



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General
19 May 2022

Original: English

Committee against Torture Seventy-third session

Summary record of the 1902nd meeting

Held at the Palais Wilson, Geneva, on Friday, 6 May 2022, at 3 p.m.

Chair: Mr. Heller

Contents

Consideration of reports submitted by States parties under article 19 of the Convention
(*continued*)

Fourth periodic report of Uruguay (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fourth periodic report of Uruguay (continued) (CAT/C/URY/4;
CAT/C/URY/QPR/4)

1. *At the invitation of the Chair, the delegation of Uruguay joined the meeting.*
2. **Mr. Novella** (Uruguay) said that Uruguay had a rich tradition of providing reparations to persons whose rights had been violated. Article 23 of the Constitution provided that judges were legally responsible for taking action in respect of all violations of human rights, however insignificant those violations might be. Civil law provided that reparation should be made to persons subjected to harm of various kinds, while specific laws, including Act No. 18026 on Cooperation with the International Criminal Court, provided for reparations to be made to any persons whose rights under the Convention had been violated. Persons subjected to unlawful imprisonment were also entitled to reparation.
3. Although no persons had been convicted of the offence of torture, the law provided that anyone convicted of that offence, or the offence of grievous bodily harm, would be liable to between 20 months' and 8 years' imprisonment. Persons responsible for committing sexual abuse, abuse of authority or sexual assault against prisoners would receive sentences of between 2 and 12 years, 6 months and 2 years, and 1 and 9 years, respectively.
4. **Ms. Costa** (Uruguay) said that, ever since its inception, the National Human Rights Institution had always received the full amount of budgetary funding that it had requested. Between 2016 and 2020, technical staff had been assigned to the Institution and funding for the construction of its current headquarters had been granted. Under Act No. 19822 of 2019, the National Human Rights Institution was responsible for searching for persons who had been unlawfully detained or disappeared by State officials. In 2021, the Institution had been allocated specific funds for hiring 18 staff members, including lawyers, anthropologists and researchers, on permanent contracts. Currently, the Institution and the Ombudsman's Office employed 92 officials. A merit-based competitive examination for the promotion of the staff of the Institution had been held for the first time in 2021.
5. **Mr. González** (Uruguay) said that Act No. 19889, adopted in 2020 under the fast-track legislative procedure (*ley de urgente consideración*), had been developed and adopted by a legitimate Government and a democratically elected parliament out of the conviction that it would strengthen fundamental legal safeguards and guarantees. The Act had been adopted in part to address high crime rates, which had been rising for five consecutive years, with both the murder and robbery rates increasing significantly over that period. Now that the Act had been in force for almost two years, it was clear that the various forecasts made about its possible adverse effects had not come to pass. The Act had strengthened support for the police and brought about changes in the way the police operated. As a result, murder, robbery, assault and domestic violence rates had fallen and citizens' quality of life and sense of security had improved. Police officers now listened to citizens and worked closely with them, police headquarters were better staffed and more mobile police units were in operation. The police academy had been reformed and police officers now received better training, including in-service training in human rights and the law. Act No. 19889 did not provide for any restriction of the general principles of criminal law, although it did provide for the redefinition of certain offences and the amendment of some sentencing guidelines. The adoption of the Act had not entailed any violation of any international agreements signed by Uruguay.
6. Uruguay was not a police State but a State governed by the rule of law. There were no militarized police units, although a number of specialized units operated under the Ministry of the Interior. No new police units had been established over the previous two years. The 33,000 police officers in Uruguay were accountable to the country as a whole rather than to any political party or government agency. The officers were highly trained and had sworn to defend the lives of the public with their own lives. Many police officers had been killed in the line of duty. The executive branch firmly supported the police, but it did not tolerate corrupt police officers. The Ministry of the Interior used a number of mechanisms

to process complaints concerning police misconduct. All complaints were investigated and if the police officers concerned were found to have engaged in criminal misconduct, they were prosecuted.

7. Contrary to some predictions that had been made, the number of persons killed by police officers every year had fallen since the adoption of Act No. 19889. Although some public prosecutor's offices had received complaints concerning the ill-treatment of prisoners in custody, the majority had not. Persons who had filed complaints had undergone a medical examination, and investigations had been conducted whenever any suspicious injuries had been found. Any police officer who injured or killed a prisoner and subsequently claimed to have been acting in self-defence would be investigated by a prosecutor. Police officers were prohibited by law from carrying out acts of torture and were not permitted to invoke any special circumstances or the orders of a superior as justification for committing such acts.

8. **Mr. Abdala** (Uruguay) said that, although Act No. 19889 had introduced changes to the maximum and minimum lengths of the custodial and semi-custodial social and educational measures that could be imposed on juvenile offenders, it had not altered the general principles governing the application of custodial measures to adolescents, nor had it changed the age of criminal responsibility, which remained 18 years. The changes brought about by the Act were not intended to punish adolescents but to provide them with social and educational support.

9. Adolescents in conflict with the law were tried by specialized judges in juvenile courts that were entirely separate from adult courts. Furthermore, institutions responsible for the social reintegration of young offenders were entirely separate from penitentiaries for adult offenders, and the procedural rules applicable to adolescents were also different from those applicable to adults. Young offenders were subject to the Code on Children and Adolescents and the various legal principles and safeguards established in the Code. Any preventive measures imposed on adolescent offenders were primarily intended to promote their social and educational development and their reintegration into society. The adoption of Act No. 19889 had not resulted in any increase in the number of children and adolescents who were deprived of their liberty.

10. **Mr. González** (Uruguay) said that Act No. 19889 had not resulted in any undermining of the right to assembly and peaceful protest. Under the Act, all citizens were free to demonstrate wherever they liked, provided that they did not occupy a workplace or block a public road. Although the Act provided for the establishment of new offences and increases in certain sentences, prisoners were able to reduce their sentences by participating in work or study programmes.

11. The Government could not deny that human rights violations had occurred, and continued to occur, in Uruguayan prisons, and it recognized that it was essential to ensure that prisoners' dignity was respected and that they had decent living conditions and opportunities for rehabilitation and reintegration into society. The National Rehabilitation Institute helped offenders to break out of the vicious cycle of offending, incarceration and reoffending.

12. The Government had launched the "Dignity Plan" (*Plan de Dignidad Carcelaria*) to improve conditions in prisons. In order to reduce overcrowding, steps were being taken to create 3,500 new prison places. In some cases, work to construct new prison units, and refurbish existing ones, was being conducted in partnership with private companies, with prisoners participating in the construction work. When the current Government had taken office, over 1,800 prisoners had been sleeping on the floors of their cells. Since then, the prisoners themselves had constructed 2,500 wooden beds. Under the Dignity Plan, prisoners were given the opportunity to acquire occupational skills, such as food cultivation. Around 40 per cent of the food eaten by the country's 14,000 prisoners was now produced by prisoners. Under a pioneering scheme, prisoners were to be given the opportunity to start small businesses in prison and sell the products that they manufactured. Prisoners were also given opportunities to participate in sporting activities.

13. In view of the particular risk that prisoners faced from the coronavirus disease (COVID-19) pandemic, steps had been taken to ensure that as many prisoners as possible were vaccinated against the disease. As result, a higher proportion of prisoners had been

vaccinated than any other group in the country. During the pandemic, prison visits had been restricted but not completely stopped. Prisoners received health care through the Comprehensive Care System for Persons Deprived of Their Liberty. Owing to the measures taken, only four prisoners had died from COVID-19.

14. **Mr. Rosano** (Uruguay) said that, in 2010, the National Rehabilitation Institute had replaced the agency that formerly had managed the prison system. Instead of the strictly security-based approach applied by its predecessor, the Institute sought to limit the role of security and police personnel in prisons to deterrence, crisis management and enabling the work of civilian staff specialized in social and educational interventions. Unlike its predecessor, the Institute did not report to the National Police Directorate but directly to the Ministry of the Interior. Various proposals to restructure the Institute were currently being considered.

15. **Mr. Abdala** (Uruguay) said that abuse of children in detention did not occur generally or systematically but only in isolated cases. Protocols and procedures were in place both to prevent and to address such incidents. The National Institute for the Social Inclusion of Adolescents had been set up in 2015 to address the specific needs of juveniles in conflict with the law. Whenever prosecutors became aware of possible abuse of children in detention, the incident was reported to the National Institute, in the capital where it was currently operational, or to the Uruguayan Institute for Children and Adolescents, in the rest of the country. Both organizations would ensure that the child concerned was supported by a social work professional.

16. The new criminal procedure model introduced in 2017 included a greater focus on victims, including child victims. The law provided for disciplinary proceedings in the event of official misconduct and established all necessary safeguard for both victims and alleged perpetrators. In recent years, the Uruguayan Institute for Children and Adolescents had established a special complaints mechanism for reports of institutional violence, which was operated in cooperation with the National Human Rights Institution and had proved highly effective not only in dealing with individual cases but also in informing public policy. All children who came under the care of the National Institute for the Social Inclusion of Adolescents or the Uruguayan Institute for Children and Adolescents underwent a comprehensive medical examination. If any signs of physical injury were detected, they would be reported to the criminal justice system.

17. **Mr. Novella** (Uruguay) said that, in line with a recommendation made by the Subcommittee on Prevention of Torture following its visit to Uruguay in 2018 (CAT/OP/URY/1), the number of public defenders and assistant public defenders had increased from 113 to 132. Specific statistics on the ratio of lawyers to detained persons were not available. However, in 2020 each public defender had attended an average of 372 criminal hearings and assisted an average of 415 persons, both in detention and at liberty. The number of public defenders and assistant defenders specialized in sentence enforcement had increased to 16.

18. **Ms. Salinas** (Uruguay) said that persons deprived of their liberty who did not have a private lawyer were provided with a public defender or duty counsel, who assisted their clients at all stages of criminal proceedings, including during police interrogations. There were no limitations on the number or duration of meetings with lawyers, which took place in private. The only reasons a meeting might be rescheduled were organizational, for example to avoid a meeting clashing with a family visit. Meetings with lawyers could also be held virtually via video link.

19. **Mr. Petit** (Uruguay), noting that, as Parliamentary Commissioner for the Prison System, he represented an independent mechanism that operated in line with the Paris Principles, said that the current poor conditions in the country's vast prison system raised a number of concerns relating to human rights, public health and public safety. Uruguay already had one of the largest prison populations per capita in the world, and the number of prisoners was growing. The number of incarcerated women was increasing at a disproportionate rate compared to that of men. The incarceration of women with children was of particular concern and should be rapidly addressed through a programme of house arrest accompanied by social support and rehabilitation.

20. Prisoners were not provided with a guide to their rights and obligations on admission, nor did they have access to a suitable complaints mechanism. His office had recommended that standardized forms should be introduced to enable prisoners to submit complaints and appeal against administrative sanctions imposed on them. Currently, prisoners often lacked even paper and could only make a complaint to the officials they saw in person.

21. His office worked to prevent ill-treatment by making proposals for improvements to food, hygiene, educational activities and other areas. The office had submitted to the authorities a plan to combat reoffending through rehabilitation, which set out measures intended to reduce overcrowding, enhance the use of alternatives to detention, improve health services in prisons and promote employment after prison. The office welcomed the work-related measures included in the Dignity Plan and proposed that they should be reinforced with appropriate budgets for training and opportunities for prisoners to sell the goods they produced.

22. His office had recommended ensuring that the national health system became fully responsible for health services in prisons to provide persons in detention with the same standard of care as the general population, including specialist care, which would help to address the shortage of psychiatrists and psychologists and the lack of treatment for addiction. The office had carried out a study of deaths in custody, which had reached record levels in 2021, and had concluded that the most important step that could be taken to reduce such deaths was to expedite the transfer of prison health care to the national health system. However, the process of transferring prisoner health services to the national system had been completed for less than 70 per cent of the prison population. The office welcomed the action taken during the COVID-19 pandemic to vaccinate prisoners and provide a medical check-up to all detained persons, but continued to call for an assessment of unmet needs.

23. The office had developed a set of indicators to assess places of detention, which was based on international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). It was estimated that 34 per cent of the prison population lived in conditions amounting to cruel, inhuman or degrading treatment; 56 per cent lived in inadequate conditions; and only 10 per cent lived in good conditions conducive to rehabilitation, which should be the objective of the prison system.

24. The office had recommended that a task force should be set up with the power to address urgent matters relating to logistics, human resources and coordination of services within the prison system. The office was in constant dialogue with parliamentarians, through which it was seeking to ensure that the country's criminal laws did not result in disproportionate sentences for minor offences, for example through the application of mitigating factors and exceptions. The office had also begun submitting *amicus curiae* briefs offering a human rights perspective on the enforcement of sentences, which had allowed many persons to serve their sentence under house arrest or in an addiction or mental health clinic.

25. Since 2016, it had submitted 32 criminal complaints in response to incidents of sexual abuse, ill-treatment and violence, including some acts amounting to torture. In 2021, the office had submitted 106 recommendations to the Ministry of the Interior, 83 recommendations to the National Rehabilitation Institute, 30 recommendations to the health services and 12 criminal complaints to the prosecution service relating to institutional violence and abuse and deaths of prisoners.

26. In response to reports of violence committed by officials, his office had recently instituted an institutional violence register. In 2021, it had recorded seven cases, some relating to a large number of persons. The complainants' anonymity was protected while the office worked with the relevant authorities; the process often ended with the lodging of a criminal complaint to the prosecution service. The office had recommended that a specialized prosecution service should be set up to improve the investigation of violence in prison, which had resulted in the hospitalization of 224 persons in 2021.

27. The Minister of the Interior had publicly acknowledged that human rights violations had been committed in the country's prisons and the Ministry had shown willingness to improve conditions, including through the Dignity Plan, which provided for reform using a

human rights-based perspective. However, there was not yet a specific strategy to address overcrowding. The national prison reform strategy required under Act No. 19889 had not yet been developed, although the establishment of the Criminal and Prison Policy Council was a positive step.

28. Since human rights abuses were often the result of a lack of resources and poor training, training for prison guards, police officers, forensic specialists and judges should be improved as a matter of urgency, including training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). In addition, the judiciary, as the highest authority with respect to deprivation of liberty, should be provided with the necessary human, logistical and financial resources, especially to address the ongoing shortage of public defenders.

29. **Mr. González** (Uruguay) said that the authorities were very concerned about the 86 deaths that had occurred in prisons in 2021. An analysis had been carried out to differentiate determine the causes of those deaths. Excessive isolation and the reduction of the services provided during the COVID-19 pandemic, including the suspension of educational and work activities and religious services, had probably contributed to the relatively high number of deaths. That hypothesis was borne out by the decrease in death rates during the first quarter of 2022.

30. The authorities were working towards the establishment of a unified health system covering both prisons and the general population and were also striving to improve mental health and addiction treatment and resolve the issues currently encountered with the transfer of medical records when prisoners moved between facilities. Cervical screening had been carried out on all incarcerated women with support from a non-governmental organization. The programme would continue under the aegis of the public health service. The work of the Uruguayan Institute for Children and Adolescents had resulted in major improvements to the accommodation of children deprived of their liberty, including by ensuring that all such children had access to education and health professionals.

31. **Ms. Salinas** (Uruguay) said that health care for persons deprived of their liberty in the capital was under the responsibility of a special department of the State Health Services Administration; the National Police Health Directorate continued to organize services in the rest of the country. A procedure for health care of adults in the prison system had been established, providing for common criteria and uniform quality. A medical file was opened for each prisoner upon admission and an interview was conducted to enable the early diagnosis and prompt treatment of non-communicable and infectious diseases. A physical examination was performed to detect malnutrition and other health issues. Tests for HIV, syphilis and tuberculosis were carried out and the prisoner's vaccination record was updated.

32. The National Rehabilitation Institute was leading an inter-agency committee including representatives of health-care providers, the Parliamentary Commissioner for the Prison System and the National Human Rights Institution to improve access to health care and continuity of care for persons deprived of their liberty. The committee had developed a procedure establishing clear guidelines and unified criteria, which had led to improved cooperation among different entities of the prison system and should help resolve the issues with the transfer of medical records.

33. The National Rehabilitation Institute, together with the State Health Services Administration and the National Drug Authority, was continuing its work under a programme to combat addiction and substance abuse in prisons. The approach was supported by civil society organizations that worked directly in prisons. Specific policies were being developed jointly with other actors, such as the Ministry of Social Development, to ensure continuity of treatment begun in prison after release.

34. **Ms. Ache** (Uruguay) said that the bill on house arrest for persons over the age of 65 had been submitted by a group of parliamentarians and was currently before the Constitution, Codes, General Legislation and Administration Commission of the parliament for review.

35. **Mr. Abdala** (Uruguay) said that the National Institute for the Social Inclusion of Adolescents and the Uruguayan Institute for Children and Adolescents worked together to

protect and rehabilitate children and adolescents. There were currently 293 adolescents deprived of their liberty, less than half the number of 10 to 15 years earlier, and 310 adolescents under non-custodial measures, also a radical decline. A study conducted with support from the United Nations Children's Fund had found that conditions and treatment at National Institute facilities were satisfactory according to the adolescents interviewed. A report on the study had been released that week and would be transmitted to the Committee. Any staff suspected of ill-treatment were removed from direct contact with the adolescents for the duration of the investigation and, where ill-treatment was found to have occurred, disciplinary proceedings were initiated. Adolescents and their families had several ways of lodging complaints, including through an easily accessible website, and mechanisms were in place to take action on complaints.

36. Steps were being taken to reduce the stays of adolescents in psychiatric institutions. For example, the National Institute for the Social Inclusion of Adolescents had recruited additional health-care professionals, including psychiatrists, and had adopted new protocols on comprehensive care. More broadly, the Uruguayan Institute was shifting from a biomedical model to a socio-educational model.

37. It was inaccurate that National Institute facilities favoured security over rehabilitation. Only three of the 13 facilities were maximum security establishments, and adolescents living there had access to work, sports and recreational activities, in line with the Institute's mission. The average number of hours that adolescents living at National Institute facilities spent in their rooms had decreased to 14.2 hours per day in 2021, including time spent sleeping, despite the measures that had had to be taken to prevent the spread of COVID-19. More than 81 per cent of residents were enrolled in formal education programmes at the primary, secondary or vocational levels. Residents were not responsible for cleaning and maintenance; those services were contracted to the Ministry of Transport and Public Works. Nevertheless, residents might be involved in painting and building activities as part of socio-educational programmes. Cases of self-harm among adolescents in custody had declined significantly, from 196 in 2019 to 73 in 2021.

38. The National Institute was designing a training programme for its staff who worked directly with adolescents as part of an ambitious project, in collaboration with the Ministry of the Interior and the Uruguayan Institute for Children and Adolescents, to set up a training academy.

39. **Mr. Rosano** (Uruguay) said that the National Rehabilitation Institute had a staff of more than 4,510, including 3,000 police officers and 1,250 prison personnel. Unfortunately, that number was insufficient, given that there were more than 13,000 persons deprived of their liberty and 14,000 people under alternative measures. Efforts were under way to recruit more staff. In 2022 alone, 300 police officers and 57 prison personnel were expected to complete their training.

40. Of the 450 hours of basic police training, 10 were dedicated to human rights. Prospective staff of the National Rehabilitation Institute received an additional 15 hours of specific training in corrections-related issues, including the Nelson Mandela Rules. The training was delivered in cooperation with various international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Subcommittee on Prevention of Torture, as well as academia and the Parliamentary Commissioner for the Prison System. In that connection, the Parliamentary Commissioner's recommendation to incorporate the Istanbul Protocol in training would be considered.

41. The number of National Rehabilitation Institute staff who received human rights training had risen from none in 2017 to more than 870 in 2021. In addition, the Prison Training Centre had held its first international seminar on human rights, with the participation of more than 700 officials from 12 Latin American prison training establishments. Uruguay had recently assumed the presidency of the Network of Prison Academies, which brought together academies from the Latin America and Europe, and in that capacity would continue to promote human rights training for prison personnel.

42. **Ms. de Souza** (Uruguay) said that all military personnel received training in international humanitarian law and international human rights law. The Convention against Torture was one of the topics covered in human rights courses. Military personnel deployed

on peacekeeping missions were provided with training in a range of human rights issues, such as child protection, sexual violence and exploitation, and women, peace and security.

43. **Mr. Novella** (Uruguay) said that judicial personnel received mandatory training in the various national, regional and international human rights instruments, although there was admittedly a shortcoming with regard to training on the Istanbul Protocol. The Centre for Judicial Studies of Uruguay offered trainee judges courses on the application of relevant national and international instruments; the current President of the Inter-American Court of Human Rights was among the instructors. Between 2018 and 2021, the Centre had provided mandatory training in human rights to 865 participants. The courses, many of which had been co-organized with OHCHR, covered a wide range of topics, including the adversarial system; non-discrimination on the basis of race, ethnicity, disability or sexual orientation; migrant and refugee rights; recommendations made to Uruguay by international bodies; and the prosecution of cases of enforced disappearance and sexual abuse in the context of the dictatorship.

44. **Ms. Ache** (Uruguay) said that training programmes on international refugee law for migration officials had been launched in 2018, and the Ministry of Foreign Affairs, in collaboration with the International Organization for Migration (IOM), had recently conducted a round of training for staff of the Ministry and the National Migration Directorate on the topics of mental health, rights, available services, xenophobia, discrimination and vulnerabilities. Although the Commission for Refugees had increased the number of officials responsible for determining refugee status, more were needed to meet the high demand.

45. Statistics on gender-based and sexual violence against asylum seekers had been collected since the start of 2021. That year, social assistance teams had identified 10 cases of women asylum seekers who reported having been subjected to violence. In such situations, the person was referred to the relevant public services. The social assistance teams also took specific measures to reduce the risk of refugees, asylum seekers and migrants being exposed to gender-based violence.

46. Between 2016 and 2018, a total of 14 families had benefited from the resettlement programme for individuals from the Northern Triangle of Central America. Under the highly successful programme, beneficiaries received support for one year, including employment assistance and supplemental income. Following on that success, a similar resettlement programme, whose scope also included Venezuelans, had been developed in collaboration with OHCHR and IOM, but its roll-out had been hampered by the closing of borders in response to the COVID-19 pandemic.

47. Persons in a situation of vulnerability were not discriminated against on the basis of their nationality or socioeconomic status. Uruguay had a tradition of welcoming foreign nationals in need and would continue to do so. In fact, it had been a pioneer in the region in introducing vulnerability and the need for international protection as an exception to its pandemic-induced border closures. Individuals who sought refugee status or entered the country as migrants were provided with an identification document that entitled them to medical care, education and employment and to contribute to the social protection scheme. The requisite interviews had been conducted virtually during the pandemic. In 2017, Venezuelan nationals had for the first time represented the largest group applying for residence in Uruguay, which adhered to the Plan of Action of the Quito Process on the Human Mobility of Venezuelan Nationals in the Region and had made the regularization of all migrants a main focus of its migration policy.

48. **The Chair** (Country Rapporteur) said that he welcomed the State party's affirmation of its unwavering commitment to working with human rights mechanisms. The presence of the Parliamentary Commissioner for the Prison System as a member of the State party delegation was a sign of the independence enjoyed by the country's experts. It remained unclear how the State party planned to address severe prison overcrowding, which had only worsened since the adoption of Act No. 19889. He would appreciate information on any strategies in place to address that issue and on any social policies aimed at tackling rising crime rates. He would also be grateful if the delegation would comment on reports of excessive use of force by the police and police raids conducted without a court order. He also wished to know whether the State party intended to set up a national registry or database of

serious human rights violations, the establishment of which had been recommended after the review of the State party's previous periodic report (CAT/C/URY/CO/3).

49. **Ms. Racu** (Country Rapporteur) said that she wished to know how the State monitored compliance with fundamental legal safeguards, such as advising detained persons of their rights, notifying their families and recording interviews, and whether law enforcement officers who failed to comply were punished. She welcomed the delegation's reference to dignity in relation to conditions of detention. She would like to hear more, however, about steps taken to improve conditions. It would be helpful to know, for example, how much was allocated to the general improvement of prison infrastructure, especially aging facilities and police cells, and what holistic approach the State was taking to reduce the high incarceration rate, for instance by promoting alternatives to detention.

50. Additional information on the National Rehabilitation Institute and the problems that staff encountered in day-to-day prison management would be welcome. She wished to learn in particular about the specific measures the Government was taking to implement rehabilitation and reintegration programmes for inmates and the outcomes of such measures, such as changes in the recidivism rates. The Committee would be grateful to receive specific figures on the reported staffing shortages in the prison system and on the progress made in overcoming them.

51. The Committee welcomed the Government's stated plans to set up a working group to tackle problems such as the health of prisoners, the prevention of violence and the improvement of detention conditions. It would be appreciative if the delegation could provide it with data on the number of violent incidents, including inter-prisoner violence and self-injuries, that had taken place in recent years in prison facilities and police detention centres across the country. Without such figures, the Committee could not fully understand the extent of the phenomenon. It would also be interesting to learn more about the violent incidents that had occurred in the Santiago Vázquez Prison Complex in 2017, where more than 30 prisoners had taken three prison officials hostage.

52. She would be grateful if the delegation could provide responses to several unanswered questions, namely: what steps had been taken to improve the infrastructure of juvenile detention establishments and whether alternatives to detention for minors were available; what disciplinary sanctions were applied to minors and whether there were mechanisms to review such sanctions; whether solitary confinement was imposed; whether prison establishments for juveniles were monitored by the national preventive mechanism and other relevant bodies; how many cases of self-mutilation and suicide had been reported in the previous four years and what measures had been taken to prevent such acts; and how prison staff were trained to interact with minors, including during crises and riots. Some of the questions on gender-based violence and domestic violence had also gone answered.

53. The Committee was concerned that the changes to police procedures brought about by Act No. 19889 might violate citizens' rights by, for example, increasing the police's discretion over the use of physical violence to detain citizens and creating criminal offences such as insulting the police or resisting arrest. It was particularly concerned that the law set out regressive provisions that directly affected children accused of committing criminal offences, such as increasing minimum and maximum sentences. More rehabilitative approaches and alternatives to detention were needed for children in conflict with the law.

54. **Mr. Iscan** said that he wished to put on record the Committee's appreciation for the constructive spirit displayed by the delegation. The Committee invited the State party to provide concrete information and statistical data on the means of rehabilitation ordered by the courts or other State bodies and provided to the victims of torture and ill-treatment. It would appreciate receiving information on the plans for systematic recording of cases in which compensation and redress had been provided.

55. **Mr. Buchwald**, referring to the proposed law that sought to commute the sentences of convicted persons over the age of 65 to house arrest, said that he would like to know whether the executive branch had taken any steps or had plans to oppose the proposed legislation.

56. **Ms. Ache** (Uruguay) said that the executive had not yet taken a position on the proposed legislation on house arrest, which had been under consideration in the Senate for more than a year thus far.

57. **Mr. Gonzáles** (Uruguay) said that the law did not make any provision for police raids without a court order, which must be requested by a prosecutor and granted by a judge. Individuals might give their consent to allow the police to enter their homes and look around, but not to carry out a search. The Government had put in place a number of safeguards against police abuse, including body cameras and various hotlines for lodging complaints. In 2019 there had been 152 complaints of police abuse, in 2020 there had been 158 and in 2021 there had been 134. All persons who had brought complaints had been seen by a medical doctor and a report had been filed. Preliminary investigations had been carried out in any case in which signs of ill-treatment had been found. The Ministry of the Interior took complaints of police abuse very seriously and did not tolerate police misconduct. Any complaints of misconduct were duly investigated and followed up. He would provide further detail in writing and would also provide data for the current year to date from a register of incidents in prison that had been introduced in 2022.

58. The Government was seeking to create 3,500 new prison places, which would help reduce overcrowding. Its objective was to see to it that persons deprived of their liberty had ample opportunities for rehabilitation. However, rehabilitation was not possible unless persons who had served their sentences had a real opportunity to integrate themselves into the communities where they wished to live. Lowering the crime rate required work and education. Reducing violence required treating addiction. Ensuring that persons did not commit subsequent offences when they were released required creating opportunities outside prisons.

59. **Ms. Salinas** (Uruguay) said that the National Rehabilitation Institute monitored compliance with alternative measures to imprisonment. At present, there were more than 9,000 active cases of persons subject to such measures. Individualized intervention plans were designed for the persons in question. New technologies, such as ankle monitors, had been introduced to oversee compliance. There was still a need to increase the number of technical and operational staff to manage the large number of persons subject to alternative measures. The delegation would provide further information on staffing in writing.

60. **Mr. Petit** (Uruguay) said that, while there had been improvements in overcrowding, there was still not a detailed plan for that purpose, which was needed in order to ensure the allocation of funding by the parliament. Although there was a toll-free number for complaints of ill-treatment in prison, the mechanism could be improved and made more independent. Often, the persons in the prison system who lodged complaints were themselves investigated.

61. With respect to the hostage-taking situation at the Santiago Vázquez Prison Complex, the unit where the incident had occurred had been closed down and had never reopened. The office of the Parliamentary Commissioner for the Prison System had expressed its concerns to the Government about the use of solitary confinement in the maximum security unit. It had visited the prison and would make future visits to ensure that maximum security did not mean that prisoners received no rehabilitation services and that their treatment was in compliance with the Nelson Mandela Rules, including the requirement of a minimum of two hours per day of meaningful human contact for prisoners in solitary confinement.

62. **Mr. Gonzáles** (Uruguay) said that a working group made up of prosecutors and representatives of the judiciary, the Ministry of the Interior and the Ministry of Education and Culture had been established pursuant to Act No. 19889. Its aim was to put in place a prison policy based on the prevention of violence and respect for human dignity. There had been physical improvements to many of the units, in Rocha, Salto and elsewhere. The Government was currently working towards the establishment of three additional units, each with the capacity to house 500 persons deprived of their liberty, which would alleviate overcrowding. It was also making efforts to reduce prison violence, including by increasing the number of technical staff and also by addressing issues such as addiction. The Government recognized the need to ensure that each prison violence incident was properly recorded and referred to a prosecutor's office for investigation and action.

63. **Mr. Abdala** (Uruguay) said that the National Institute for the Social Inclusion of Adolescents was currently carrying out a number of major works in detention centres, with funding from the national budget. His delegation would submit information on the works under way in writing. It was the Government's policy to apply alternatives to detention whenever possible in cases involving young people.

64. **Ms. Ache** (Uruguay) said that the delegation appreciated the comments and concerns expressed by the Committee. Uruguay was a country of robust democratic institutions, and the Government remained firmly committed to the rule of law, compliance with international law and the promotion and protection of human rights.

The meeting rose at 6 p.m.