exploitation of persons; obtaining information from qualified informants (e.g. union leaders and other workers, organized civil society and employers' associations) on possible cases of trafficking and exploitation of persons in their work environment; liaising with the Attorney General's Office, the Ministry of the Interior and the judiciary to inform relevant actors of the alleged situation of trafficking and exploitation for labour purposes; and providing services that contribute to the rehabilitation of the persons concerned, such as employment services.

96. The General Labour and Social Security Inspectorate of the Ministry of Labour and Social Security investigates all complaints of labour violations and irregularities received, and, in its investigations, uses international criteria to determine: whether those involved are victims of trafficking; whether their migration status in the country is regular or irregular; whether their personal documentation (especially their passport) is in the employees' possession; whether they are free to resign from their job; whether wage entitlements are being paid; whether the employees wish to remain with the company; and whether the work they carry out is lawful; and to establish other details such as their nationality, language, race and, especially, age and, in certain situations, gender. Where there are signs that workers have been trafficked, the General of Labour and Social Security Inspectorate will take the appropriate steps, including initiating administrative proceedings.

## **Article 7**

### **Minimum wage**

## **Article 8**

### **Unionization and right to strike**

97. As an update to the information provided in the fifth periodic report ([E/C.12/URY/5](#)), growth in the national minimum wage since 2016 is shown below. It should be noted that Decree No. 454/2021, which set the minimum wage for 2022, stipulates that: "in view of the health emergency that the country is experiencing, and as a measure of support for lower income social sectors, the Government considers it opportune and appropriate to grant an

increase slightly in excess of the increase in the consumer price index, which, according to the National Institute of Statistics, was 7.862 per cent”.

National minimum wage in Uruguayan pesos 2016–2022 (Source: Ministry of Labour and Social Security)

- 01.01.2016: 11,150
- 01.01.2017: 12,265
- 01.01.2018: 13,430
- 01.01.2019: 15,000
- 01.07.2019: 15,650
- 01.01.2020: 16,300
- 01.01.2021: 17,930
- 01.01.2022: 19,364

98. It should also be noted that, in the sixth and seventh round of wage negotiations in 2019, provision was made for the following social benefits for workers: right to take leave to provide general care for immediate family members; right to a reduction and/or greater flexibility in working hours during breastfeeding; flexible working hours and/or authorized absence for workers with family responsibilities; and leave for victims of domestic violence.

99. In addition, in the seventh round of collective bargaining, the executive branch incorporated provisions on vocational training, on-the-job training for workers and business owners, the completion of studies and the certification of knowledge and skills.

100. With regard to the gender perspective, progress is being made towards the inclusion of gender clauses in all agreements.

## **Article 9**

### **Social security**

101. The social security system is regulated by the Ministry of Labour and Social Security and incorporates several agencies: the Social Security Bank, three parastatal funds and two retirement and pension agencies. A minimum pension is established for those receiving a retirement pension as well as non-contributory age-based and disability benefits for those lacking resources. In Uruguay, more than 95 per cent of those over the age of 65 years receive social security benefits.

102. The Social Security Expert Commission, created under articles 393 et seq. of Act No. 19889, of 2020, is tasked with “analysing the strengths and weaknesses of the various social security schemes that make up the Uruguayan social security system, assessing the current situation and short-, medium- and long-term prospects”. The Commission is in the process of preparing recommendations on a possible comprehensive reform of the system.

103. With regard to social security spending, the system’s consolidated expenditure accounted for 12 per cent of gross domestic product in 2020. Most of this expenditure is used to pay benefits due under contributory programmes, in particular, retirement and age-based pensions. As a proportion of the total employed population, the number of social security contributors increased from 82 per cent in 2011 to 89 per cent in 2020. In the same year, almost 91.98 per cent of persons aged 65 and over were receiving a long-term contributory allowance (retirement pension). Adding in persons in the same age group who were receiving some form of non-contributory allowance, this figure rises to 98.07 per cent.

104. Eligibility for age-based, disability and survivors’ benefits is universal. In the case of age-based and disability allowances, both contributory benefits (general retirement pensions, age-based pensions, total disability and temporary disability pensions and/or survivors’ pensions in the case of death) and non-contributory benefits (age-based and disability pensions) are available.

### **Unemployment benefit**

105. Unemployment benefit is a contributory allowance, regulated by Decree Law No. 15180 (1981), as amended by Act No. 18399 (2008). Three types of unemployment benefit are envisaged therein, providing protection in the event of dismissal, suspension of operations and reduced activity, respectively. The benefits available in the event of reduced activity cover three scenarios: reduced activity due to dismissal, reduced activity due to suspension of operations and a reduction in hours worked in a specific job. The last category is intended to benefit workers who are paid on a daily or hourly basis and are working fewer hours or fewer days in the month.

106. In March 2020, as a result of the pandemic, applications for unemployment benefits increased by 827.6 per cent, equivalent to 73,860 more applications compared to February of the same year. In the course of 2021, applications fell back to levels similar to those recorded in 2019, prior to the health emergency, except in the months of April, May and December, when higher peaks were observed, coinciding with the waves of infection registered in the country.

107. The Government adopted various measures to address the consequences that the pandemic had for thousands of workers and allow them to retain their jobs during this long period. The Ministry of Labour and Social Security was empowered to extend unemployment benefits under Act No. 19926, and to establish special unemployment benefit schemes under Act No. 19972, both of 2020.

108. Specifically, in March 2020, the executive branch created a special unemployment benefit scheme for private sector workers affected by the health emergency. These allowances, which were of a partial and flexible nature, were awarded in the event of a reduction or suspension of activity, and were thus not payable in the event of termination of employment with the company. Eligibility for the allowance and the duration of its payment were flexible, depending on the reason for which it was awarded, which in some cases meant that the allowance continued to be paid without interruption from the beginning of the health emergency.

109. Similarly, owing to the need to limit hours of operation and capacity in various sectors of activity, it was necessary to find a solution for workers who were paid monthly and were unable to claim benefits on the grounds of reduced activity in a specific job or position. This was achieved through the creation of a special unemployment benefit scheme to cover situations of partial suspension of activity. This scheme allowed workers to remain in their jobs but work fewer days and hours per month. To provide incentives for the use of this scheme, the amount of the benefit received by workers was increased.

110. In addition, the Ministry of Labour and Social Security authorized all unemployment benefit extensions requested by companies. A total of 12,000 applications had been finalized by December 2021, compared with fewer than 1,000 in 2019.

111. Lastly, it should be mentioned that solutions to address the situation of self-employed workers were also devised, such as the creation of inactivity allowances for actors and other workers in the arts sector, writers and tour guides, inter alia.

### **Sickness benefit**

112. To provide protection in the event of loss of income due to illness, a sickness benefit is available in Uruguay to compensate for periods of inactivity and replace income lost during such periods. The benefit is equivalent to 70 per cent of total nominal wages received in the last six months.

113. In March 2020, under Decree No. 109 and subsequent decrees extending its validity, the Government provided that persons aged 65 and over who were eligible for sickness benefit could remain in isolation for a maximum period of 30 days. A total of 5,861 persons were covered by this measure in the period from March 2020 to March 2021.

114. In addition, various legal provisions provided COVID-19-related contingency cover in different sectors of activity, including for medical and non-medical health sector workers (Act No. 19873), seasonal sugar cane harvest workers (Act No. 19886), citrus industry

workers (Act No. 19998), health care professionals in private practice (Decree No. 45/2021), and certain employed and self-employed workers belonging to the national health insurance scheme (Decree No. 4/2021). This last measure had benefited 24,790 persons as at April 2021.

115. Lastly, Decree No. 217/2020 extended the protection provided under the national health insurance scheme to all workers furloughed from jobs that gave them the right to such protection or whose unemployment benefit entitlements came to an end between 1 August 2020 and 31 October 2020.

## **Article 10**

### **Family**

#### **Child labour**

116. The Committee urged the State party to continue adopting effective measures to combat child labour by, inter alia, ensuring that the law protecting children against economic exploitation was vigorously enforced, strengthening child labour oversight mechanisms and increasing support for poor families so that they could keep their children in the education system.

117. The National Committee for the Eradication of Child Labour, chaired by the General Labour Inspectorate of the Ministry of Labour and Social Security and consisting of representatives of government agencies, workers, employers and civil society, drew up a workplan for 2021, one of the main objectives of which is to raise public awareness of the importance of eradicating child and adolescent labour.

118. Within this framework, and in coordination with the Uruguayan Institute for Children and Adolescents, the Inspectorate provides training to those who may encounter such situations, in addition to training on national child labour regulations at tripartite occupational health and safety round tables. Moreover, binational round tables were held on the border with Brazil under a MERCOSUR agreement to ensure a constant flow of information between the two countries for the purposes of detecting, monitoring and combating child labour in border areas. A questionnaire on child labour was prepared for inclusion in the 2022 national census in order to gather up-to-date statistics.

119. In 2020 and 2021, several companies were inspected in response to complaints in order to monitor the working conditions for protected adolescent labour and check for situations of child labour or unprotected adolescent labour.

## **Article 11**

### **Living conditions**

#### **Right to adequate food**

##### **Breastfeeding**

120. In 2017, Uruguay adopted a national breastfeeding standard, which establishes mechanisms for compliance with the World Health Organization International Code of Marketing of Breast-milk Substitutes and all complementary and supplementary World Health Assembly resolutions related to the Code.

121. In 2019, compliance with the Code was monitored and found to be high in the health services, although it was established that measures should continue to be implemented to ensure their sustainability. A high level of compliance with the provisions related to the marketing of breast-milk substitutes was observed, but it was found that the regulation of other products, such as bottles and teats, presents a great challenge.

122. Moreover, in the framework of the national health objectives and in line with the Sustainable Development Goals, Uruguay developed national strategies for children and adolescents up to 2020 and 2030, respectively. In this context, a national survey on breastfeeding, feeding practices and anaemia in children under 24 months of age receiving

care in the Integrated National Health System was carried out and published in 2020. The purpose of the survey was to update the available information on breastfeeding practices, supplementary feeding, nutritional status and anaemia in children under 24 months of age. It consisted of a cross-sectional study in which breastfeeding practices, nutritional status and some aspects of supplementary feeding were investigated in a sample of 1,503 children under 24 months of age. The results of the study show that, in the first 48 hours after birth, 88.5 per cent of the children started breastfeeding and 57.2 per cent of them did so within the first hour of life. Both figures exceed estimates of the United Nations Children's Fund for countries with similar socioeconomic profiles.

123. Among the infants born vaginally, 72.4 per cent were breastfed in the first hour of life, compared to 38.9 per cent of those born by caesarean section with spinal anaesthesia. Overall, 44.5 per cent of the infants were given infant formula during their hospital stay, while it was recommended, when they were discharged, that 25.5 per cent of them should continue to be breastfed and given formula. The exclusive breastfeeding rate in infants under 6 months of age was 57.4 per cent. After the sixth month of life, 43.4 per cent of the infants continued to be exclusively breastfed.

124. The continuous breastfeeding rate at 1 and 2 years of age was 62.7 per cent and 46.4 per cent, respectively. At the time of the survey, 74.7 per cent of the infants aged 12 months were being breastfed, compared to 55.6 per cent of the infants aged 23 months. The main reason for weaning reported by the mothers of the infants surveyed was insufficient milk (44.3 per cent). For infants under 6 months of age, this reason was reported in 59 per cent of cases, followed by "the baby does not suckle properly" (15.3 per cent) and reasons related to the mother's work (12.8 per cent).

125. In addition, an assessment was carried out of the availability and accessibility of breastfeeding rooms in places of work and study. A total of 24.1 per cent of the working mothers mentioned that they had a breastfeeding room at work. Of them, 62.6 per cent reported that they always received support in using it. Among the mothers who studied, 22 per cent stated that they had a breastfeeding room at their place of study, and 68.7 per cent of them always received support in making use of it.

126. As indicated above, the Act on Breastfeeding Rooms (No. 19530 of 2017) stipulates that all institutions in which 20 or more women work and/or study, or that have more than 50 employees, must have an area set up exclusively for breastfeeding. Furthermore, Decree No. 234/018 amended a 1954 regulation related to breastfeeding workers and students, establishing that "an employee who is breastfeeding her child is authorized to interrupt her work for this purpose, for two periods of half an hour each or one period of one hour, as chosen by the employee, during her working day, with that time being counted as effective work". In educational establishments, teachers or those in charge must ensure that female students are able to use the time allocated for breastfeeding by allowing them to take a break from their classes.

## **Obesity**

127. Overweight and obesity have become one of the key health issues in Uruguay, affecting 12.3 per cent of children under 5 years of age, 39.4 per cent of school-age children and 36.3 per cent of adolescents between 13 and 15 years of age, in addition to almost 7 in 10 people between 25 and 64 years of age.

128. The national health objectives for 2030 establish the following lines of action to address this situation: (1) encourage adequate nutrition during pregnancy and in early childhood; (2) promote the regulation of advertising and marketing of food aimed at children; (3) improve the environment in education centres with regard to healthy eating and physical activity; (4) incorporate the guidelines of the Food Guide for Uruguayans into public policies concerning State institutions that provide collective catering or other food services; (5) ensure front-of-pack labelling for packaged foods high in salt, sugar and fat; (6) promote the elimination of industrially produced trans fats from the food chain; (7) promote strategies for the gradual reduction of sugar and salt in food; (8) prevent and monitor overweight and obesity through communication campaigns and protocols for handling overweight and obese persons in the Integrated National Health System.

129. Measures taken include the adoption, in 2021, of regulations governing front-of-pack labelling for packaged foods, which should provide consumers with clear and simple information about products high in fat, saturated fat, sugar and salt. The regulations were fundamental to the implementation of Act No. 19140 (2015) on healthy eating in schools, which prohibits the advertising of products not recommended by the Ministry of Health. In addition, out of every 10 foods available in schools, 6 must be recommended by the Ministry and only 4 may be from product groups that are not recommended. Varying degrees of compliance have been observed, with private establishments guilty of a greater degree of non-compliance.

### Right to water

130. The proportion of the country's population, in both urban and rural areas, with sustainable access to an improved water source, understood as one that, by nature of its construction, is adequately protected from external contamination, is as follows:

Año	Total de Personas (urbanas y rural)	Total de Personas con Agua Mejorada (*) (urbana y rural)	Cobertura de Agua Mejorada Urbana y Rural (%)
2019	3.517.931,00	3.338.582,00	94,90%

(\*) El Total de Personas con Agua Mejorada se calcula como la suma de las personas con origen del agua (Variable D11 de la ECH) por red genera y pozo surgente protegido.

Fuente: ECH - INE 2019, para los años 2020 y 2021 el INE por el COVID el INE no relevó los datos relacionados con cobertura de agua y saneamiento.

131. In 2014, the country's installed treatment capacity was 94,682,000 m<sup>3</sup>, and 55,934 m<sup>3</sup> of water was treated. In 2022, installed treatment capacity was 118,732,000 m<sup>3</sup>, and 55 treatment systems were being operated and maintained. There are 352,863 connections to the sanitation service across a sewage network measuring 3,996 km in length.

132. As was indicated in the fifth periodic report (E/C.12/URY/5), the provision of drinking water is the exclusive domain of the Administration of State Sanitation Works, which also provides sanitation services throughout the country, except in Montevideo, where they are provided by the departmental government.

133. In Uruguay, 99 per cent of the population has access to basic sanitation and 60 per cent has access to safe sanitation. Efforts are being made to further expand safe sanitation coverage by building adequate treatment and disposal plants and improving existing ones, and by better managing the emptying and transportation of liquids and sludge from individual sanitation systems.

134. With this in mind, in addition to the previously mentioned National Water Plan (2017), in 2020, the National Sanitation Plan was adopted, establishing guidelines for achieving the goals set in the 2030 Agenda for Sustainable Development. Specific lines of action are being developed to increase access to safe sanitation, one for towns with more than 3,500 inhabitants and another for smaller settlements, with different technologies appropriate to the particular contexts under examination. It should also be recalled that, since 2015, the Sanitation Connection Plan has been under implementation with the aim of increasing the number of household connections to sanitation networks. In addition to the actions and plans carried out by the Administration of State Sanitation Works, in 2020 the departmental government of Montevideo began using the Punta Yeguas outfall system to pre-treat all water discharged through the city's sewage system. Furthermore, at the departmental government level, sanitation ordinances include criteria for the construction of on-site household sanitation systems and the supervision of the lorries used for emptying and transporting domestic liquids and sludge.

135. Lastly, the use of new and better-equipped wastewater treatment plants will strengthen national environmental and sanitation plans and complement existing measures to improve the process for removing nutrients (nitrogen and phosphorus) in the wastewater treatment plants in various parts of the country.

### **Monitoring the use of agrochemicals and protecting water resources and water quality**

136. Within the framework of Decree No. 149 of 1977, the registration of pest control products, namely, pesticides and phytosanitary products, plays an important role in their responsible use, since it is at the registration stage that the authorities evaluate the pest control products that are formally admitted to the country, their uses and the available alternatives. The agronomic evaluation upon registration is carried out by the General Directorate for Agricultural Services of the Ministry of Livestock, Agriculture and Fisheries, while the health evaluation is carried out by the Centre for Information and Advice on Toxicology of the University of the Republic. Through these processes, the authorities establish the conditions and, if necessary, restrictions to be applied in the use of products in order to prevent and minimize the agronomic impact (e.g. generation of resistance), environmental impact (e.g. effect on non-target organisms) and health implications (e.g. occupational exposure, food exposure).

137. Furthermore, the General Directorate for Agricultural Services of the Ministry of Livestock, Agriculture and Fisheries provides training to persons who apply pesticides, and, together with the Ministry of Health, the Ministry of the Environment and the Food and Agriculture Organization of the United Nations, has prepared a guide for producers, workers and other persons involved in large-scale agriculture, horticulture, fruit production and forestry. The guide consolidates information and guidelines for the safe and responsible handling of agricultural pesticides with the aim of minimizing risks, preventing incidents and protecting the environment and the health of those involved.

138. Lastly, in 2018, the Ministry of the Environment carried out a pesticide monitoring programme at Laguna de los Cisnes in the department of Canelones, which involved collecting samples of water, sediment and fish over a 12-month period. This enabled methodological, analytical and logistical development to achieve a baseline at a higher intensity of effort than usual. In addition, as of this year, the San Salvador River Basin in the department of Soriano has been monitored with a view to establishing a pesticide monitoring programme covering water, sediment, fish and pollinators in the basin in a systemic and integrated manner.

### **Right to adequate housing**

139. The Five-Year Housing Plan 2020–2024 (see annex) was adopted in 2021, in accordance with National Housing Plan Act No. 13728 (1968), which stipulates that, the executive branch must adopt and submit to parliament a five-year housing plan within the first year of each term of government. As a general rule, when each new plan is formulated, the actions implemented under previous plans are reviewed in order to ensure continuity, adjustments are made to existing housing programmes and new proposals are put forward for implementation.

140. The new Five-Year Plan outlines the housing and habitat policy actions undertaken during the period 2015–2019 and sets out the objectives for the period 2020–2024. These concern “access to and retention of housing among the middle-income, lower-middle-income and most vulnerable sectors of the population through various programmes that take into account the diversity of target households, with a view to developing accessible and sustainable cities through effective and efficient management”. Thus, in line with the objectives established in the two most recent five-year plans, the Ministry of Housing and Land Management is implementing housing programmes aimed at households in situations of extreme social vulnerability. Examples include the National Relocation Plan, the Together (Juntos) Plan and the Neighbourhood Improvement Programme, along with temporary housing solutions provided under agreements with the Ministry of Social Development, the Uruguayan Institute for Children and Adolescents and the Ministry of Foreign Affairs, among others.

141. Without prejudice to the annexed Five-Year Housing Plan 2020–2024, below are some of the specific objectives that will be taken up in the operational plan, adjusted according to the resources and time available:

- address scattered or concentrated social and housing vulnerability, promoting social integration and improving the quality of life of the target population
- strengthen rental policy through rent guarantees and subsidized rent guarantees
- increase the supply of new housing for sale or rent through public-private cooperation using new financial instruments
- better manage the promotion of non-traditional construction schemes aimed at increasing the supply of public housing and reducing construction times and costs
- support construction under the Movement for the Eradication of Unhealthy Rural Housing Programme to improve the quality of life of people living or working in rural areas
- improve alternative housing solutions for women affected by gender-based violence, pursuant to Act No. 19580

142. In addition, the following cross-cutting guidelines have been established:

(1) Prioritize consolidated urban areas for housing construction, in line with regional development guidelines and plans, and in accordance with the right to the city.

(2) Encourage actions to promote adaptation to climate change and climate variability so as to reduce the vulnerability of the population and improve the habitability and comfort of housing and the immediate surroundings.

(3) Improve productivity in the development of public housing through the diversification of construction schemes.

(4) Apply a gender perspective to housing and habitat policy.

(5) Enhance coordination within the Ministry of Housing and Land Management and with other institutions in the implementation of social and housing programmes.

143. The objectives and cross-cutting guidelines build on the outcomes of the Five-Year Housing Plan 2015–2019, which resulted in the implementation of 53,250 housing solutions, of which 33 per cent were various forms of new housing, 48 per cent were improvements to existing housing stock, 16 per cent were rental agreements signed through the Rent Guarantee Fund and 2 per cent were benefits enjoyed by households thanks to projects carried out under the Neighbourhood Improvement Programme. Moreover, at the end of 2019, a total of 21,827 housing solutions were being implemented (but had not been completed), of which 5 per cent were new housing units, 11 per cent were improvements to existing housing stock, 39 per cent were rental subsidies for retirees and 38 per cent were benefits enjoyed by households under the Neighbourhood Improvement Programme.

144. Lastly, a total of 23,728 new housing solutions are expected to be completed or in the process of implementation by the end of the period 2020–2024, in addition to other housing solutions resulting from key programmes, as shown in the table below.

<i>Programme</i>	<i>Completed/in the process of implementation</i>
<i>Ministry of Housing and Land Management</i>	
<b>New housing solutions</b>	23 728
Cooperatives	12 501
Housing construction	1 358
Housing construction for the Social Security Bank	607
Assisted self-construction	1 160
Housing in small towns	2 250
Loans/subsidies for house purchases	4 500
Relocations	1 352
<b>Improvements to existing housing stock</b>	22 212



<i>Programme</i>	<i>Completed/in the process of implementation</i>
Loans/subsidies for refurbishments, improvements and extensions	1 500
Improvements to housing for extremely vulnerable households under the Together Plan	1 177
Social Security Bank housing	17 500
Home repairs in small towns	2 035
<b>Rentals</b>	<b>9 000</b>
Agreements signed through the Rent Guarantee Fund	8 000
Rental subsidies for retirees	1 000
<b>Neighbourhood Improvement Programme</b>	<b>5 119</b>
Beneficiary households	5 119
<b>Regularization of housing developments owned by the National Directorate of Housing</b>	<b>1 800</b>
<b>Total solutions: Ministry of Housing and Land Management</b>	<b>61 859</b>
<i>Mortgage Bank of Uruguay</i>	
Mortgage/refurbishment loans	3 960
<b>Total solutions: Mortgage Bank of Uruguay</b>	<b>3 960</b>
<i>National Housing Agency</i>	
Refurbishment and sale of vacant dwellings	800
Refurbishment and sale of building skeletons	426
Home improvement loans	5 000
Debt restructuring and regularization	17 500
Deeds of cancellation	4 000
Housing from projects implemented under Act No. 18.795	12 000
<b>Total solutions: National Housing Agency</b>	<b>39 726</b>
<b>Total public sector solutions</b>	<b>105 545</b>

## Article 12

### Right to health

#### Vaccination

145. The National Vaccination Programme of Uruguay is a public health policy that has been in place for almost four decades. It encompasses the vaccines and actions described below.

146. The Vaccination Certificate Scheme currently covers 15 vaccines aimed at controlling the most common vaccine-preventable diseases and is compulsory, universal and free of charge for all inhabitants, with no restrictions whatsoever. It includes:

- Vaccines in special situations
- Vaccination of pregnant women
- Yellow fever vaccine
- Rabies vaccine
- Vaccination of migrants
- Vaccination campaigns
- Annual influenza virus vaccination campaign (flu vaccine)
- Vaccination of health workers

147. The National Vaccination Programme is organized on three levels.

*Level 1: Ministry of Health*

148. The Ministry of Health defines national vaccination policies, establishes general rules for the administration and registration of vaccines, analyses vaccination coverage and supplies the necessary vaccines and other products. Its Health Monitoring Department is responsible for monitoring vaccine-preventable diseases, designing and guiding interventions in the event of outbreaks of such diseases, and evaluating the impact of vaccines introduced through the National Vaccination Programme. The Immunization and Pharmacovigilance Unit monitors, analyses and classifies events apparently attributable to vaccination or immunization.

149. The Ministry is advised by a group of leading academics from the University of the Republic and by experts from the Ministry itself and from the Honorary Commission for the Fight Against Tuberculosis and Prevalent Diseases. The advice is focused on the regulatory aspects of the National Vaccination Programme, initiatives for the introduction of new biological preparations and the strategies to be adopted to address the long-term challenges faced by the makers of public policy on vaccines and immunizations.

*Level 2: Honorary Commission for the Fight Against Tuberculosis and Prevalent Diseases*

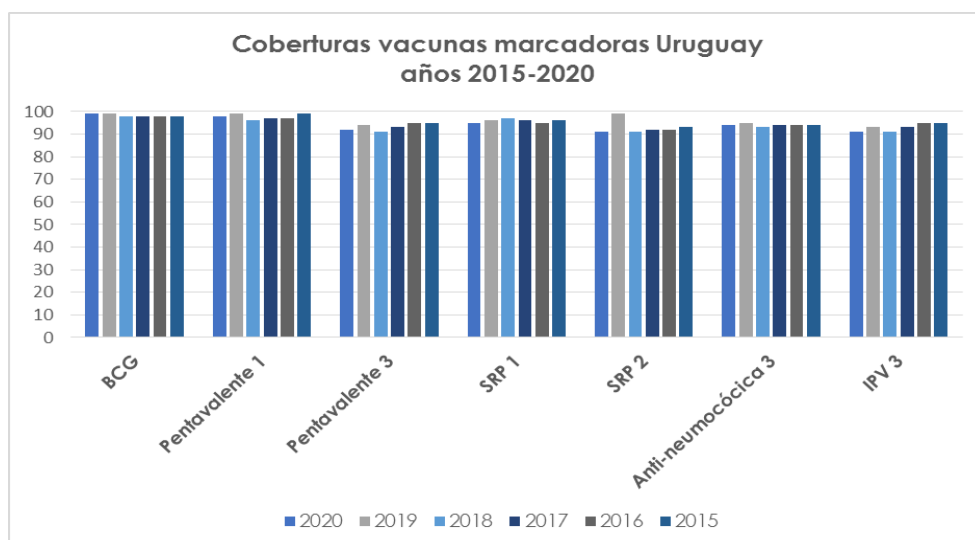
150. The Commission is a non-State public institution designated by the Ministry of Health to implement the National Vaccination Programme. Its central functions include the Immunization Programme, through which it oversees vaccination activities and services, and is responsible for the initial and ongoing training of vaccinators and for vaccination logistics across the country. The Calmette Laboratory is in charge of storing and distributing vaccines and managing the cold chain.

*Level 3: Health-care providers*

151. Health-care providers are responsible for administering both public and private vaccines. There are approximately 450 vaccination sites throughout the country.

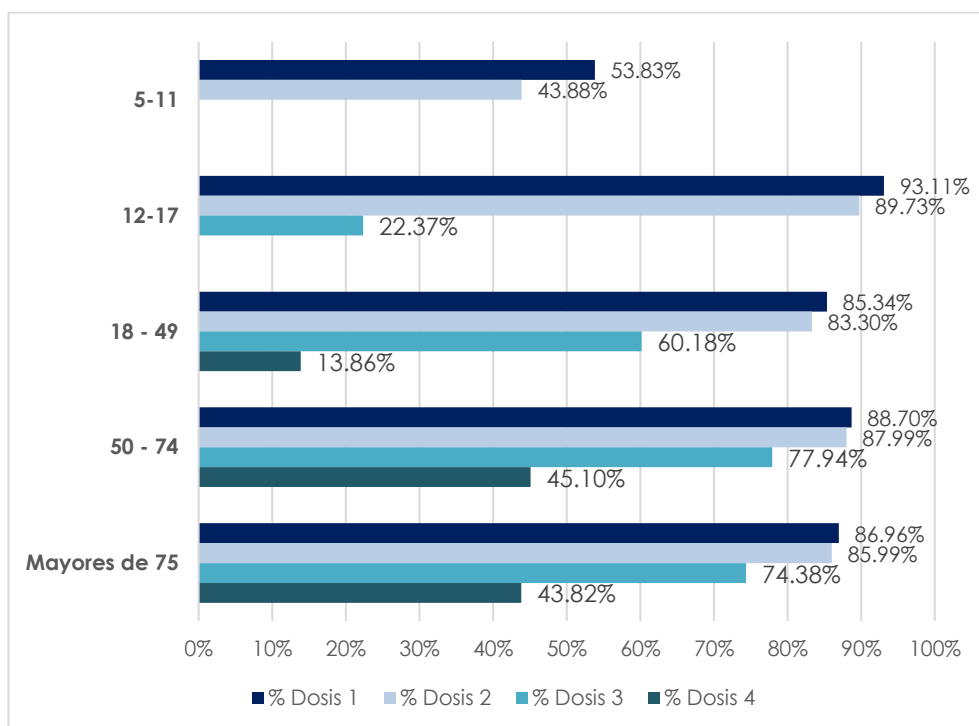
152. As indicated above, vaccination in Uruguay is a public policy that has proved strong in terms of its consistency, sustainability and results, meaning that the system is well positioned to deal with crises. There is, however, an awareness of threats such as “pockets of low coverage” in specific areas of the country that are home to communities with unfavourable social determinants of health, along with difficulties in ensuring the timely vaccination of children under 2 years of age. To address the first challenge, an effective computerized (nominal) registration process is in place for each municipality, with periodic reports incorporated into the management goals, which makes it possible to monitor the National Vaccination Programme and trigger appropriate response mechanisms. With regard to the vaccination of children under 2 years of age, the strategy continues to be to link vaccination to paediatric check-ups, which are more frequent in the first years of life, although there are still gaps in vaccination.

153. Having said this, overall vaccination coverage has remained in excess of 90 per cent over the past decade. Monitoring is ongoing, and adequate response mechanisms are in place to take corrective action when necessary.



154. Lastly, the COVID-19 vaccination campaign was launched on 27 February 2021. Since then, different population groups have progressively been called forward in response to the evolution of the health situation and always on the basis of available evidence and the national epidemiological situation.

#### Coverage by age group on 31 October 2022 (Vaccine Information System)



#### Doses administered to the general population up to 31 October 2022

Age group	Target population	Dose 1	Dose 1 %	Dose 2	Dose 2 %	Dose 3	Dose 3 %	Dose 4+	Dose 4 %	Dose 5	Dose 5 %
5-11	334 389	180 008	53.83	146 726	43.88	55		N/A		N/A	
12-17	294 019	273 747	93.11	263 833	89.73	65 777	22.37	128		N/A	
18-49	1 633 767	1 394 307	85.34	1 361 009	83.30	983 245	60.18	226 360	13.86	933	0.41
50-74	924 206	819 736	88.70	813 218	87.99	720 295	77.94	416 802	45.10	3 821	0.92

Age group	Target population	Dose 1	Dose 1 %	Dose 2	Dose 2 %	Dose 3	Dose 3 %	Dose 4+	Dose 4 %	Dose 5	Dose 5 %
Over 75	284 845	247 709	86.96	244 952	85.99	211 863	74.38	124 808	43.82	69	0.06
<b>Total</b>	<b>3 471 226</b>	<b>2 915 507</b>	<b>83.99</b>	<b>2 829 738</b>	<b>81.52</b>	<b>1 981 235</b>	<b>57.08</b>	<b>768 098</b>	<b>22.13</b>	<b>4 823</b>	<b>0.63</b>

### Sexual and reproductive health

155. The information provided in the fifth periodic report (E/C.12/URY/5) is updated below.

### Voluntary termination of pregnancy

Since the adoption of Act No. 18987 (2012), the number of voluntary terminations of pregnancy has evolved as follows:

Year	Total number of voluntary terminations of pregnancy	Monthly average
2013	7 171	598
2014	8 537	711
2015	9 362	780
2016	9 719	810
2017	9 830	819
2018	10 373	864
2019	10 210	851
2020	9 915	826
2021	10 111	842

Source: Sexual and Reproductive Health Programme, 2022.

In 2021, the number of voluntary terminations of pregnancy by age and month was as follows:

EDAD	< 15	15-17	18-19	20-24	25-29	30-34	35-44	> 44	TOTAL
enero	6	34	57	242	199	167	122	1	828
febrero	2	39	42	248	189	129	123	2	774
marzo	5	49	66	249	220	178	120	1	888
abril	4	35	45	215	211	135	112	2	759
mayo	4	46	56	211	185	135	116	5	758
junio	5	28	57	223	208	145	112	3	781
julio	5	32	63	244	231	155	141	3	874
agosto	4	36	64	247	223	142	141	0	857
setiembre	6	33	68	294	235	186	150	5	977
octubre	7	27	62	230	235	143	138	6	848
noviembre	8	42	64	242	229	181	140	1	907
diciembre	2	36	67	247	207	144	154	3	860
<b>TOTAL</b>	<b>58</b>	<b>437</b>	<b>711</b>	<b>2892</b>	<b>2572</b>	<b>1840</b>	<b>1569</b>	<b>32</b>	<b>10111</b>

Source: Sexual and Reproductive Health Programme, 2022.

156. As shown above, 88.1 per cent of all patients who underwent a voluntary termination of pregnancy were over 20 years of age, 11.3 per cent were adolescents aged between 15 and 19 years, and 0.6 per cent (58) were under 15 years of age.

### Voluntary termination of pregnancy by age group in Uruguay, 2013–2021

IVE 3 por edad	2013	2014	2015	2016	2017	2018	2019	2020	2021
Menores de 15	74	69	94	74	64	53	35	47	58
15 a 19 años	1200	1404	1603	1597	1476	1421	1335	1258	1148
20 años o más	5897	7064	7665	8048	8290	8899	8840	8610	8905
<b>TOTAL</b>	<b>7171</b>	<b>8537</b>	<b>9362</b>	<b>9719</b>	<b>9830</b>	<b>10373</b>	<b>10210</b>	<b>9915</b>	<b>10111</b>

Source: Sexual and Reproductive Health Programme, 2022.

157. One maternal death due to a voluntary termination of pregnancy was reported in the period 2013–2021. During the pandemic, sexual and reproductive health services continued to function normally (including in person), in accordance with the guidelines and notifications issued by the Ministry of Health to service providers immediately after the declaration of the health emergency.

158. Health professionals who claim conscientious objection to voluntary termination of pregnancy are legally required to refer patients to a non-objecting colleague or to the sexual and reproductive health team in a timely and efficient manner and are not allowed to share their personal convictions about voluntary termination of pregnancy with patients. Objecting doctors may not hinder, delay or obstruct the process, nor may they discourage it based on their personal beliefs. The Ministry of Health requests annual sworn declarations, on the basis of which health-care providers report the percentage of conscientious objectors that they employ. The sworn declarations of objectors are kept on file by providers and may be consulted by the Ministry if necessary. In 2020, only one provider reported that 100 per cent of its on-call doctors were conscientious objectors, and only five providers reported that more than 50 per cent of their on-call doctors were conscientious objectors. In accordance with the legislation in force, there is no nominal register of objecting doctors.

159. There are no specific figures for voluntary termination of pregnancy among migrant women. All women who have been in the country for more than one year and are users of the Integrated National Health System have the right to undergo the procedure. Residency and legal citizenship are not required. In the case of voluntary termination of pregnancy due to serious risk to maternal health or malformations incompatible with extrauterine life, there is no requirement to have been present in the country for any given period.

### Caesarean sections

160. The rate of caesarean sections has remained above 40 per cent since 2011. Although reducing the rate was one of the targets of the national health objectives for 2020, little progress has been made. There are various barriers to achieving this goal, including the structure of the Integrated National Health System, the lack of regionalization of obstetric care, medical work practices and remuneration, and the perception of caesarean sections by society as being painless, safe and effective.

### Teenage pregnancy

161. Since 2013, the number of births to teenage mothers has been in sharp decline, a trend that continued in 2021. The number of live births in the country by mother's age and year is shown below.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
14 years and under	187	218	177	190	169	122	120	98	71	82	60
15 to 19 years	7 783	7 545	7 986	8 172	7 779	7 371	6 578	5 367	4 554	3 970	3 478
20 years and over	39 450	38 949	39 896	40 319	40 420	41 433	40 360	37 571	35 514	33 420	32 339

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
<b>Total</b>	<b>47 420</b>	<b>46 712</b>	<b>48 059</b>	<b>48 681</b>	<b>48 368</b>	<b>48 926</b>	<b>47 058</b>	<b>43 036</b>	<b>40 139</b>	<b>37 472</b>	<b>35 877</b>

Source: Vital Statistics Department, Ministry of Health.

162. Together with other institutions, the Ministry of Health has carried out a series of actions within the framework of the intersectoral national strategy for the prevention of unintended teenage pregnancy, which sets out three objectives for the period 2020–2025: (i) prevent unintended teenage pregnancy and promote healthy life plans; (ii) identify pregnant teenagers in a timely manner, provide them with the information needed to make a decision and support them in this process; and (iii) support teenagers who decide to continue with their pregnancy, promote their social, labour and educational reintegration and guarantee the rights of the child and their parents.

163. The prevention of unintended teenage pregnancy is also one of the key issues prioritized in the national health objectives for 2030. The highest proportion of adolescent births occur in public sector health facilities, which is where the main actions have been targeted through the expansion of the range of available contraceptive methods.

### **Lesbian, gay, bisexual, transgender and intersex (LGBTI) persons**

164. Regarding access to health services for LGBTI persons, everyone in Uruguay has the right of access to comprehensive care that includes actions aimed at health promotion, protection, recovery and rehabilitation, in addition to palliative care. In accordance with Decree No. 344 (2020), the Integrated National Health System guarantees free choice of health-care provider, without any discrimination based on gender and/or income.

165. Specifically, under the Comprehensive Act for Transgender Persons (No. 19684) of 2018, which provides for the establishment of multidisciplinary teams specialized in gender identity and sexual diversity, referral teams have been set up in 74 per cent of collective health-care facilities. These teams are coordinated mainly by gynaecologists and family doctors, and to a lesser extent by psychiatrists, paediatricians, endocrinologists and psychologists, among other professionals. Generally speaking, the composition of the teams follows the recommendations of the General Health Directorate and includes social workers, gynaecologists, obstetricians, midwives, mental health professionals, endocrinologists and general or family doctors.

166. The largest health-care provider has referral teams in nine departments of the country, the clinical hospital (a university hospital providing general care) and the National Health Directorate of the Armed Forces.

167. Furthermore, the Ministry of Health has developed evidence-based guidelines on issues of sexual orientation and gender identity such as the Clinical Guidelines on Hormone Therapy for Transgender Persons (2016). Lastly, the Ministry has mainstreamed a sexual diversity approach by promoting the development of specific policies for the LGBTI population that provide for, among other measures, the inclusion of the gender identity variable in all official statistical systems and in future electronic health records.

### **Mental health**

168. Act No. 19529 on Mental Health establishes that its purpose is to guarantee the right to mental health protection for the country's residents in a manner that respects the human rights of all persons, and particularly those who use the mental health services provided by the National Integrated Health System. Article 2 of the Act states that mental health protection encompasses promotion, prevention, treatment and rehabilitation services designed to create the conditions in which the right to a dignified life may be enjoyed by all persons, particularly those with mental health conditions.

169. In accordance with the Act, the Ministry of Health issued Ministerial Ordinance No. 153/2020 on the preparation and adoption of the National Mental Health Plan 2020–2027. The Plan reflects a new way of formulating the relevant public policy that takes an inter-institutional approach to the issues at stake and considers the key factors that influence a

person's mental health, such as access to housing and employment and inclusion in education and culture. Another key issue addressed by the Act and the Plan is the development of a deinstitutionalization initiative, accompanied by the establishment of structures that provide the support required for people to enjoy a full life in the community.

170. The purpose of the Plan is to contribute to improving people's mental health by defining and implementing the most effective strategies for promoting mental health and preventing and reducing morbidity, mortality and disability among persons with mental health conditions, providing quality care based on the human rights approach and a community-based, intersectoral care model. Accordingly, the Plan sets out the following priority lines of action for the implementation of the Act: stewardship and governance; an intersectoral approach; promotion and prevention; care; human resources management and training; and information, monitoring, evaluation and research systems.

171. Deinstitutionalization is one of the most important principles behind these lines of action since the community model of care constitutes a paradigm shift requiring health service users, the staff who work with them and society as a whole to adopt new attitudes and ways of thinking in their daily round. It requires a range of health-care, social and educational mechanisms, tailored to each individual's situation, which together form an effective network of services that strengthen family and community ties. The Act provides for the closure of asylums and specialized facilities in 2025.

172. The section of the National Mental Health Plan 2020–2027 that is devoted to care specifies that the new model provides for “inclusive care spaces for members of sexually diverse communities”. In this connection, the Government acknowledges that mental health professionals lack training in issues surrounding the inclusion of sexual diversity for the benefit of lesbian, gay, bisexual, transgender, intersex and queer persons and proposes the establishment of a strategic line to promote awareness-raising and training in sexual diversity for mental health staff.

173. The suicide rate in Uruguay, which is one of the highest in the Americas, reached 20.3 per 100,000 inhabitants in 2020, following the trend established in recent years (19.7 per 100,000 in 2017, 20.25 per 100,000 in 2018 and 20.55 per 100,000 in 2019). The most affected age groups are young persons aged between 20 and 29 years and adults over 65 years of age, for whom the rates are higher than 28 per 100,000. The National Strategy for Suicide Prevention 2021–2025 was developed within the framework of the National Honorary Commission on Suicide Prevention and contains five strategic lines of action: (1) organizing mental health care; (2) promoting the intersectoral approach and networking; (3) raising community awareness and educating the public with a view to promoting mental health and preventing suicide; (4) providing training and capacity-building and reorienting human resources to address suicide prevention and to support persons who attempt suicide and survivors of such attempts; and (5) developing and implementing a national information system on suicide attempts and suicide.

174. The above measures supplement the national teenage suicide awareness and prevention campaign and the various steps taken by the Ministry of Health to obtain preliminary information on suicides almost as soon as they happen.

### **The right to health and drug policy**

175. The use of psychoactive substances in Uruguay is a problem that is continually monitored through national surveys on drug use targeted at both the general public and secondary school students. These surveys show that the most heavily consumed psychoactive substance is alcohol, which 59.4 per cent of the adult population had consumed in the last 30 days of 2019. A total of 47.8 per cent of high school students had consumed alcohol in 2020. The other substances consumed by secondary school students in the last 30 days are, in order of prevalence, energy drinks (19.5 per cent), marijuana (11.1 per cent) and tobacco (10.4 per cent), followed by cocaine, hallucinogens, ecstasy, hashish and cocaine paste (less than 1 per cent). Attention should be drawn to binge drinking among teenagers, as this is more common among this age group (28.6 per cent) than among adults (26.1 per cent).

176. One of the objectives of the National Mental Health Plan is to prevent the problematic consumption of psychoactive substances. In this connection, the Plan establishes that such

consumption will be addressed within the framework of comprehensive mental health policies covering risk and harm reduction, psychosocial care, inclusion in education and employment, management of free time and leisure, and the links between consumption and social and affective factors within the family and the community.

177. Within this framework, the Ministry of Health is implementing the “Strong Families” (Familias Fuertes) Programme in six departments in the country with a view to improving communication between families and preventing risk behaviour, particularly substance abuse, among teenagers. The Plan also provides for the expansion of psychotherapeutic and psychosocial services for adults who are clinically depressed or who abuse alcohol and other drugs.

178. Lastly, the national health goals established for 2030 set out specific lines of action for promoting public policies to prevent the harmful consumption of alcohol and, in particular, to implement the most effective measures recommended by the World Health Organization.

### **Article 13**

#### **Education**

179. The Educational Development Plan 2020–2024 of the National Public Education Administration establishes that measures must urgently be taken to strengthen the education provided to all students, particularly those with the highest levels of social and educational vulnerability, in order to reduce the striking inequity evidenced by the various educational outcome indicators related to access, development, graduation and quality of education. As stated in the Voluntary National Review 2022, in order to address these circumstances and promote educational equity, consideration is being given to two types of educational policy measure: a universal measure involving a comprehensive curricular change across the entire system, and a targeted measure intended to benefit the students who most need to improve their learning outcomes because their current results are making it difficult for them to progress smoothly through the system.

180. With regard to schooling, the 2018 national survey on adolescents and young persons conducted by the National Institute of Statistics shows that 49.2 per cent of 18-year-old women had completed high school while 37.9 per cent of men of the same age had done so.

181. A total of 38.9 per cent of people surveyed stated that their main reason for dropping out of school was that they had started working, while 22.5 per cent said that they lacked interest or were interested in a different form of learning. A total of 7.7 per cent stated that they found the curriculum difficult, 7.4 per cent dropped out because they or their partner had become pregnant, 3 per cent had to attend to family matters, 1.5 per cent had financial difficulties and 0.8 per cent had to look after children under 12 years of age. A total of 73.1 per cent of those who dropped out of secondary school planned to resume their studies in the future.

182. Within the framework of the strategy for the prevention of teenage pregnancy and the National Integrated Care System, the National Public Education Administration has implemented the “Care Spaces” Project for the children of young mothers and fathers who attend secondary schools in the afternoons and evenings. The Project is intended to make it easier for such parents to continue their studies. In addition, provision has been made to allow students who care for children under 5 years of age to follow tailored curricula if the school notes a high rate of absenteeism and/or a risk of dropout.

183. The Social Security Bank runs the Teenage and Young Mothers Programme, one objective of which is to provide support for teenage mothers and mothers under 23 years of age who receive assistance from the Social Security Bank and the “Uruguay Grows with You” (Uruguay Crece Contigo) Programme and are interested in continuing their studies in order to facilitate their entry into the formal, specialized labour market. The Programme is also designed to promote the acquisition of social skills and enhance the participants’ financial, physical and decision-making autonomy in their public and private lives. Within this framework, they are given financial support to cover the cost of training, transportation, study materials and childcare, and educational support in the form of workshops on sexual and



reproductive health, gender, self-esteem, parenting, finding employment and gender-based violence, among other subjects.

184. Using an analytical study of the accessibility of education in the country as its starting point, the Ministry of Education and Culture formulates strategies, instruments and tools that help to promote inclusive educational policies, taking into account regulatory aspects, inter-institutional coordination and the design of innovative local projects.

185. In 2019, the “Inclusion Coordinators in Local Communities” (Articuladores de Inclusión en Territorio) Project was launched as part of the Inclusive Education Programme implemented by the National Directorate of Education of the Ministry of Education and Culture. The Project is run by professionals trained in the area of inclusive education who have experience of working in different educational and local coordination settings. The measures carried out within the framework of the Project involve in-depth work with educational teams, local networks, students and families and include specific training in inclusive education, cognitive accessibility, universal design for learning, and different inter-institutional and intersectoral coordination mechanisms.

186. With regard to access to education for persons with disabilities, the Committee for Continuing Education and Social and Professional Development for Disability is disseminating the updated version of the action protocol for inclusive education for persons with disabilities in coordination with the educational communities and is also organizing a course on Uruguayan Sign Language. Furthermore, a guidance protocol for situations in which persons are subjected to discrimination and rejection on the grounds of disability in the area of education was drawn up in 2021.

187. With regard to migrants, guidance on admission to the preschool, primary, secondary and tertiary levels of the national education system has been drawn up. In order to ensure the right to continuity in education, Decision No. 0389/018 of the Ministry of Education and Culture provides for the temporary recognition, for a period of one year, of studies carried out by students prior to entering the country, including in cases where they lack documentation.

## **Article 15**

### **Culture**

188. The Intercultural and Migrant Education Programme was established to encourage different forms of expression and to promote cultural diversity. The first online course on intercultural education, created under this Programme, was aimed at teachers and officials of the educational community and designed to strengthen and provide conceptual and theoretical tools for working with migrants in the classroom and mainstreaming an intercultural perspective in education. Training sessions on migration and intercultural issues in education are also held for teachers and officials of schools in Montevideo.

189. The inter-institutional project named “Walls that Unite” (Muros que Unen) was implemented in the cities of Rivera and Chuy (on the border with Brazil) with a view to raising awareness, from a human rights perspective, of migration processes and related issues (discrimination, xenophobia, racism), especially in educational settings.

190. In 2019, the National Disability Programme of the Ministry of Social Development and the National Culture Directorate of the Ministry of Education and Culture issued event accessibility guidelines for arts producers, institutions and cultural, sports and social initiatives. The purpose of these guidelines is to make event organizers more aware of the obstacles encountered by persons with disabilities in gaining access to venues. They contain recommendations for raising awareness of, disseminating information about and organizing the physical layout of venues in order to ensure the right of accessibility and that all persons are able to enjoy it.

## **Annexes**

National Plan for Racial Equity and People of African Descent 2019–2022

National Mental Health Plan 2020–2027

Five-Year Development Plan 2020–2024

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